

**BEFORE THE COMMISSIONERS APPOINTED BY THE CENTRAL OTAGO  
DISTRICT COUNCIL**

**UNDER**

the Resource Management Act 1991

**IN THE MATTER**

of RC230179 an application for a 33-lot  
subdivision at Rocky Point on Tarras-  
Cromwell Road (SH8)

**BETWEEN**

**TKO PROPERTIES LIMITED**

Applicant

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**SUPPLEMENTARY EVIDENCE OF JEFFREY BROWN**

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Dated:

22 April 2024

## Introduction

1. My name is Jeffrey Brown. My qualifications and experience are set out in paragraphs 1.1 – 1.2 of my evidence in chief (**EIC**) dated 4 November 2024.
2. I confirm my commitment, as expressed in paragraph 1.3 of my EIC, to the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023.
3. The purpose of this supplementary statement of evidence is to respond to the matters raised in Minute 5 of the Panel dated 25 November 2024.
4. I also comment on the issue of the change from offsetting to offsetting / compensation in the effects management hierarchy; comment on the regional consents that would be required for the development; and comment on and include an updated draft of the suite of conditions.

## Matters in the Panel's 25 November 2024 Minute

**Paragraph 13**      ***"The Panel requests that, as part of the written reply, the Applicant also provides a statement of evidence from Mr Brown (which can be supported by a statement by Mr O'Sullivan as appropriate) to explain the plans referred to above, including an assessment of how the developments shown on those plans comply with the provisions of the District Plan."***

5. The plans referred to are:
  - The Baxter Design Group (**BDG**) plan titled *SK439 – Draft – Infracon – Bendigo Vineyard + Facilities Sketch* that illustrates the possible layout of a proposed vineyard across the site; and
  - The BDG plans titled *SK160 – Controlled Activity Concept Plan* that illustrates a controlled activity subdivision within the Development Area of Schedule 19.16 Concept Plan at Rocky Point.
6. The Vineyard plan is contained at **Attachment A**. The buildings shown on the plan would require resource consent. A plan without the buildings is at **Attachment B**.
7. A detailed assessment of the various relevant District Plan rules with respect to the vineyard plan is set out in **Attachment C**. The vineyard could be established as a permitted activity under Rule 4.7.1.(i) because it is not otherwise listed as either as a controlled, discretionary (restricted), discretionary, non-complying activity or

prohibited activity and that complies with the rules and standards set out in Sections 12 – 15 of this Plan and the standards set out in Section 4.7.6.

8. As I set out in paragraph 4.6 of my evidence in chief, the vineyard's activities could include the removal of existing vegetation, ground works, construction of the vine supports, planting of vines, installation and application of irrigation, use of sprays, maintenance of the vines and related activities between the vine rows including using machines for harvesting, and so on.
9. The BDG controlled activity subdivision plan for the Development Area is at **Attachment D**. The proposed subdivision would require controlled activity consent under Rule 4.7.2.ii.a for subdivision that complies with the relevant standards (including Rule 4.7.2.e which states that the dwelling, other residential buildings and accessory buildings are not to be visible from State Highway 8 and Lake Dunstan) and the Concept Plan at Schedule 19.16. Residential activity can also be undertaken within RuRA(2) as a controlled activity under Rule 4.7.2.i.
10. The matters of control for a controlled activity subdivision were set out at paragraph 4.14 of my EIC. They include the effects of closer development and/or settlement patterns on various matters including on heritage sites including archaeological sites and waahi tapu; areas of significant indigenous vegetation and significant habitats of indigenous fauna; and natural features, landscape and other significant amenity values. Therefore, it is reasonable to assume a consent would be granted (given it cannot be refused) with conditions potentially requiring adjustments to the location of roading, building locations and utilities, to mitigate effects on these features. Nevertheless, a controlled activity subdivision would undoubtedly result in the removal of indigenous vegetation, potentially across large areas of the Development Area.
11. The BDG plan of the controlled activity subdivision shows mitigation works (including earth shaping and vegetation planting) to screen built form when viewed from State Highway 8 and Lake Dunstan. This would likely be accompanied by conditions to ensure that the works have been completed and will fulfil the screening purpose. This could include, for the vegetation, conditions requiring that, prior to construction of the built form, the planting is completed and has reached a certain height and density to fulfil the screening purpose. This might involve, for example, 5 years growth for the vegetation to reach the required height, but could be sooner if taller vegetation is planted from the outset.
12. I am currently involved in two cases in which similar landscape mitigation measures are being offered – one requires a minimum of three years' vegetation growth (of certain species and densities) or a minimum of 3m average height before dwelling

construction can commence, and the other requires at least 5 years' growth or 5m average height.

13. For the current (hypothetical) controlled activity subdivision at Rocky Point, the conditions could be tailored to each lot, depending on the orientation and topography, and the location of any required screening vegetation in relation to the building, to ensure that the screening imperative is achieved under Rule 4.7.2.e. The cross-section contained in **Attachment D** illustrates how the screening would work.
14. I therefore reiterate my EIC at paragraph 4.11 where I agree with Mr Vincent's view that a development consistent with the Concept Plan in 19.16 and Rules 4.7.2.i and 4.7.2.ii would be able to be undertaken as a controlled activity and forms part of the environment reasonably foreseeable under the District Plan.

**Paragraph 14**      *"We note also that counsel for Department of Conservation provided, with the legal submissions in Appendix E, an assessment of each proposed allotment in terms of whether they are within the Development Area, within the Conservation Covenant, and against the relevant considerations of the RuRA(2) Zone. We invite the Applicant to also respond to that assessment."*

15. **Attachment E** contains the Appendix E table prepared by Department of Conservation, and a new column with my response. The assessment accurately reflects the proposal as applied for in the updated application (July 2024).

**Paragraph 15**      *"In addition to the matters we traversed verbally with the Applicant, we invite a response to the following points made by counsel for Department of Conservation, as follows: ...*

- (a)      *The Applicant has not provided an assessment of any possible "alternative locations or methods" for undertaking an activity where the activity would result in any significant adverse effect on the environment. No alternatives have been presented that would avoid effects on s 6 matters; and ...*

16. The site is subject to the Rocky Point Recreation Zone provisions which enable subdivision and development for residential and travellers' accommodation (as a controlled activity, as discussed above). The iterative design process for the proposal has included assessing alternative locations or methods, such as the location of allotments, building platforms, roading, and native vegetation planting within the site, taking into account the various natural and physical attributes of the site, including the vegetation and archaeological features.



17. Additionally, the proposal has been refined since the resource consent application was originally lodged which demonstrates alternative locations of building platforms and associated activities and methods have been explored. For example, the originally proposed development within the saline soils area identified throughout the process has been removed, building platforms have been located in less visible parts of the Development Area, and, more recently, Lot 5 has been deleted to avoid the adverse effects of additional fragmentation of the cushionfield habitat (as discussed in Mr Wells report dated 10 February 2025).
18. Adverse effects have therefore been recognised and appropriately avoided as part of the design process and in response to matters raised in submissions and the s42A report. The land is zoned for this use and the proposal does not result in significant adverse effects on s6 matters.

**Paragraph 16**      ***“We are also interested in the Applicant’s response to Mr Vincent’s recommendation, delivered in his closing address, that the development be scaled down somewhat including the deletion of one of the 4 building allotments at the base of the hill on Bendigo Loop Road”***

19. Mr Baxter does not consider the deletion of one of the four building allotments along Bendigo Loop Road is necessary and I rely on and agree with that advice, however I understand that if the Commissioners are minded to, the applicant takes no issue with the removal of one of those lots.

### **Change from offsetting to offsetting / compensation**

20. I have reviewed the report by Andrew Wells and Kelvin Lloyd dated 10 February 2025 regarding the further Threatened / At Risk plant survey of December 2024, and the joint witness statement (JWS) of the ecology experts dated 26 March 2025.
21. The additional 10 February 2025 report reaffirms the conclusions I expressed in my EIC and summary statement presented at the hearing that the proposal will have net benefits for the indigenous biodiversity values, based on the large body of ecological investigations and reports, and that the approach is consistent with clause 3.16 of the NPS-IB for indigenous biodiversity outside SNAs.
22. This conclusion is not changed by the JWS. The 10 February 2025 report’s overall conclusion at pages 12 – 13 is that:

***... the adverse effects to the habitats and At Risk/Threatened indigenous species at Rocky Point posed by the proposed development are appropriately***

*managed by the mitigation actions proposed, such that any residual effects are very well compensated for. The measures include off-site planting and habitat creation over a larger area than that impacted, on-site woody vegetation plantings, on-site woody vegetation clearance to maintain cushionfield and At Risk/Threatened plant habitat, lizard habitat creation, pest plant and animal control, and robust legal protection for conservation purposes of approximately 90% of the site.*

*If these measures are implemented, it is considered that the objective of the NPSIB of maintaining indigenous biodiversity across Aotearoa New Zealand “so that there is at least no overall loss in indigenous biodiversity” will be well achieved at Rocky Point through the proposed development.*

23. I rely on and concur with that conclusion, and I do not need to amend any of my conclusions on the objectives and policies of the district and regional planning instruments.

### **Regional consents**

24. Resource consents for restricted discretionary and discretionary activities are anticipated to be required under the Otago Regional Plan: Water for the communal onsite wastewater treatment system, stormwater discharge, and residential earthworks.
25. The applicant wishes to obtain consent from the CODC prior to applying for the required regional consents. This sequencing of district and regional consents is normal practice.

### **Conditions of consent**

26. The updated suite of conditions is at **Attachment F**. All relevant conditions have been updated to reflect the removal of proposed Lot 7, and the other changes are listed below:

#### *Subdivision*

- (a) Condition 1: Updates to plan references;
- (b) Condition 5(c) relocated from Condition 8;
- (c) Condition 8(e)(d)(i) added to require provision of a secondary emergency fire exit within the Fire Risk Management Plan;

- (d) Condition 8wA updated to remove reference to future allotments;
- (e) Condition 8(w) removed and relocated above to Condition 5(c);
- (f) Condition 9(a) added to create an obligation on future lot owners to be part of the Management Entity;
- (g) Conditions 10 and 11 updated to reflect the Wildlands supplementary information.

#### *Land Use*

- (a) Condition 4 is reinserted from the original condition set as it was removed and untracked in error;
- (b) Condition 5 is reinserted from the original condition set as it was removed and untracked in error;
- (c) Condition 7 added to reflect Plan Change 22 (LIGHT) standards;
- (d) Advice not 8 removed as covered in Condition 27.

#### *Appendix A*

- (a) MASL added to height datum column for clarification;
- (b) Internal lighting standard (identical to new Condition 7) added.

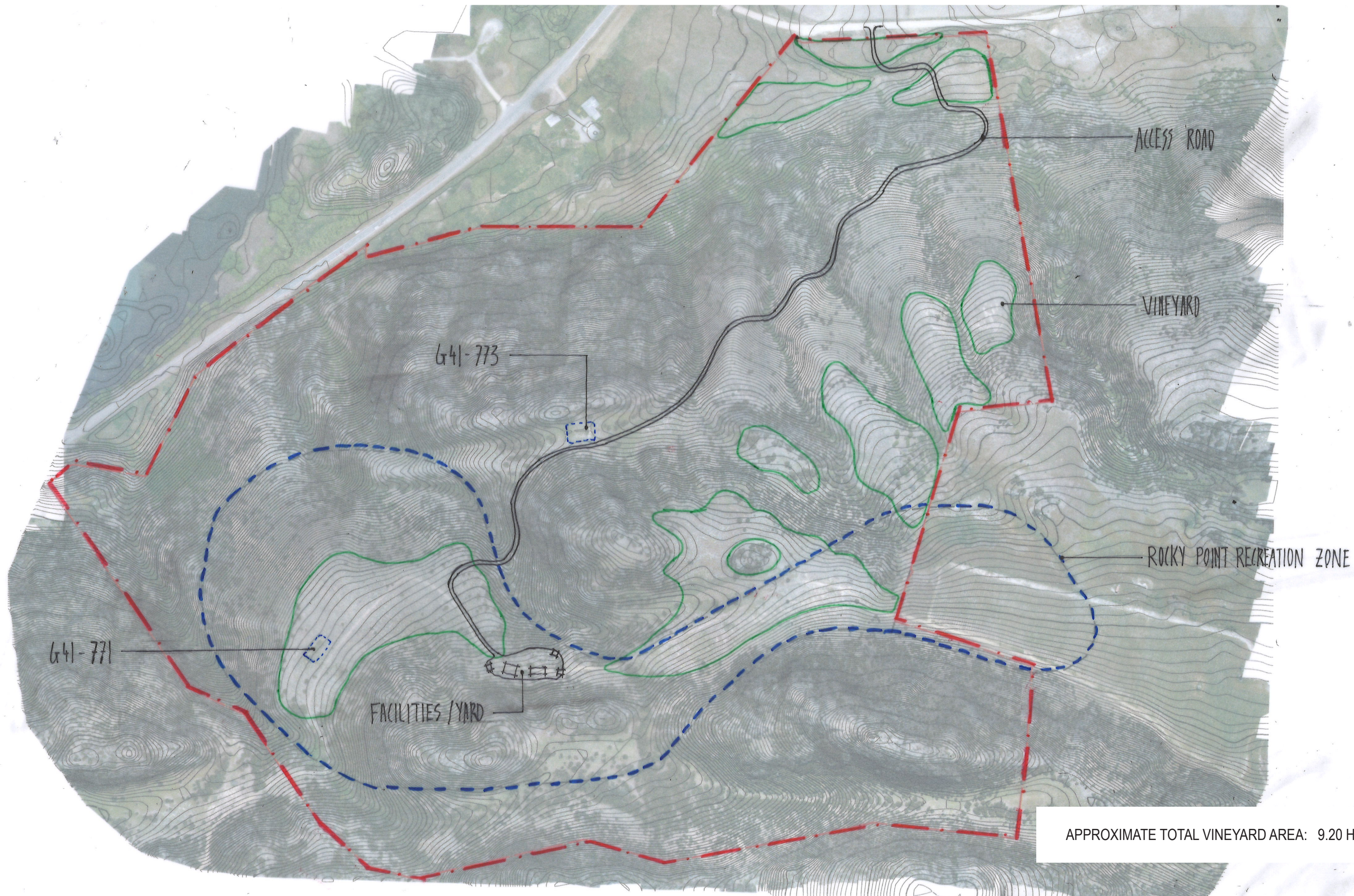
**J A Brown**

**22 April 2025**

## **Attachment A**

### **Baxter Design Group vineyard plan**



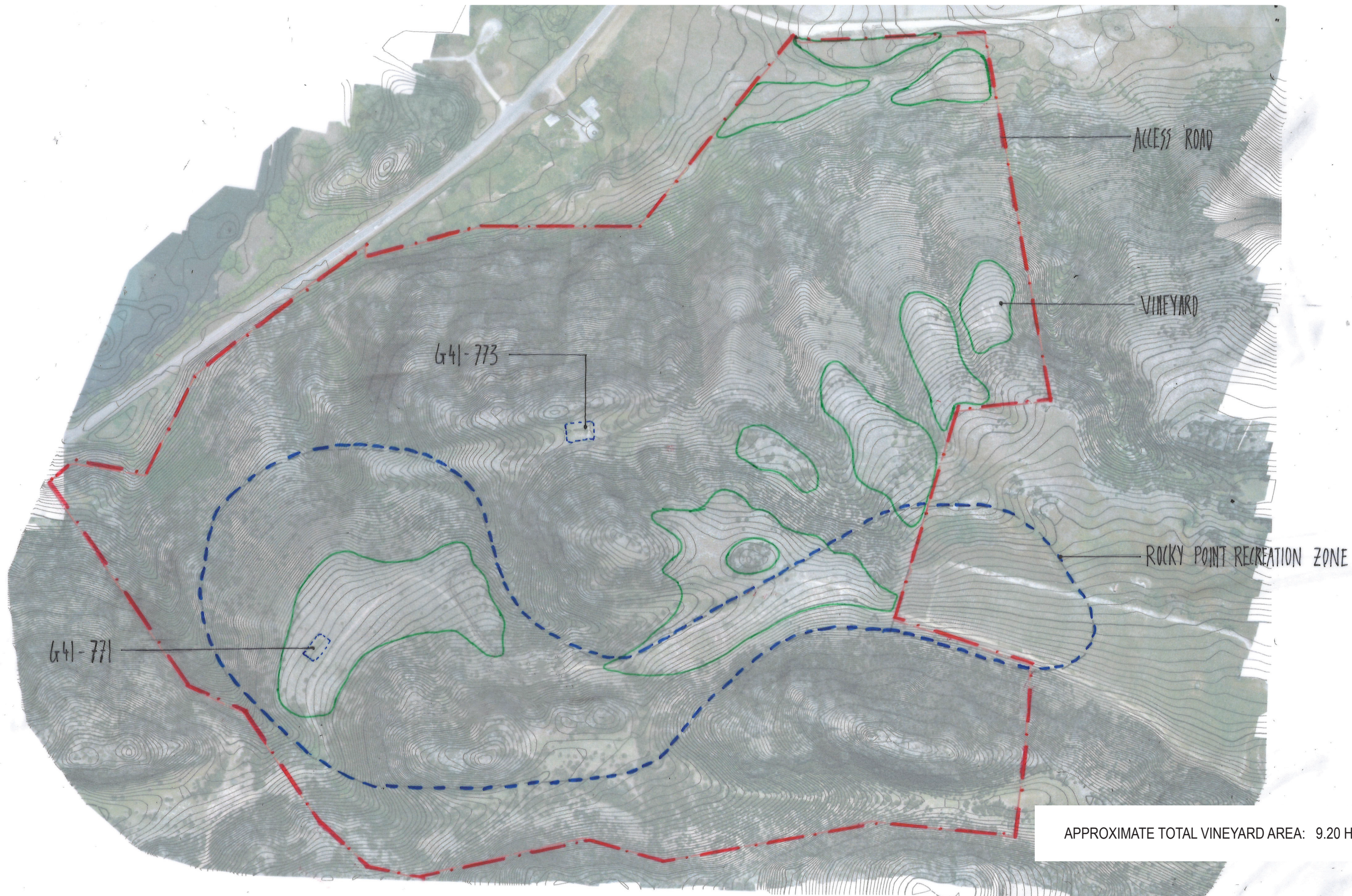




## **Attachment B**

### **Baxter Design Group vineyard plan without buildings**







## **Attachment C**

### **Assessment of relevant rules relating to the vineyard plan**



| Rule                                   | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Complies?                                                                                                            |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| <b>Section 4 – Rural Resource Area</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                      |
| 4.7.1(i)                               | <p><b>Compliance with Standards</b></p> <p>Any activity that is not listed as either a controlled, discretionary (restricted), discretionary, non-complying activity or prohibited activity and that complies with the rules and standards set out in Sections 12 to 15 of this plan, and the standards set out in section 4.7.6 is a <u>permitted activity</u>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>Permitted</b> – the proposal is assessed against the relevant standards set out in Sections 12 – 15 below.</p> |
| 4.7.2(i)                               | <p><b>Residential Activity</b></p> <p>Residential activity in areas identified as “Rural Residential” ([RR]), Rural Resource Area (1) and Rural Resource Area (2) on the planning maps or located on a residential building platform consented under Rule 4.7.3(vii) or located on a residential building platform identified on a plan of subdivision that has been granted subdivision consent prior to 28 May 2011 and which is set in a condition of consent subject to a consent notice is a controlled activity provided the following standards are complied with:</p> <p><b>(a) General Standards</b></p> <p>The relevant standards set out in 4.7.6 are complied with.</p> <p><b>(b) Residential Activities per Site</b></p> <p>There shall be no more than one residential activity on the relevant certificate of title unless additional residential activity is required to accommodate people working on the property and their families.</p> <p><b>(c) Access</b></p> <p>No additional formed accesses are to be created to any State Highway.</p> <p><b>(d) Separation Distances</b></p> <p>Where the dwelling is not located on a building platform established by way of resource consent the following separation distances to any existing dwelling, any dwelling under construction, any registered building platform established by way of resource consent, or any urban area shall apply;</p> <p>Rural-Residential - 50 metres</p> <p>Rural Resource Area (1) - Not applicable</p> <p>Rural Resource Area (2) - Not applicable</p> <p>Elsewhere in Rural Resource Area - Not applicable</p> <p><b>(e) Visibility</b></p> <p>...</p> <p><i>Rural Resource Area (2)</i> The dwelling, other residential buildings and accessory buildings are not to be visible from State Highway 8 and Lake Dunstan.</p> <p>Note: This rule only applies to Rural Resource Area (1) that applies in the Bendigo area – see Maps 41D &amp; E, 48 and 52 and to Residential Resource Area (2) that applies at Rocky Point in the Bendigo area – see Maps 41D &amp; E.</p> <p><b>(f) Colour and Finish of Buildings</b></p> <p>...</p> | <p><b>Yes</b> – the proposal is not residential activity.</p>                                                        |

| Rule      | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Complies?                                            |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
|           | <p><i>Rural Resource Area (2)</i> The following colour and finish of buildings (including accessory buildings) shall apply; All buildings shall be finished in any of the following materials:</p> <ul style="list-style-type: none"> <li>i. Timber (vertical and horizontal)</li> <li>ii. Plaster/Adobe</li> <li>iii. Schist</li> <li>iv. Corrugated iron: Desert Sand, Lichen, Sandstone Grey, Kauri, Grey Friars, New Denim Blue, (Coloursteel colours). Detailing around verandahs, posts windows and doors may differ. The exterior walls of all buildings shall be finished in the colour range of browns, dark greens and greys.</li> <li>v. Roofing shall be finished in any of the following:<br/>Unpainted natural products, ie, timber shingles, slate or corrugated iron in one of the following colours: Iron sand, Lignite, kauri, Grey Friars, New Denim Blue (Coloursteel colours), turf.</li> </ul> <p>...</p>                                                                                                                                                                                                                                                                                                                                                                                                   |                                                      |
| 4.7.2(ii) | <p><b>Subdivision</b></p> <p>(a) Except as otherwise provided in (b) below and Rule 4.7.4(iii), subdivision shall be a controlled activity provided the following standards are complied with:</p> <p><b>i. Minimum Allotment Sizes</b></p> <p>Minimum allotment sizes shall be as follows;</p> <p>...</p> <p>In the area identified as “Rural Resource Area (2)” [(RuRA(2))] on planning maps –</p> <p>any application for subdivision consent shall include a minimum area of 1 hectare within which land can be further subdivided to create allotments and units as follows:</p> <ul style="list-style-type: none"> <li>(a) For residential purposes – sufficient area to meet open space and bulk and location rules.</li> <li>(b) For travellers accommodation – minimum area 2000m<sup>2</sup> with sufficient area to meet open space and bulk and location rules.</li> </ul> <p>...</p> <p><b>iii. Concept Plans</b></p> <p>....</p> <p>In the area identified as “Rural Resource Area (2)” on the planning maps subdivision shall comply with the concept plan attached as Schedule 19.16.</p> <p>....</p> <p><b>iv. Maximum Number of Allotments for Residential Activities</b></p> <p>The maximum number of allotments on a plan of subdivision likely to accommodate a residential activity shall be as follows:</p> | <p><b>Yes</b> – the proposal is not subdivision.</p> |



| Rule       | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Complies?                                                                                                                                                      |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <p>Rural Residential – 5</p> <p>Rural Resource Area (1) – 16</p> <p>Rural Resource Area (2) – No limit</p> <p>Rural Resource Area (3) – 12</p> <p><b>v. Access Formed</b></p> <p>No additional accesses are to be created to any State Highway.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                |
| 4.7.2(iii) | <p><b>Retail Activity<sup>1</sup> – Rural Selling Place</b></p> <p>Except as provided for in Rule 4.7.2(v) Retail Activity – Winery (Off Licence) and Rule 4.7.4(iv) Retail Activity – Winery, retail activity shall be a <u>controlled activity</u> provided that this is restricted to a “rural selling place” that is defined as a rural retail facility that is EITHER:</p> <p>(a) Ancillary to the growing of produce on the site and may in addition offer for sale any of the following goods:</p> <ol style="list-style-type: none"> <li>1. Fresh fruit and vegetable and nursery plants, whether grown on the property or not.</li> <li>2. Processed fruit and vegetable products, including dried fruit and vegetables, jams, sauces, preserves, juices and other cold drinks (excluding alcoholic beverages).</li> <li>3. Nuts, honey and eggs.</li> <li>4. Fertilisers, manure and garden mixes.</li> </ol> <p><u>OR</u></p> <p>(b) Ancillary to the marking of art and craft products on the site and offers for sale any art and craft products produced in the Central Otago District whether made on the property or not</p> <p>AND IN EACH CASE –</p> <p>the retail activity complied with Rule 12.7.1 and provided that the sale of beverages (excluding alcoholic beverages) and snack foods is permitted in conjunction with the operation of a rural selling place.</p> | <p><b>Yes</b> – the proposal is not a retail activity – rural selling place.</p>                                                                               |
| 4.7.2(v)   | <p><b>Retail Activity – Winery (Off Licence)</b></p> <p>The sale of wine for consumption off the site (excluding mail order) authorised by an off-licence in terms of the Sale of Liquor Act 1989 is a <u>controlled activity</u> provided it is ancillary to the growing of grapes or production of wine on the site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>Yes</b> – the proposal is not a retail activity – winery.</p>                                                                                            |
| 4.7.2(vi)  | <p><b>Outstanding Natural Landscapes, Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</b></p> <p>(a) Except as otherwise provided for in (b) below any new bladed/excavated fence line, new fire break, new fertiliser bin, new stock yards, or fire fighting water ponds within any area identified as an outstanding natural landscape, outstanding natural feature or as land in the Upper</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>Yes</b> – the proposal does not include any of these activities and in any case this rule is not applicable as Bendigo Station is listed in Schedule</p> |

<sup>1</sup> Means the sale, offering for sale, or exposure for sale of goods to the public

| Rule       | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Complies?                                                         |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
|            | <p>Manorburn/Lake Onslow Landscape Management Area as shown on the planning maps is a <u>controlled activity</u>.</p> <p>(b) Rule 4.7.2(vi)(a) shall not apply to:</p> <ul style="list-style-type: none"> <li>i. Reviewable land that has been freeholded under Part 2 of the brown Pastoral Land Act 1998 subsequent to the operative date of this plan; and</li> <li>ii. Unrenewable occupation licence land that has been designated for disposal as fee simple under Part 3 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and</li> <li>iii. Freehold land listed in Schedule 19.6.3.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 19.6.3 as it was freeholded under a tenure review process.        |
| 4.7.2(vii) | <p><b>Accommodation Facilities</b></p> <p>Accommodation facilities in areas identified as “Rural Residential” ([RR]), Rural Resource Area (1) and Rural Resource Area (2) on the planning maps or located on a residential building platform identified on a plan of subdivision that has been granted subdivision consent prior to 28 May 2011 and which is set in a condition of consent subject to a consent notice and that do not exceed that required to accommodate 6 persons on a commercial fee paying basis is a <u>controlled activity</u> provided the following standards are complied with:</p> <p><b>(a) General Standards</b></p> <p>The relevant standards set out in 4.7.6 are complied with.</p> <p><b>(b) Access</b></p> <p>No additional formed accesses are to be created to any State Highway.</p> <p><b>(c) Separation Distances</b></p> <p>Where the accommodation facility is not located on a building platform established by way of resource consent the following separation distances to any existing dwelling, any dwelling under construction, any building platform established by way of resource consent, or any urban area shall apply;</p> <p>RuRA(1) &amp; (2) and elsewhere in the RuRA – not applicable</p> | <b>Yes</b> – the proposal is not for accommodation facilities.    |
| 4.7.3(i)   | <p><b>Breach of Standards</b></p> <p>Any activity that fails to comply with the following rules:</p> <p><b>4.7.2(i)(d) Separation Distances</b></p> <p><b>4.7.2(ii)(a)(ii) Separation Distances for Dwellings</b></p> <p><b>4.7.2(vii) Accommodation Facilities</b></p> <p><b>4.7.6A Bulk and Location Requirements (a), (b), l, (f), (h) (i) and (k)</b></p> <p><b>4.7.6C Tree Planting</b></p> <p><b>4.7.6F Storage</b></p> <p><b>4.7.6H Signs</b></p> <p>is a <u>discretionary (restricted) activity</u>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Yes</b> – the proposal does not breach any of these standards. |
| 4.7.3(ii)  | <p>Any activity that fails to comply with <b>Rule 4.7.6A Bulk and Location (g)</b> is a <u>discretionary (restricted) activity</u>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Yes</b> – the proposal does not include any buildings.         |

| Rule       | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Complies?                                                                                                                   |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| 4.7.3(iii) | Any activity that does not comply with <b>Rule 4.7.6D Visual Effects of Buildings</b> is a <u>discretionary (restricted) activity</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Yes</b> – the proposal does not include any buildings.                                                                   |
| 4.7.3(iv)  | Any activity that fails to comply with <b>Rule 4.7.6E Noise</b> is a <u>discretionary (restricted) activity</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Yes</b> – the proposal complies with Rule 4.7.6E Noise.                                                                  |
| 4.7.3(v)   | Any activity that fails to comply with <b>Rule 4.7.6G Provision of Services</b> is a <u>discretionary (restricted) activity</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Yes</b> – the proposal does not require servicing under Rule 4.7.6G.                                                     |
| 4.7.3(vi)  | Any activity that fails to comply with the following <b>Rules; 4.7.6I. Riparian Margins or Rule 4.7.6J Earthworks For Access Tracks &amp; Extractive Activity (a) Tracks</b> is a <u>discretionary (restricted) activity</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Yes</b> – no earthworks are required as the access track exists.                                                         |
| 4.7.3(vii) | <p><b>Residential Activity, Residential Building Platform &amp; Accommodation Facilities</b></p> <p>Residential activity <sup>2</sup>, a residential building platform and/or accommodation facilities that do not exceed that required to accommodate 6 persons on a commercial fee paying basis and that are not provided for in Rule 4.7.2(i) <sup>3</sup>, 4.7.2(ia) <sup>4</sup> and Rule 4.7.2(vii) <sup>5</sup> is a <u>discretionary (restricted) activity</u> provided the following standards are complied with:</p> <p><b>(a) General Standards</b></p> <p>The relevant standards set out in 4.7.6 are complied with.</p> <p><b>(b) Residential Activities per Site</b></p> <p>There shall be no more than one residential activity on the relevant certificate of title unless additional residential activity is required to accommodate people working on the property and their families.</p> <p><b>(c) Access</b></p> <p>No additional formed accesses are to be created to any State Highway</p> <p><b>(d) Separation Distances</b></p> <p>Where the dwelling is not located on a building platform established by way of resource consent a 50m separation distance to any existing dwelling, any dwelling under construction, any residential building platform established by way of resource consent, or any urban area shall apply.</p> | <b>Yes</b> – the proposal does not include residential activity, residential building platform or accommodation facilities. |

<sup>2</sup> **Residential activity**: means a use of land and buildings by people for the purpose of living accommodation in a household unit and includes a dwelling. It includes accessory buildings, sleepouts, leisure activities associated with needs generated principally from living on the site; home occupation as defined; and homestay as defined.

<sup>3</sup> Residential activity in areas identified as Rural Residential, Rural Resource Area (1) and Rural Resource Area (2) on the planning maps.

<sup>4</sup> Residential activity in Rural Resource Area (3)

<sup>5</sup> Accommodation facilities in areas identified as Rural Residential, Rural Resource Area (1) and Rural Resource Area (2) on the planning maps.



| Rule       | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Complies?                                                                         |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 4.7.4(i)   | <p><b>Any activity that fails to comply with the following rules:</b></p> <ul style="list-style-type: none"> <li>• 4.7.2(i) Residential Activities (b), (c), (e) and (f)</li> <li>• 4.7.2(vi) Outstanding Natural Landscapes, and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</li> <li>• 4.7.2(vii)(b) Accommodation Facilities</li> <li>• 4.7.3(vii)(b)-(d) Residential Activity, Residential Building Platform &amp; Accommodation Facilities</li> <li>• 4.7.6A Bulk and Location Requirements (c) and (d)</li> <li>• 4.7.6B Traffic Generation and Characteristics of Activities</li> <li>• 4.7.6J Earthworks for Access Tracks &amp; Extractive Activity</li> <li>• 4.7.6K Areas of Significant Indigenous Vegetation, Habitats of Indigenous Fauna and Wetlands</li> <li>• 4.7.6L Outstanding Landscapes, Land Over 900 metres and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</li> </ul> <p>Any application made relating to a breach of Rule 4.7.2(ia)(a) – (c), (e) and (f) will generally be publicly notified.</p>                                         | <b>Yes</b> – the proposal does not breach any of these standards.                 |
| 4.7.4(ii)  | <p><b>Noxious Effects</b></p> <p>Any activity that:</p> <ol style="list-style-type: none"> <li>uses, stores or generates quantities of hazardous substances that exceed the limits specified in Schedule 19.14, OR</li> <li>requires a licence as an offensive trade within the mean of the Third Schedule of the Health Act 1956, OR</li> <li>provides less than 120% spill containment where hazardous substances are stored within 50 metres of any surface water body and within the Ettrick or Roxburgh groundwater protection zones as defined by the Regional Plans: Water,</li> </ol> <p>is a discretionary activity.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Yes</b> – the proposal does not involve any of the activities listed in a – c. |
| 4.7.4(iii) | <p><b>Subdivision</b></p> <p>Except as otherwise provided for in Rule 4.7.2(ii)(b) subdivision that:</p> <ol style="list-style-type: none"> <li>Creates an allotment that fails to comply with any of the standards set out in Rules 4.7.2(ii)(a)(iii) to (vii), OR</li> <li>Creates allotments with an average allotment area of no less than 8 hectares and a minimum allotment area of no less than 2 hectares in an area not identified on the planning maps as Rural-Residential, Rural Resource Area (1) or Rural Resource Area (2) or Rural Resource Area (3), OR</li> <li>Creates allotments that are not in accordance with Rule 4.7.2(ii)(a)(i) in an area identified on the planning maps as Rural Resource Area (3), OR</li> <li>Involves land that is subject to or potentially subject to, the effects of any hazard as identified on the planning maps, or land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source,</li> <li>Is not in accordance with a development concept plan incorporated in a</li> </ol> | <b>Yes</b> – the proposal does not involve subdivision.                           |

| Rule        | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Complies?                                                                                                     |
|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
|             | consent granted under Rule 4.7.3(ix) in the Rural Resource Area (4),<br>is a <u>discretionary activity</u> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                               |
| 4.7.4(iv)   | <b>Retail Activity – Winery</b><br>Except as provided for in Rule 4.7.2.v Retail Activity – Winery (Off Licence) the sale of wine for consumption both on and off the site (excluding mail order), the sale of goods that bear the vineyard label and the sale of food ancillary to the consumption of wine on the site is a discretionary activity provided it is ancillary to the growing of grapes or production of wine on the site.                                                                                                                                                                                               | <b>Yes</b> – the proposal is not a retail activity – winery.                                                  |
| 4.7.4(v)    | <b>Tree Planting in Rural Resource Areas (1) (2) and (3)</b><br>Tree planting not associated with landscaping in the immediate vicinity of any building in the areas identified as Rural Resource Areas (1) and (2) on the planning maps is a discretionary activity.                                                                                                                                                                                                                                                                                                                                                                  | <b>Yes</b> – the proposal is not tree planting.                                                               |
| 4.7.4(vii)  | <b>Commercial Recreational Activity</b><br>Commercial recreational activity that:<br>a. Involves the use of motorise equipment or vehicles as part of the activity, or<br>b. Uses motorise vehicle and/or aircraft for access to the activity over private land, or<br>c. Generates more than 30 vehicle movement equivalents per day on public roads is a discretionary activity.                                                                                                                                                                                                                                                     | <b>Yes</b> – the proposal is not commercial recreational activity.                                            |
| 4.7.4(viii) | <b>Tree Planting</b><br>Tree planting for the purpose of establishing a woodlot, production forest and/or shelter belt that exceeds 2 hectares in area and comprises Douglas Fir ( <i>Pseudotsuga menziesii</i> ), European larch ( <i>Larix decidua</i> ), Ponderosa pine ( <i>Pinus ponderosa</i> ), Bishops pine ( <i>Pinus muricata</i> ), Maritime pine ( <i>Pinus pinaster</i> ) and/or Radiata pine ( <i>Pinus radiata</i> ) is a discretionary activity. This rule shall not apply to a shelter belt having a maximum width of 8 metres measured stem to stem.                                                                 | <b>Yes</b> – the proposal is not tree planting.                                                               |
| 4.7.4(ix)   | <b>Corsican Pine</b><br>Tree planting with Corsican pine ( <i>Pinus nigra</i> ) is a discretionary activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Yes</b> – the proposal is not tree planting with Corsican pine.                                            |
| 4.7.4(x)    | <b>Seasonal Workers Accommodation</b><br>Seasonal workers accommodation to accommodate more than 60 persons is a discretionary activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Yes</b> – the proposal is not seasonal workers accommodation.                                              |
| 4.7.5(i)    | <b>Building on Land Subject to Hazards</b><br>Any building that fails to comply with Rule 4.7.6.A.j Land Subject to Hazards or any building to be erected upon land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source is a non-complying activity.                                                                                                                                                                                                                                                                                                  | <b>Yes</b> – the land is not subject to hazards, and in any case the proposal does not include any building.  |
| 4.7.5(ii)   | <b>Waste Disposal and Hazardous Substances on Land Subject to Hazards</b><br>Any activity that involves the disposal or storage of waste or the storage or use of commercial quantities of hazardous goods or substances in any area identified on the planning maps as being subject to a hazard or involves land that is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source, is a non-complying activity.<br><br>Provided that this rule does not apply to cleanfill landfills, farm tips, silage pits and ofal pits permitted by the Regional Waste Plan. | <b>Yes</b> – the proposal does not involve waste disposal or hazardous substances on land subject to hazards. |

| Rule       | Activity                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Complies?                                               |
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|            | For the purpose of this rule “commercial quantities” means quantities used or stored for the purpose of supplying or offering a service to the general public and does not include substances or goods to be used solely on the property upon which it is kept for the purpose of maintaining or improving the health of stock, crops, land quality or for eradicating pests and/or undesirable weeds or plants from that property.                                                                                                                                                                                                                                                                                                                                                                                                             |                                                         |
| 4.7.5(iii) | <b>Subdivision</b><br>Except as otherwise provided for in Rule 4.7.2.ii.b subdivision that creates: <ul style="list-style-type: none"> <li>• an allotment or allotments with an average area less than 2 hectares in areas identified as “Rural Residential” ([RR]) on the planning maps;</li> <li>• an allotment or allotments with an average area less than 8 hectares and/or with an area less than 2 hectares in an area in the Rural Resource Area not identified on the planning maps as Rural Residential ([RR]), or</li> <li>• an allotment that breaches Rule 4.7.2.ii.a.i as it relates to Rural Resource Area (1) Rural Resource Area (2) or Residential Resource Area (5), or</li> <li>• an allotment in excess of 160 allotments used for residential purposes in Rural Resource Area (5)</li> </ul> is a non-complying activity. | <b>Yes</b> – the proposal does not involve subdivision. |
| 4.7.5(iv)  | <b>Retail Activity</b><br>Retail activity not provided for by Rule 4.7.2.iii or Rule 4.7.4.iv is a non-complying activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Yes</b> – the proposal is not retail activity.       |
| 4.7.5(v)   | <b>Tree Planting</b><br>Tree Planting with Scots pine ( <i>Pinus sylvestris</i> ) and/or Swiss Mountain pin ( <i>Pinus mugo</i> ) is a non-complying activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Yes</b> – the proposal is not tree planting.         |

| Rule                                   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Status if breached   | Complies?                               |
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| <b>Chapter 4 – Rural Resource Area</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                      |                                         |
| 4.7.6.A                                | <b>Bulk and Location Requirements</b><br>Buildings and any area used for storage purposes (including the stockpiling of materials) that is not enclosed or partly enclosed by a building shall be located to conform with the following standards.<br><br><b>a. Yards</b><br>Except as provided for in (c) below, a minimum side and rear yard of 25 metres and a front yard of 10 metres for buildings used for residential activity and/or an accommodation facility except on land subject to the Rural Residential notation; and a minimum yard of 10 metres for all other buildings and buildings used for residential activity and/or an accommodation facility on land subject to the Rural Residential notation shall be | <b>Discretionary</b> | <b>Yes</b> – no buildings are proposed. |



| Rule | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Status if breached | Complies? |
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|      | <p>provided to all adjoining property boundaries (including roads) provided that a minimum yard of 20 metres shall be provided to all State highways and Arterial Roads listed in Schedule 19.7. Note: See also Rule 4.7.6A(h) and Rule 12.7.7.</p> <p><b>b. Open Space in Rural Resource Area (2)</b></p> <p>Every dwelling, or travellers accommodation unit shall have an open space of not less than 45m<sup>2</sup> in area with a minimum dimension of 5 metres. Such open space is to be located adjacent to the lounge and/or dining area and is to be for the exclusive use of the occupants. This rule shall not apply to apartments or travellers accommodation units located entirely at or above the first floor level.</p> <p>A landscaped area of 500m<sup>2</sup> is to be provided on the same site occupied by travellers accommodation. This area shall be planted in trees and shrubs or otherwise landscaped.</p> <p><b>c. Water bodies</b></p> <p>No building shall be located within 20 metres of the bank of: any stream or river - any wetland identified in Schedule 19.6.1 - any lake (excluding irrigation dams within a farm property) 0.5 hectares or greater in area</p> <p><b>(d) Housing or Intensive Confinement of Animals or Plants</b></p> <p>Buildings designed and/or used to house animals shall comply with the following yard requirements;<br/> Pigs (up to 5 pigs beyond weaner age (8 weeks) – 50m<br/> Other animals – 30m<br/> ...</p> <p><b>(e) Separation Distances from Water Races and Irrigation Pipelines</b></p> <ol style="list-style-type: none"> <li>On slopes of 0-12 degrees no buildings, excavations or tree planting shall be permitted within 6 metres of the water's edge of a water race or irrigation pipeline.</li> <li>On slopes of 13-20 degrees no buildings, excavations or tree planting shall be permitted within 7 metres of the water's edge of a water race or irrigation pipeline.</li> <li>On slopes of greater than 20 degrees no buildings, excavations or tree planting shall be permitted within 10 metres of the water's edge of a water race or irrigation pipeline.</li> <li>No fences shall be erected within 6 metres of a water race or irrigation pipeline except for those which cross the race/pipeline and then a gate will be included across any access berm or tracks.</li> </ol> <p><b>(f) Height</b></p> <p>The maximum height is as follows:</p> |                    |           |

| Rule                                  | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Status if breached                     | Complies?                                      |                                        |                                     |    |     |                                       |    |      |                              |      |     |  |  |
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|                                       | <table><tr><td>Landscape Category</td><td>Dwellings and buildings accessory to dwellings</td><td>Other buildings including buildings at</td></tr><tr><td>Outstanding Natural Landscape (ONL)</td><td>5m</td><td>10m</td></tr><tr><td>Significant Aesthetic Landscape (SAL)</td><td>6m</td><td>7.5m</td></tr><tr><td>Other Rural Landscapes (ORL)</td><td>7.5m</td><td>10m</td></tr></table> <p>Provided that frost fighting fans are exempt the maximum heights states above and are subject instead to a maximum height of 15m.</p> <p>The following exemptions apply:</p> <ul style="list-style-type: none"><li>• Rural Resource Area (1), where a maximum height for all buildings of 5 metres.</li><li>• Rural Resource Area (2), where the maximum height for dwellings shall be 5 metres and for traveller's accommodation the maximum height shall be 7 metres.</li><li>• Rural Resource Area (4), where maximum height for traveller's accommodation, conference facility and golf club house shall be 15 metres and the maximum height for all other buildings shall be 10 metres.</li><li>• Rural Resource Area (5), where the maximum height shall not exceed 7.5 metres in Rural Lifestyle Areas 1, 2, 3 and Rural Lifestyle Production Area, 5.5 metres in Rural Lifestyle Area 4, and 5 metres in Rural Lifestyle Areas 5 and 6.</li><li>• Frost fighting fans, a maximum height of 15 metres.</li></ul> <p><b>(g) Transmission Lines</b></p> <p>Separation from high voltage transmission lines that are part of the transmission network shall be accordance with Rule 12.7.8.</p> <p><b>(h) Road Intersections</b></p> <p>No structure (excluding post and wire fences), building or stockpile of materials shall be sited in that triangle of land formed by the straight line between two points measured 15 metres in each direction from the intersection point of the legal road boundaries.</p> <p><b>(i) Airport Protection Zone</b></p> <p>...</p> <p><b>(j) Land Subject to Hazards</b></p> <p>...</p> <p><b>(k) Oxidation Ponds and Sewage Treatment Facilities</b></p> <p>...</p> <p><b>(l) Yards – Rural Resource Area (5)</b></p> <p>...</p> <p><b>(m) No Build Areas in Rural Resource Area (5)</b></p> <p>...</p> <p><b>(n) Fencing within Rural Resource Area (5)</b></p> <p>...</p> <p><b>(o) Exterior Lighting in Rural Resource Area (5)</b></p> <p>...</p> | Landscape Category                     | Dwellings and buildings accessory to dwellings | Other buildings including buildings at | Outstanding Natural Landscape (ONL) | 5m | 10m | Significant Aesthetic Landscape (SAL) | 6m | 7.5m | Other Rural Landscapes (ORL) | 7.5m | 10m |  |  |
| Landscape Category                    | Dwellings and buildings accessory to dwellings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Other buildings including buildings at |                                                |                                        |                                     |    |     |                                       |    |      |                              |      |     |  |  |
| Outstanding Natural Landscape (ONL)   | 5m                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 10m                                    |                                                |                                        |                                     |    |     |                                       |    |      |                              |      |     |  |  |
| Significant Aesthetic Landscape (SAL) | 6m                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 7.5m                                   |                                                |                                        |                                     |    |     |                                       |    |      |                              |      |     |  |  |
| Other Rural Landscapes (ORL)          | 7.5m                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 10m                                    |                                                |                                        |                                     |    |     |                                       |    |      |                              |      |     |  |  |

| Rule    | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Status if breached              | Complies?                                                                                      |
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|         | <p><b>(p) Road Lighting in Rural Resource Area (5)</b></p> <p>...</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                 |                                                                                                |
| 4.7.6.B | <p><b>Traffic Generation and Characteristics of Activities</b></p> <p>(a) Home stay or accommodation facilities on a property shall not exceed that required to accommodate 6 persons on a commercial fee paying basis.</p> <p>(b) No more than 3 persons shall be engaged in any activity of a commercial, industrial or manufacturing nature except in areas identified as "Rural Residential" ([RR]) on the planning maps. For the purpose of this rule, farming, horticulture, viticulture, network utilities and forestry activities are excluded from an activity of a commercial, industrial or manufacturing nature. Within areas identified as "Rural Residential" ([RR]) on the planning maps no person shall be engaged in any activity of a commercial, industrial or manufacturing nature. For the purpose of this rule, farming, horticulture, viticulture, network utilities and forestry activities are excluded from an activity of a commercial, industrial or manufacturing nature.</p> <p>(c) No activity shall involve the attraction of the public to a site for community related services or events other than for temporary activities.</p>                                                                                                 | <b>Discretionary</b>            | <b>Yes</b> – farming, horticulture and viticulture activities are excluded from this standard. |
| 4.7.6.C | <p><b>Tree Planting</b></p> <p>(a) No trees shall be planted on a property in such a manner that they obstruct the vision of motorists on the road or cause the root system to have an adverse effect on the road surface.</p> <p>(b) No trees shall be planted adjacent to any road in a position that will shade the carriageway between the hours of 1000 and 1400 on the shortest day of the year where the speed limit is above 50km/hour and the topography is not already preventing direct sunlight onto the carriageway.</p> <p>(c) No trees shall be planted in those areas of land identified in Rule 4.7.6A(h) Road Intersections and Rule 4.7.6A(i) Airport Protection Zone, above, or that on maturity will project into the surfaces described in Schedules 19.8 and 19.8A.</p> <p>(d) No evergreen trees with dark green, blue and gold foliage (ie. conifers, in particular species from the Pinus genus) or species with wilding spread and self seeding capabilities shall be planted in the areas identified as Rural Resource Area (1) or Rural Resource Area (2) on the planning maps.</p> <p>(e) No tree shall be planted on a property in such a manner that it is likely to have an adverse effect on the existing electricity network.</p> | <b>Restricted Discretionary</b> | <b>Yes</b> – the proposal is not tree planting.                                                |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Status if breached              | Complies?                                                                                                                                                                                                                                                                                     |
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| 4.7.6D | <p><b>Visual Effect of Buildings and Structures</b></p> <p>(a) All buildings including new, relocated and repainted buildings and structures (excluding post and wire fences; bird netting and support structures, wind machines, pivot irrigators and sprinklers and other equipment and fixtures incidental to agriculture, horticulture and viticulture), are subject to the following:</p> <p><b>i. Finish</b></p> <p>All buildings shall be finished in any of the following materials:</p> <p>(i) Timber/Composite Weatherboard (vertical and horizontal).</p> <p>(ii) Plaster/Adobe/Rammed Earth/Masonry Products/Concrete.</p> <p>(iii) Stone.</p> <p>(iv) Coloured steel excluding unpainted zincalume and unpainted corrugated iron.</p> <p>(v) Weathered corrugated iron</p> <p>(vi) Brick</p> <p><b>ii. Colour: Exterior Walls, Accents and Trim</b></p> <p>The exterior walls, accents and trim for all buildings and structures shall be in a colour or colours selected from the following colour palette, provided that the colours of exterior walls shall be in a low sheen: Browns, greens, grey blue, greys, terracotta, tussock and dark reds provided that such colours shall have a Reflectivity Value (RV) of less than 38%.</p> <p><b>iii. Colour: Roofs</b></p> <p>The roofs of all buildings shall be in a low sheen in any colour that has a RV of less than 32% or shall be unpainted natural products such as timber shingles or slate.</p> <p>(b) All buildings and structures (excluding post and wire fences, bird netting and support structures, wind machines, pivot irrigators and sprinklers and other equipment and fixtures incidental to agriculture, horticulture and viticulture) shall not protrude onto a skyline or above a terrace edge when viewed from a public road or other public place at a distance not exceeding 2kms from the building or structure.</p> | <b>Restricted Discretionary</b> | <b>Yes</b> – no buildings are proposed. Structure such as post and wire fences, bird netting and support structures, wind machines, pivot irrigators and sprinklers and other equipment and fixtures incidental to agriculture, horticulture and viticulture are excluded from this standard. |
| 4.7.6E | <p><b>Noise</b></p> <p>(a) All activities shall be conducted so as to ensure the following noise limits are not exceeded at any point within the notional boundary of any dwelling, resthme or hospital, or at any point within any Residential Resource</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Restricted Discretionary</b> | <b>Yes</b> – the proposal will comply with the noise limits and no Audible Bird Deterrent Devices or wind machines                                                                                                                                                                            |



| Rule | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Status if breached | Complies?                       |
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|      | <p>Area or any Rural Settlements Resource Area:<br/> On any day 7:00am to 10:00pm 55 dBA L10<br/> 10:00pm to 7:00am the following day 40 dBA L10 70 dBA Lmax</p> <p>(b) Audible Bird Deterrent Devices</p> <p>Any audible bird deterrence device shall be so sited and operated that the following noise limits shall not be exceeded at any point within the notional boundary (as defined in a) of any dwelling, resthome or hospital other than a dwelling on the same site as the device:</p> <ol style="list-style-type: none"> <li>1. The term "ASEL" means the A-weighted sound exposure level which is sometimes described by the abbreviations LAE, or SEL.</li> <li>2. Percussive devices shall include any device which emits a shock-wave arising from an explosion generating impulsive sound, and includes gas-guns.<br/><br/> Percussive devices – 65 dB ASEL provided that the noise limit is 70 dB ASEL where the device is sited 500 metres or more from any Residential Zone or Rural Settlements Resource Area<br/><br/> Non-percussive devices – 55 dBA L10<br/><br/> PROVIDED THAT<br/><br/> No audible bird deterrence device shall be operated: <ol style="list-style-type: none"> <li>i. Within 100m of any community facility</li> <li>ii. Between half an hour after sunset and half an hour before sunrise</li> <li>iii. Within the Rural Resource Area (5).</li> </ol> </li> </ol> <p>(c) Wind machines for Frost Control</p> <p>Any wind machine used for frost control shall be so constructed and operated that any noise emission measured at a distance of 300m shall not exceed 65dBA L10 provided that:</p> <ol style="list-style-type: none"> <li>1. The wind machine will be allowed to operate during the frost danger period until the leaves of the plant are dry and the air temperature has reached 1°C.</li> <li>2. the speed of the wind machine must be governed such that the top speed of the rotor does not exceed the speed of sound.</li> <li>3. the wind machine is located no closer than 300 metres to any Residential Zone or Rural Settlement Resource Area, or within 100 metres of a dwelling house not located on the property</li> <li>4. No fixed wind machines shall be located within the Rural Resource Area (5). This rule does not prevent the use of portable wind machines within the Rural</li> </ol> |                    | for frost control are proposed. |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Status if breached              | Complies?                                                                                           |
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|        | <p>Lifestyle Production Area in the Rural Resource Area (5).</p> <p>5. Within the Horticulture Area shown on the Structure Plan in Schedule 19.23 there shall be no more than three wind machines, that must be five-blade models and located no closer than 135 metres from the boundary with the Rural Resource Area (5).</p> <p>(d) Where any new activity locates within any part of the Rural Resource Area and that activity includes any noise sensitive activity, the activity or any building associated with the noise sensitive activity shall be sited, oriented and constructed so as to ensure that habitable spaces within the building shall be adequately isolated from any noise source on another site within the class of sources described in sub-clauses b – c of this rule. Adequate sound isolation shall be achieved by siting and constructing the building to achieve an indoor design sound level of 45 dBA Lmax within any habitable room where the exterior noise source is within the class of sources described in sub-clauses b – c of this rule. The indoor design level shall be achieved with windows and doors open unless adequate alternative ventilation means is provided, used, and maintained in operating order.</p> <p>(e) Acoustic Insulation in Rural Resource Area (5)</p> <p>...</p> |                                 |                                                                                                     |
| 4.7.6F | <p><b>Storage</b></p> <p>Any area used for or proposed to be used for storage purposes (including contractors yards and the stockpiling of material for a period that exceeds 6 months but excluding stock feed, stock yards and grain silos) that is not enclosed or partly enclosed by a covered building shall be screened from the view of any public road, reserve, other public land or any other adjacent site boundary or resource area boundary.</p> <p>Such screening shall be erected or planted to a suitable height and density so as to mitigate adverse visual effects and dust effects that have the potential to occur and shall not impede visibility on adjacent roads provided that no material (including waste) shall be stored, stockpiled or disposed of in a manner that attracts or significantly increases habitats for flies, rodents, vermin or insects and birds to a level that causes a nuisance to or adversely effects the adjoining property, and/or the general public.</p>                                                                                                                                                                                                                                                                                                                       | <b>Restricted Discretionary</b> | <b>Yes</b> – no storage areas are proposed.                                                         |
| 4.7.6G | <p><b>Provision of Services</b></p> <p><b>(a) Effluent Disposal</b></p> <p>Any site intended to accommodate a household unit or any activity that generates human effluent shall be either connected to an existing sewerage scheme at the owners cost (provided that the scheme has the capacity</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Restricted Discretionary</b> | <b>Yes</b> – no services are proposed. Access is existing and complies with Rule 12.7.1 and 12.7.3. |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Status if breached              | Complies?                                       |
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|        | <p>to accommodate the waste generated) or if such a scheme is not available the site shall be capable of effective disposal of effluent safely within the site.</p> <p><b>(b) Water Supply</b></p> <p>At the time of subdivision or prior to the issue of building consent to erect a residential building, the owner shall provide a safe and adequate water supply. This water supply shall be obtained from a source which is protected from contamination by animal sources and the normal activities that may cause contamination occurring or likely to occur within the catchment. The water will be of a quality which does not require any form of treatment, shall be adequate in quantity (approximately 300 litres per person per day) and where the supply is obtained outside the boundaries of the property, secured by permanent agreements and easements. The final product must meet the Ministry of Health Standards as defined in Drinking Water Standards for New Zealand 2000.</p> <p><b>(c) Access, Loading and Manoeuvring</b></p> <p>Access, loading and manoeuvring requirements shall be provided in accordance with Rule 12.7.1 page 12:13 and Rule 12.7.3 page 12:17.</p> <p><b>(d) Parking</b></p> <p>Parking shall be provided in accordance with Rule 12.7.2 (pg 12:16) and Table 12.3 (pg 12:25).</p> |                                 |                                                 |
| 4.7.6H | <p><b>Signs</b></p> <p>Signs on any site shall comply with the following standards.</p> <ol style="list-style-type: none"> <li>1. Shall be situated on the property to which they relate provided that no more than two pre warning signs having a maximum area of 1m<sup>2</sup> each are permitted within 500 metres of the site entrance.</li> <li>2. Shall comprise a single sign not exceeding a total of 3m<sup>2</sup> in area.</li> <li>3. Shall not obscure driver visibility to and from access ways</li> <li>4. Shall not be constructed using reflective material, or flashing or animated components.</li> <li>5. Shall not be illuminated.</li> <li>6. Shall comply with Rule 12.7.5.v.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Restricted Discretionary</b> | <b>Yes</b> – no signs are proposed.             |
| 4.7.6I | <p><b>Riparian Margins</b></p> <p>Within 10 metres of any water body, no:</p> <ol style="list-style-type: none"> <li>a. dumping of fill, spoil or any substance to waste (except cleanfill),</li> <li>b. earthworks exceeding 20m<sup>3</sup>, or</li> <li>c. the removal of vegetation,</li> </ol> <p>shall occur provided this does not apply to:</p> <ol style="list-style-type: none"> <li>i. The removal of undesirable weeds or the removal of</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Restricted Discretionary</b> | <b>Yes</b> – there are no water bodies on site. |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Status if breached | Complies?                                                                    |
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|        | <p>plants or vegetation planted for commercial purposes prior to the date of notification of this plan, provided that any adverse effects on that water body and its margin are avoided, remedied or mitigated by ensuring that:</p> <ol style="list-style-type: none"> <li>1. No disturbed vegetation, soil or debris is placed in any water body or is placed in such a position where it may enter or move into any water body, and</li> <li>2. Riparian margins are restored and rehabilitated to a standard necessary to ensure that the margin remains in a stable condition.</li> </ol> <p>ii. Grazing of stock.</p> <p>iii. Activities/works permitted by any relevant Regional Plan.</p> <p>iv. Minor maintenance required for the safe and efficient operation of roads and utility networks.</p> <p>For the purposes of this Rule, water body is defined as being any stream or river or any wetland identified in Schedule 19.6.1 or any lake (excluding irrigation dams within a farm property) 0.5 hectares or greater in area.</p>                                                                                                                                                                                                                                                                                         |                    |                                                                              |
| 4.7.6J | <p><b>Earthworks for Access Tracks and Extraction Activities</b></p> <p><b>(a) Tracks <sup>6</sup></b></p> <p>Where any earthworks are required for or in connection with the formation or construction of any road, track, landing, firebreak, fenceline, or utility service line, the following design standards shall be met:</p> <ol style="list-style-type: none"> <li>(i) All formation surfaces with an inwards crossfall shall be drained by a watertable; and</li> <li>(ii) Cutoffs or culverts shall be constructed or installed so as to prevent scour, gulying or other erosion of the formed or constructed surface and to adequately provide for fish passage when such fish passage is appropriate and practicable; and</li> <li>(iii) All areas of fill including any formation surface overlying fill shall be compacted; and</li> <li>(iv) Fill batters shall be constructed and vegetated to a standard that is adequate to mitigate any adverse visual effects when viewed from any State highway and to avoid batter erosion or failure; and</li> <li>(v) Adverse effects on any stream, river or lake or permanently wet wetland are avoided, remedied or mitigated; and</li> <li>(vi) Any cut or fill batter is no more than 2 metres in height or depth (provided that this may be exceeded for 10% or</li> </ol> | Discretionary      | Yes – earthworks are not required as an access track already exists on site. |

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<sup>6</sup> Intersections with public roads are to be constructed in accordance with the standards set out in Rule 12.7.1 page 12:13. Where bridges, culverts or bed disturbances are associated with activities subject to Rule 4.7.6J(a) compliance with regional rules in Chapter 13 of the Regional Plan : Water shall be met or appropriate consents obtained.



| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Status if breached | Complies?                                                                                                                        |
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|        | <p>less of the total track length to a maximum 3 metres).</p> <p><b>(b) Extraction and Displacement Activities</b><br/>           Except as provided for in 4.7.6.J.a above the extraction (including excavation and/or displacement) of material (excluding any cleanfill landfill, and farming activities such as irrigation dams and associated works, ploughing and land contouring for border dyke irrigation) shall not exceed an area of 2000m<sup>2</sup> or a quantity of 3000m<sup>3</sup> from any one site provided that:</p> <ul style="list-style-type: none"> <li>i. Where the material extracted is not to be reinstated, then the permanent visual impacts of the activity shall be avoided, remedied or mitigated by the replacing of topsoil and suitable subsoil, resowing, fertilising and planting or other appropriate landscaping, or</li> <li>ii. When material is extracted or displaced for mining, investigative or exploitative work, all areas disturbed shall be progressively restored or rehabilitated to a standard not less than that which previously existed, and</li> <li>iii. Adverse effects on water bodies and land stability are avoided, remedied or mitigated; and</li> <li>iv. Extraction, other than that required for land cultivation, drilling, bore construction, the erection of fences, overhead lines or foundations for buildings is no more than 1m deep or 10m<sup>3</sup> in volume within the groundwater protection zones for Roxburgh and Ettrick.</li> </ul> |                    |                                                                                                                                  |
| 4.7.5K | <p><b>Areas of Significant Indigenous Vegetation, Habitats of Indigenous Fauna and Wetlands</b><br/>           No activity shall have the effects of:</p> <ul style="list-style-type: none"> <li>a. Removing or adversely affecting indigenous vegetation, or</li> <li>b. Adversely affecting significant habitat of indigenous fauna or statutorily managed sports fish and game, or</li> <li>c. Draining or adversely affecting any wetland or its associated values, or</li> <li>d. Erecting any structure (excluding fences and signs that conform with Rule 12.7.5.i.e), or</li> <li>e. Carrying out any earthworks or cultivation of land, or</li> <li>f. Establishing woodlots, production forestry or shelterbelts, or</li> <li>g. Subdivision of land (except for the creation of reserves or conservation areas), within those areas identified in Schedules 19.6.1 and 19.6A and on the planning maps and any wetlands over 800 metres, unless the work or activity is consistent with the particular Act under which the land is held, or any management strategy or plan developed under that Act.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                 | Discretionary      | Yes – the proposal is not located within an area of Significant Indigenous Vegetation, Habitats or Indigenous Fauna or Wetlands. |

| Rule         | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Status if breached   | Complies?                                                                                                                                                  |
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| 4.7.5.K<br>A | <p><b>Clearance of Indigenous Vegetation</b></p> <p>i. Clearance of indigenous vegetation on land not listed for protection under Schedule 19.6.1 and subject to Rule 4.7.6K, where the vegetation –</p> <p>(a) comprises more than 10 hectares of snow tussock grassland (<i>Chionochloa rigida</i>), or half a hectare or more of other indigenous vegetation on one site; or</p> <p>(b) involves any species listed as threatened in Schedule 19.6B, and the clearance affects a site containing any such species as identified on the planning maps; or</p> <p>(c) is more than 1080m above sea level;</p> <p>is a <u>discretionary (restricted) activity</u>.</p> <p>Provided that this rule shall not apply to:</p> <p>i. Clearance of indigenous trees that have been windthrown or are dead standing as a result of natural causes and have become dangerous to life or property.</p> <p>ii. Clearance of indigenous vegetation on land that has been freeholded under Part 2 of the Crown Pastoral Land Act 1998.</p> <p>iii. The Greenland Recommended Area for Protection on Little Valley Station apart from the land subject to Conservation Covenant No. 5013375.2 (Otago Land Registry).</p> <p>And provided that i(b) of this rule as above shall not apply to:</p> <p>iv. Grazing,</p> <p>v. Oversowing and topdressing.</p> <p>And provided that i(a) and (c) of this rule as above shall not apply to:</p> <p>iv. Direct drilling associated with existing pasture.</p> <p>v. Clearance of matagouri.</p> <p>ii. For the purpose of this rule “clearance” is defined as the felling, clearing, or modification of any indigenous vegetation by cutting, mechanical crushing, spraying, burning and any activity causing disturbance to the soil.</p> | <b>Discretionary</b> | <b>Yes</b> – Bendigo Station is listed in Schedule 19.6.3 as it was freeholded under a tenure review process and therefore this rule does not apply.       |
| 4.7.6.L      | <p><b>Outstanding Natural Landscapes, Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area</b></p> <p>1. No activity shall have the effect of:</p> <p>a. Erecting any structure (excluding post and wire fences) or building, or</p> <p>b. Cutting new roads, new tracks, new landings, or new utility service lines, or</p> <p>c. Excavating material in excess of 20m<sup>3</sup> and/or</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Discretionary</b> | <b>Yes</b> – consent is not required as Bendigo Station is listed in Schedule 19.6.3 as it was freeholded under a tenure review process and therefore Rule |

| Rule | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Status if breached | Complies?              |
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|      | <p>disturbing any land 50m<sup>2</sup> in area or greater in any one hectare in any continuous period of 5 years but excluding cultivation of areas previously cultivated (for the avoidance of doubt this does not apply to the maintenance of roads, tracks, landings, fire breaks and other works), or</p> <p>d. Establishing woodlots, production forestry or shelter belts, or</p> <p>e. Subdivision of land (except for the purpose of creating reserves or conservation areas), within any area identified as an outstanding natural landscape, outstanding natural feature or land in the Upper Manorburn/Lake Onslow Landscape Management Area as shown on the planning maps except as provided for by Rules 4.7.5(vi), 13.7.6 and 13.7.8.</p> <p>2. Rule 4.7.6L.1 shall not apply to:</p> <p>a. reviewable land that has been freeholded under Part 2 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and</p> <p>b. unrenewable occupation licence land that has been designated for disposal as fee simple under Part 3 of the Crown Pastoral Land Act 1998 subsequent to the operative date of this plan; and</p> <p>c. freehold land listed in Schedule 19.6.3 <sup>7</sup>.</p> <p>d. The area identified as Rural Resource Area (3) on the planning maps to the extent that:</p> <p>i. Rule 4.7.6L(1)(a) shall not apply to any dwelling and any accessory building authorised in terms of Rule 4.7.2(ia).</p> <p>ii. Rule 4.7.6L(1)(a) shall exclude unpainted post and wire fences only and stacked schist or stone fences that shall not exceed a height of 1.2 metres.</p> <p>iii. Rule 4.7.6L(1)(b) shall not apply to underground services or to the cutting of new roads or tracks as shown on the concept plan attached as Schedule 19.20 or to any water tank that is finished in natural tones to blend with the landscape.</p> <p>iv. Rule 4.7.6L(1)(c) shall not apply to earthworks involving up to 450m<sup>2</sup> of cut or fill per site provided that the maximum height of cut or fill is to be 0.75m unless lined with schist or to earthworks required to construct a building platform or to form</p> |                    | 4.7.6L does not apply. |

<sup>7</sup> Bendigo Station is listed in Schedule 19.6.3 as it was freeholded under a tenure review process, and there has been an alternative statutory means to identify and address the values of these landscapes and features (conservation covenant).

| Rule | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Status if breached | Complies? |
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|      | <p>access to a building platform as shown on the concept plan attached as Schedule 19.20 or where a building platform is located in the Development Zone shown on the concept plan attached as Schedule 19.20 (in compliance with Rule 4.7.2(ia)(a); no rocks over 2m<sup>3</sup> (as visible above natural ground level) are to be removed or otherwise modified except to construct a building platform or to form access to a building platform as shown on the concept plan attached as Schedule 19.20 or where a building platform is located in the Development Zone shown on the concept plan attached as Schedule 19.20 (in compliance with Rule 4.7.2(ia)(a)); all un-walled cut or fill slopes are to be recontoured to blend with the surrounding natural landform and to provide for successful revegetation; all retaining walls are to be lined with schist; and a geotechnical report is required with respect to any earthworks for identified (numbered) building platform 4 and its associated access as shown on the concept plan attached as Schedule 19.20.</p> <p>v. Rule 4.7.6L(1)(e) shall not apply to any subdivision authorised in terms of Rule 4.7.2(ii)(a)(i), 4.7.2(ii)(a)(iii) and 4.7.2(b)(i), (ii), (iv), (v) and (vi).</p> <p>e. Prospecting and exploration on land subject to Exploration Permit 40817 (or any subsequent permit) being part Crown Land, part Run 354A, part Section 7 SO 332516 and part Garston – Nevis Road situated in Block I Lorn Survey District.</p> <p>3. For the purpose of Rule 4.7.6L(2)(a) reviewable land shall be deemed to be “freeholded” when the holder’s acceptance of a substantive proposal takes effect under section 60 of the Crown Pastoral Land Act 1998.</p> <p>4. For the purpose of Rule 4.7.6L(2)(b) unrenovable occupation licence land shall be deemed to be “designated for disposal as fee simple” when the Commissioner of Crown Land’s adoption of a substantive proposal takes effect under section 89 of the Crown Pastoral Land Act 1998.</p> <p>5. Rule 4.7.6.L.1.a, b and c shall not apply to that part of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River.</p> <p>6. No activity shall have the effect of erecting any structure (excluding post and wire fences) or building on that part</p> |                    |           |



| Rule                              | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Status if breached | Complies?                        |
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|                                   | of Mount St Bathans Station located to the east and south of Hawkdun Runs Road and west of the Manuherikia River.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                    |                                  |
| <b>Chapter 12 – District Wide</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                    |                                  |
| 12.7.1                            | <p>Access to and from roads is a permitted activity provided it is in accordance with the following standards:</p> <p><b>(i) Construction and Maintenance</b></p> <p>All vehicular accesses from a road shall be designed, constructed and maintained to ensure that:</p> <ol style="list-style-type: none"> <li>1. They are able to be used in all weather conditions.</li> <li>2. They have no adverse impact upon road drainage systems.</li> <li>3. Stormwater and detritus (including gravel and silt) do not migrate on to the road.</li> <li>4. They intersect with the property boundary within 15 degrees of a right angle.</li> </ol> <p><b>(ii) Sight distances</b></p> <p>Clear visibility along the road in both directions from intersections and vehicular access shall comply with Table 12.1.</p> <p><b>(iii) Access to Rural State Highways and Arterial Roads</b></p> <p>In addition to the requirements of (i) and (ii) above design and construction of access to rural State highways and arterial roads shall comply with the following standards:</p> <ol style="list-style-type: none"> <li>(a) The access shall be sealed to the same standard as the adjacent road carriageway.</li> <li>(b) Where the speed limit is 100 kph, spacing between accesses shall be not less than 200 metres (regardless of the side of road on which they are located), and no vehicle access shall be constructed within 100 metres of road intersections AND spacing between intersections (ie road intersections) shall be not less than 800 metres.</li> <li>(c) Except as provided for in (d) below, width of vehicular access ways at the property boundary are to be no greater than 6 metres.</li> <li>(d) Heavy vehicular accesses shall be designed and constructed to: <ol style="list-style-type: none"> <li>i. A minimum width of nine metres.</li> <li>ii. Carry the volume and weight of traffic likely to use the access.</li> <li>iii. Ensure heavy vehicles do not have to cross the road centre line when making a left turn.</li> </ol> </li> </ol> | <b>Permitted</b>   | <b>Yes</b> – access is existing. |

| Rule | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Status if breached | Complies? |
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|      | <ul style="list-style-type: none"> <li>iv. Ensure the surface is constructed to the same standard as the adjacent road carriageway.</li> <li>v. Have sufficient width to accommodate the swept path of the largest vehicle anticipated to use it.</li> </ul> <p>(e) Driveways shall not be parallel to and level with roads within 20 metres of the road reserve.</p> <p>(f) Figures 12.2 and 12.3 on pages 12:32 and 12:33 establish the minimum design standards for access determined by activity type.</p> <p>(g) Access to State highways shall be to Transit New Zealand design specifications.</p> <p><b>(iv) Access to Rural Collector Roads</b></p> <p>In addition to the requirements of i and ii above, the design and construction of access to rural collector roads shall comply with the following standards:</p> <ul style="list-style-type: none"> <li>(a) Access for residential activities shall conform with the standards set out in Figure 12.4.</li> <li>(b) Access for non-residential activities shall conform with the standards set out in Figure 12.5.</li> <li>(c) Access distance from any road intersection for activities that attract a low level of vehicles (30 or less vehicle movements equivalent per day) shall be not less than 30 metres.</li> <li>(d) Access distance from any road intersection for activities that attract a high level of vehicles (more than 30 vehicle movements equivalent per day) shall be not less than 60 metres.</li> </ul> <p><b>(v) Access to Rural Local Roads</b></p> <p>In addition to the requirements of i and ii above, design and construction of access to rural local roads shall comply with the following:</p> <ul style="list-style-type: none"> <li>a. Access distance from any road intersection for activities that attract a low level of traffic (30 or less vehicle movements equivalent per day) shall be not less than 30 metres.</li> <li>b. Access distance from any road intersection for activities that attract a high level of traffic (more than 30 vehicle movements equivalent per day) shall be not less than 60 metres.</li> </ul> <p><b>(vi) Access to Urban State Highways and Urban Arterial Roads</b></p> <p>...</p> <p><b>(vii) Access to Urban Local Roads</b></p> <p>...</p> <p><b>(viii) Breach of Standards</b></p> |                    |           |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Status if breached              | Complies?                                             |
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|        | Any activity that does not comply with the standards stated in Rule 12.7.1(i)-(vii) shall be considered as a <u>discretionary (restricted)</u> activity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                 |                                                       |
| 12.7.2 | <p><b>Parking</b></p> <p>(i) Every activity shall make sufficient provision for vehicular parking in accordance with Table 12.3 (page 12:30) and the minimum dimensions stated in Figures 12.7 and 12.8 on pages 12:36 and 12:37 other than on roads provided that in the Business Resource Area no on-site parking is required except where the gross floor area of any building is 300m<sup>2</sup> or more. Vehicles shall not be required to undertake more than one reverse manoeuvre when manoeuvring out of any parking space to depart the site.</p> <p>(ii) Construction of parking areas to accommodate in excess of 3 carspaces including vehicle access and turning spaces, shall be constructed in accordance with the following standards;</p> <p>a. Parking areas shall be formed and sealed or otherwise constructed, so as not to create a dust nuisance or permit vehicles to carry deleterious materials such as mud, stone, chip or gravel onto the road or footpath.</p> <p>b. Stormwater originating from the parking areas shall be disposed of to an approved outfall either within the confines of the site or by pipe (of adequate diameter given the size of the parking area), to a road channel or stormwater drain.</p> <p>c. Traffic safety is to be ensured by:</p> <ol style="list-style-type: none"> <li>1. Vehicles using the parking area being prevented from entering or leaving the site except by the vehicle access and crossing provided.</li> <li>2. The parking area and turning spaces shall be laid out with sufficient manoeuvring space so that access can be obtained to the required parking space without the necessity for reversing onto or off the site.</li> <li>3. Any part of the parking area which cannot be used for the parking shall be landscaped.</li> </ol> <p>d. Privacy of neighbours is to be protected by ensuring that where the parking area adjoins a residential property, a solid fence, no less than 1.5 metres in height, shall be erected and maintained by the developing owner provided that the height of the fence shall be reduced at access points to enable adequate visibility on adjoining roads.</p> | <b>Restricted Discretionary</b> | <b>Yes</b> – there is no minimum parking requirement. |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Status if breached              | Complies?                                                                                        |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------------------|
|        | <p>e. Queuing space is to be provided within the site for vehicles entering or leaving a private or public carpark on the following basis:</p> <ul style="list-style-type: none"> <li>a. No less than 6 metres length in both directions for carparks of 20-100 car capacity.</li> <li>b. No less than 15 metres length in both directions for carparks of greater than 100 car capacity.</li> </ul> <p>ii. Any lighting associated with the parking area shall be directed to avoid adverse effects on adjoining properties or roads.</p> <p>iii. All areas of carparking in excess of 100m<sup>2</sup> shall provide a strip of not less than 1.5 metres in width adjacent to any boundary that is not built up to except where a solid fence has been erected.</p> <p>iv. The strip referred to in (g) shall not be paved and shall create the opportunity for landscaping to provide visual enhancement or screening. Landscaping shall not impede traffic visibility and shall be maintained in a healthy and tidy condition at all times.</p> |                                 |                                                                                                  |
| 12.7.3 | <p><b>Loading and Manoeuvring</b></p> <p><b>v. Servicing Activities</b></p> <p>Where the loading and unloading of goods is an integral part of an activity, loading facilities are to be provided.</p> <p>All such loading areas shall be so located that no vehicle or machinery engaged in any loading or unloading operation shall stand on or be required to manoeuvre on any part of the formed road or cause vehicles to reverse onto State highways or any other road nominated in the rules that apply to a particular Resource Area or Zone.</p> <p>Design shall be appropriate to the type of vehicles that have occasion to visit the site.</p>                                                                                                                                                                                                                                                                                                                                                                                          | <b>Restricted Discretionary</b> | <b>Yes</b> – the proposal is not a servicing activity.                                           |
| 12.7.4 | <p><b>Noise</b></p> <p><b>i. Measurement and Assessment of Noise</b></p> <p>Except where expressly provided elsewhere in this Plan, noise shall be measured in accordance with the provisions of NZS 6801:1991 Measurement of Sound and assessed in accordance with the provisions of NZS 6802:1991 Assessment of Environmental Sound. For the purposes of this Plan the following additional provisions shall limit the application of NZS 6802:1991.</p> <p><b>ii. Construction Noise</b></p> <p>Construction noise within the district which is ancillary to the principal use of the site shall not exceed the recommended limits in and shall be measured and assessed in accordance with the provisions of NZS 6803P:1984 The Measurement and</p>                                                                                                                                                                                                                                                                                             | <b>Restricted Discretionary</b> | <b>Yes</b> – consent is not required as the proposal will comply with construction noise limits. |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Status if breached                   | Complies?                            |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------|
|        | <p>Assessment of Noise from Construction, Maintenance, and Demolition Work. Discretionary adjustments provided in Clause 6.1 shall be mandatory within the district.</p> <p>Construction noise is permitted to occur only between the hours of 7:00am and 6:00pm within an urban area (as defined on page 18:11).</p> <p><b>iii. Exemptions</b></p> <p>Noise limits in any part of the plan shall not apply:</p> <ul style="list-style-type: none"> <li>(i) In any area to activities of a limited duration necessary for the production (but not processing) of primary products.</li> <li>(ii) In any part of the district where the noise source is a warning device used by emergency services.</li> <li>(iii) In any Residential Resource Area to activities of a normal domestic nature including recreational activities, such as sporting events, that do not involve powered motorsport, powered aviation, gunfire or amplified music.</li> <li>(iv) Where a carnival, show, display, field-day or exhibition with a duration less than five days occurs no more than four times in any period of a year.</li> <li>(v) To other temporary activities,</li> </ul> <p><b>iv. Blasting</b></p> <ul style="list-style-type: none"> <li>a. Vibration from any site due to blasting shall not exceed a peak particle velocity of 5mm/sec measured in the frequency range 3-12 Hz measured at any point within the notional boundary of any dwelling, residential institution or educational facility.</li> <li>b. Airblast overpressure from blasting on any land or in water shall not exceed a peak sound pressure level of 115 dBC measured at any point within the notional boundary of any dwelling, residential institution or educational facility.</li> </ul> |                                      |                                      |
| 12.7.5 | <p><b>Signs</b></p> <p><b>i. Permitted Signs Throughout the District</b></p> <p>The following signs are a permitted activity throughout the District, and are not subject to Rule 12.7.5.v (Standards and Conditions).</p> <ul style="list-style-type: none"> <li>a. A sign not exceeding 1.1m<sup>2</sup> in area advertising the disposal of an individual allotment of land or premises on which it is located.</li> <li>b. A sign not exceeding 3m<sup>2</sup> in area erected on a construction site for which a building consent has been issued or for a property development involving the sale of several allotments or premises. No such sign shall be displayed for a period exceeding the duration of the construction or sale period, and shall</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Discretionary – Non-Complying</b> | <b>Yes –</b> no signage is proposed. |



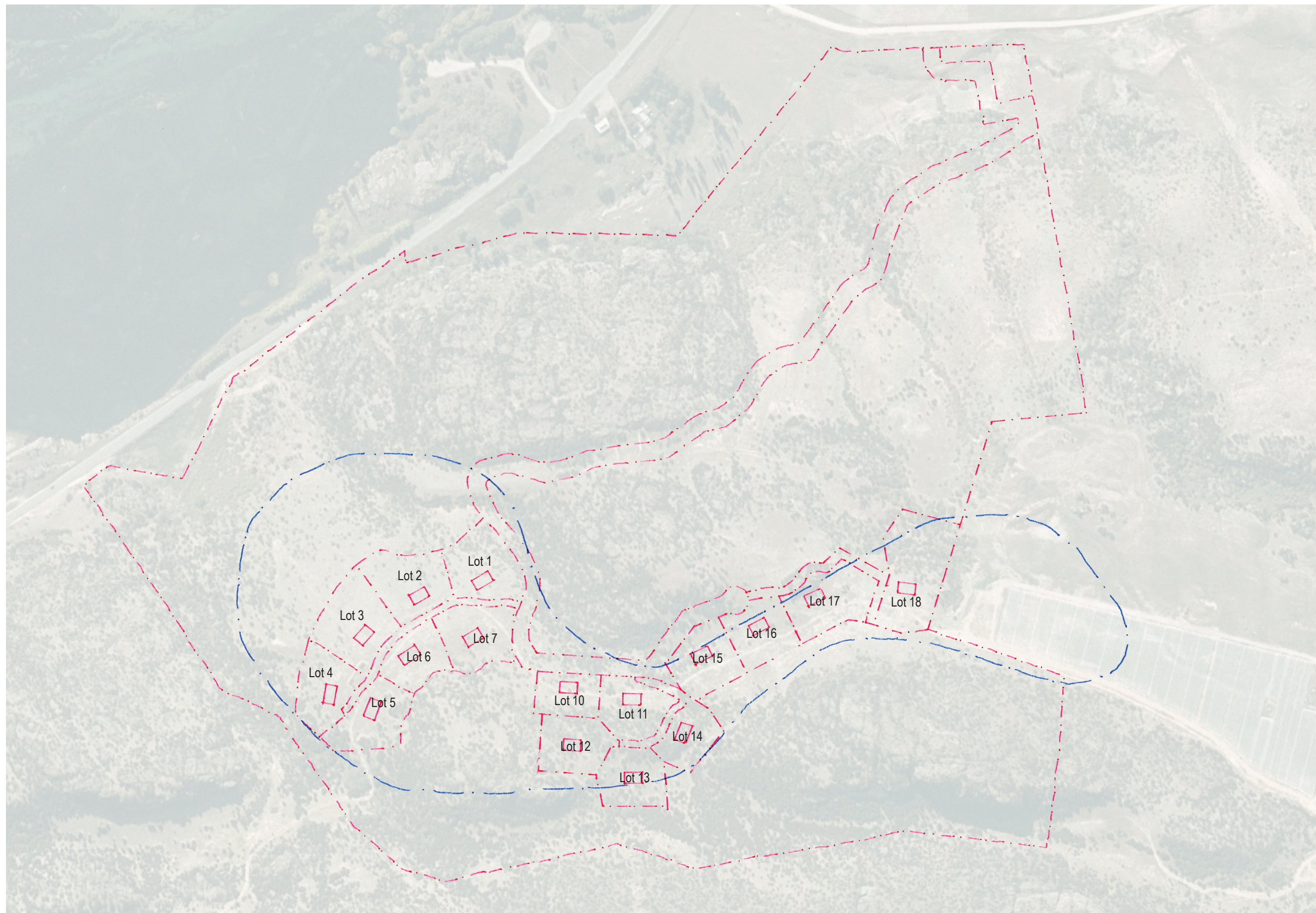
| Rule | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Status if breached | Complies? |
|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------|
|      | <p>include only details of the project and the names of parties connected therewith.</p> <p>c. Any sign erected to direct, control or warn traffic with its dimensions specified by Regulations, or any sign not exceeding 0.5m<sup>2</sup> in area serving to denote the name of the street, the number or name of the premises, or indicating the location or timetable or other details of any public utility or facility.</p> <p>d. Any sign erected to display public safety information or to warn the public of the existence of a hazard provided the sign is no larger than is necessary to adequately convey such information.</p> <p>e. A sign not exceeding 2m<sup>2</sup> in area erected on land held or managed under the Conservation Act 1987 or any of the Acts referred in the First Schedule of that Act which provides information about the land upon which it is erected.</p> <p>f. A sign advising of forthcoming cultural, religious, educational, sporting events or other temporary activities provided such signs:</p> <ol style="list-style-type: none"> <li>1. Are not erected earlier than 3 months before the event.</li> <li>2. Do not exceed 3m<sup>2</sup> in area.</li> <li>3. Are not located on road reserve without the written consent of the Chief Executive.</li> <li>4. Are removed within 7 days of the event finishing.</li> </ol> <p>g. Any finger board type sign or information sign of an interpretive and public information nature not exceeding an area of 0.5m<sup>2</sup> where such finger board type sign serves to direct traffic to activities and attractions of interest to residents and visitors. Such finger board signs are to be located within the legal road and shall be subject to approval of the agency responsible for the road.</p> <p>h. A sign displayed for electioneering purposes provided such signs:</p> <ol style="list-style-type: none"> <li>1. Are not erected earlier than 2 months before polling day.</li> <li>2. Do not exceed 3m<sup>2</sup> in area.</li> <li>3. Are not located on road reserve without the written consent of the Chief Executive.</li> <li>4. Are removed by the close of the day before polling day.</li> <li>5. Have spacing between any lines of text of not less than 50mm.</li> </ol> <p>ii. <b>“Welcome” Signs</b></p> |                    |           |

| Rule   | Standard                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Status if breached              | Complies?                                                                                                                 |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------|
|        | <p>...</p> <p>iii. <b>Hoardings</b></p> <p>...</p> <p>iv. <b>Signs on Vehicles</b></p> <p>...</p> <p>v. <b>Standards and Conditions</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                 |                                                                                                                           |
| 12.7.6 | <p><b>i. Lightspill Standard</b></p> <p>No activities shall result in greater than 10 lux spill (horizontal and vertical) of light onto any adjoining property or road, measured at the boundary of a road or the notional boundary of a neighbouring property, provided that this rule shall not apply to headlights of moving vehicles or vehicles that are stationary for less than 5 minutes or to street lighting.</p> <p>The amount of light that may be spilled onto a neighbouring property may be increased by not more than 100%, in cases where the activity on that neighbouring property is not residential.</p> | <b>Restricted Discretionary</b> | <b>Yes</b> – no lighting or lux spill is proposed.                                                                        |
| 12.7.7 | <p><b>Building Line Restrictions</b></p> <p>i. No building shall be erected within any building line restriction shown on the planning maps between the building line and the feature to which it relates.</p>                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Restricted Discretionary</b> | <b>Yes</b> – no building line restrictions are shown on the planning maps and the proposal does not include any building. |
| 12.7.8 | <p><b>Transmission Lines</b></p> <p>i. No building shall be erected within 12 metres from the centreline and 12 metres from the outer edge of the support structure of a high voltage transmission line that is part of the transmission network and is designed to operate at or over 110kV provided that this rule does not apply to:</p> <p>....</p>                                                                                                                                                                                                                                                                       | <b>Restricted Discretionary</b> | <b>Yes</b> – no buildings are proposed.                                                                                   |

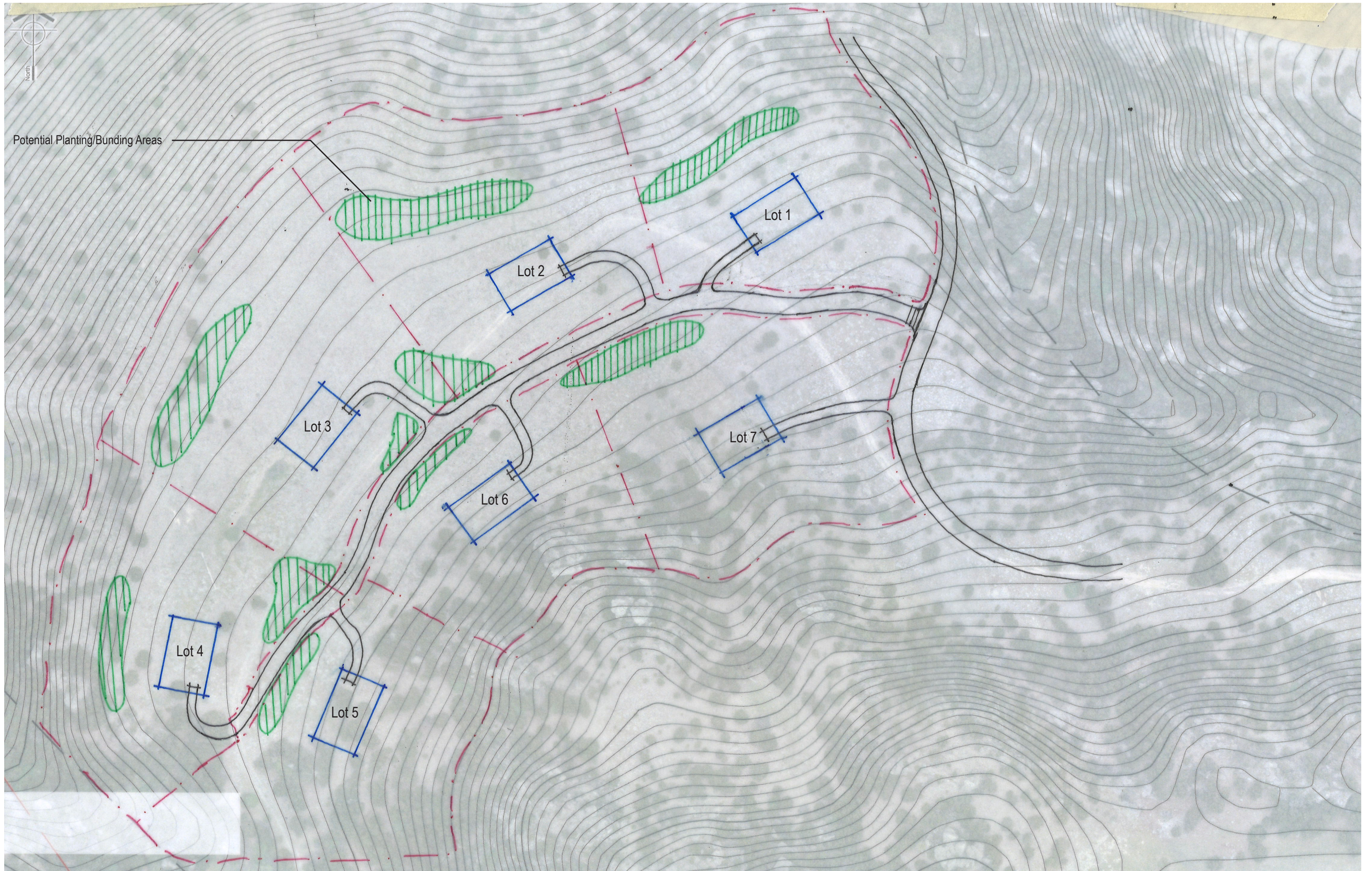
## **Attachment D**

### **Baxter Design Group – controlled activity subdivision layout and supporting cross-section**

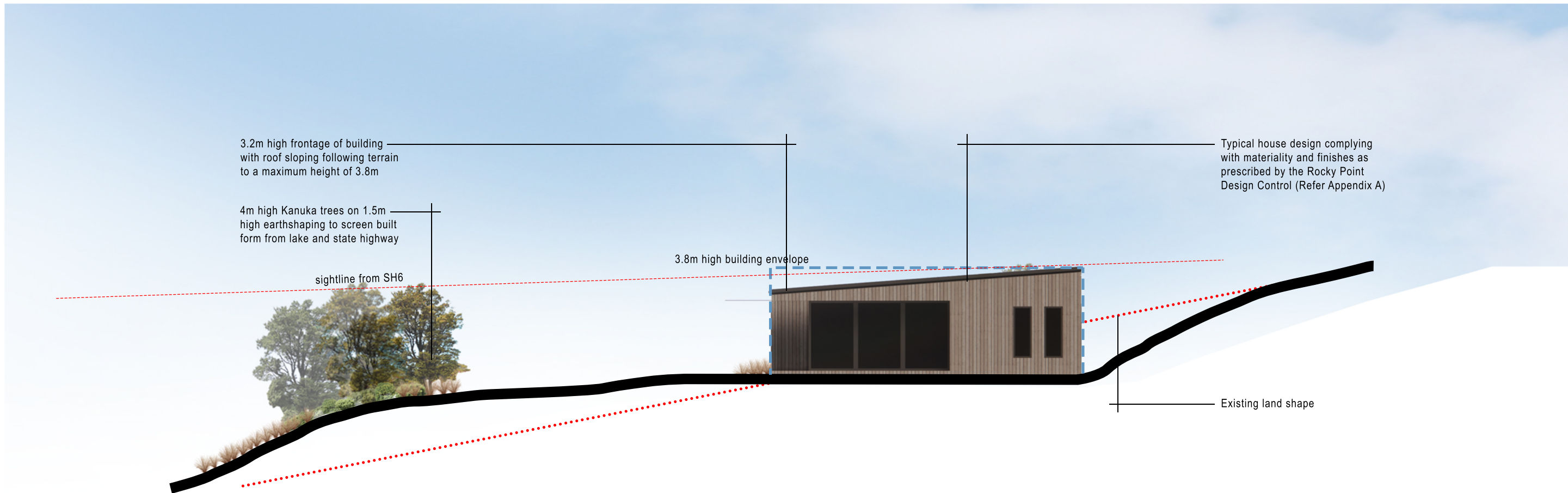




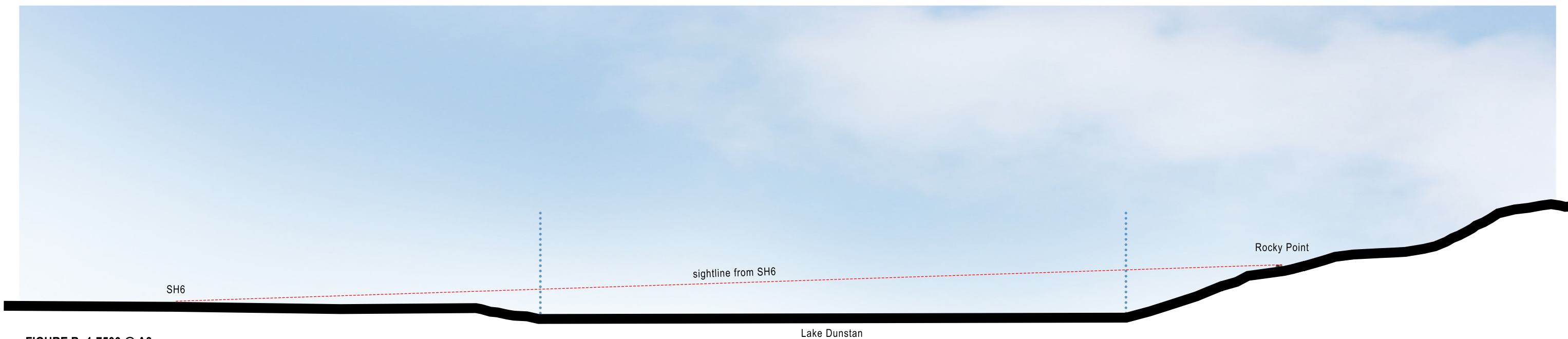








**FIGURE A: 1:150 @ A3**  
TYPICAL SECTION ELEVATION SHOWING  
POTENTIAL TREATMENT OF SCREENING



**FIGURE B: 1:7500 @ A3**  
SECTION BETWEEN SH6 AND ROCKY POINT  
DEVELOPMENT



## **Attachment E**

### **Commentary on the DOC's Appendix E table**

| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup>                      | Within Development Area <sup>3</sup> ? | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?                                      | BCPG assessment |
|---------|-----------------------|-------------------------------------------------------|----------------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------|
| 1       | 9,077m <sup>2</sup>   | Residential/<br>Travellers accommodation <sup>6</sup> | Yes                                    | No. Mostly within covenanted area            | Potentially visible from Lake Dunstan.<br>Does not meet minimum yard setback from boundaries. | Correct         |
| 2       | 7,547m <sup>2</sup>   | Residential/<br>Travellers accommodation              | Yes                                    | No. Entirely within covenanted area          | Potentially visible from Lake Dunstan.<br>Does not meet minimum yard setback from boundaries. | Correct         |
| 3       | 7,442m <sup>2</sup>   | Residential/<br>Travellers accommodation              | Yes                                    | No. Entirely within covenanted area          | Potentially visible from Lake Dunstan.<br>Does not meet minimum yard setback from boundaries. | Correct         |
| 4       | 2,657m <sup>2</sup>   | Residential/<br>Travellers accommodation              | Yes                                    | No. Entirely within covenanted area          | Potentially visible from Lake Dunstan.<br>Does not meet minimum yard setback from boundaries. | Correct         |
| 5       | 2,163m <sup>2</sup>   | Residential/                                          | Yes                                    | No. Entirely within                          | Potentially visible from Lake Dunstan                                                         | Correct         |

<sup>1</sup> Table 1, AEE pages 10 – 13.

<sup>2</sup> Table 1, AEE pages 10 – 13.

<sup>3</sup> ~~A~~ Allocated Development Area in COPD Schedule 19.16 concept plan as shown on Overall Scheme Plan in Attachment 3 to the AEE. Development outside the Development Area breaches Rule 4.7.2(ii)(a)(iii)).

<sup>4</sup> ~~A~~ As shown on Overall Scheme Plan in Attachment 3 to the AEE<sup>1</sup>

<sup>5</sup> ~~I~~ Information taken from Table 2 and section 2.1.1 AEE, pages 25 – 45. See in particular Note 6 on page 45 which states that the proposed subdivision is a:

“Non-Complying activity consent pursuant to Rule 4.7.5.iii for a subdivision that does not comply with Rule 4.7.2.ii.a.i (lots created that do not meet the minimum allotment standards (bulk and location and open space and minimum lot size for travellers accommodation))”.

<sup>6</sup> ~~A~~ Table 1 AEE page 26 notes travellers accommodation for up to six guests is proposed on all residential lots.

| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup>         | Within Development Area <sup>3</sup> ? | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?                                                                                                                 | BCPG assessment                         |
|---------|-----------------------|------------------------------------------|----------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
|         |                       | Travellers accommodation                 |                                        | covenanted area                              |                                                                                                                                                                          |                                         |
| 6       | 2,307m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                    | No. Entirely within covenanted area          | Potentially visible from Lake Dunstan.<br>Does not meet minimum yard setback from boundaries.                                                                            | Correct                                 |
| 7       | 1,964m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                    | No. Approx ½ is within covenanted area       | Potentially visible from Lake Dunstan.<br>Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Does not meet minimum yard setback from boundaries. | Correct, however Lot 7 has been removed |
| 8       | 2,395m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                    | Yes                                          | Does not meet minimum yard setback from boundaries.                                                                                                                      | Correct                                 |
| 9       | 2,127m <sup>2</sup>   | Residential/<br>Travellers accommodation | No. A slither is outside               | Yes                                          | Does not meet minimum yard setback from boundaries.                                                                                                                      | Correct                                 |
| 10      | 1,355m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                    | No. Approx ½ is within covenanted area       | Potentially visible from Lake Dunstan.<br>Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Does not meet minimum yard setback from boundaries. | Correct                                 |
| 11      | 1,507m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                    | Yes                                          | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.                                                                                                  | Correct                                 |



| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup>         | Within Development Area <sup>3</sup> ? | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?                                                                                                                                                                                                       | BCPG assessment |
|---------|-----------------------|------------------------------------------|----------------------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
|         |                       |                                          |                                        |                                              | Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>Does not meet minimum yard setback from boundaries.                                                                                                                           |                 |
| 12      | 737m <sup>2</sup>     | Residential/<br>Travellers accommodation | Yes                                    | No. Mostly within covenanted area            | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>Does not meet minimum yard setback from boundaries.                                                | Correct         |
| 13      | 4,565m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                    | No. Mostly within covenanted area            | Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>This allotment is not capable of complying with the 500m <sup>2</sup> landscaped area requirement.<br>Does not meet minimum yard setback from boundaries.                     | Correct         |
| 14      | 479m <sup>2</sup>     | Residential/<br>Travellers accommodation | Yes                                    | No. A slither is within covenanted area      | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>This allotment is not capable of complying with the 500m <sup>2</sup> landscaped area requirement. | Correct         |

| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup>         | Within Development Area <sup>3</sup> ? | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?                                                                                                                                                                                                                                                              | BCPG assessment |
|---------|-----------------------|------------------------------------------|----------------------------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 15      | 535m <sup>2</sup>     | Residential/<br>Travellers accommodation | Yes                                    | Yes                                          | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>Does not meet minimum yard setback from boundaries.                                                                                                       | Correct         |
| 16      | 522m <sup>2</sup>     | Residential/<br>Travellers accommodation | Yes                                    | Yes                                          | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>This allotment is not capable of complying with the 500m <sup>2</sup> landscaped area requirement.<br>Does not meet minimum yard setback from boundaries. | Correct         |
| 17      | 515m <sup>2</sup>     | Residential/<br>Travellers accommodation | Yes                                    | Yes                                          | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>Height limit of 5.5m will be exceeded for future dwellings on this allotment.<br>This allotment is not capable of complying with the 500m <sup>2</sup> landscaped area requirement.<br>Does not meet minimum yard setback from boundaries. | Correct         |

| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup>         | Within Development Area <sup>3</sup> ?     | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?                                                                                                                                                                             | BCPG assessment |
|---------|-----------------------|------------------------------------------|--------------------------------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| 18      | 504m <sup>2</sup>     | Residential/<br>Travellers accommodation | Yes                                        | Yes                                          | Breaches minimum 2,000m <sup>2</sup> area for travellers accommodation.<br>This allotment is not capable of complying with the 500m <sup>2</sup> landscaped area requirement.<br>Does not meet minimum yard setback from boundaries. | Correct         |
| 19      | 4,040m <sup>2</sup>   | Residential/<br>Travellers accommodation | Yes                                        | No. Approx ½ is within covenanted area       | Does not meet minimum yard setback from boundaries.                                                                                                                                                                                  | Correct         |
| 20      | 4,598m <sup>2</sup>   | Residential/<br>Travellers accommodation | No. About half is outside Development Area | No. Mostly within covenanted area            | Does not meet minimum yard setback from boundaries.                                                                                                                                                                                  | Correct         |
| 21      | 5,426m <sup>2</sup>   | Residential/<br>Travellers accommodation | No. About half is outside Development Area | No. Partly within covenanted area            | Does not meet minimum yard setback from boundaries.                                                                                                                                                                                  | Correct         |
| 22      | 2,331m <sup>2</sup>   | Residential/<br>Travellers accommodation | No. Part is outside Development Area       | Yes                                          | Does not meet minimum yard setback from boundaries.                                                                                                                                                                                  | Correct         |
| 23      | 2,869m <sup>2</sup>   | Residential/<br>Travellers accommodation | No. Part is outside Development Area       | Yes                                          | Potentially visible from SH8.<br>Does not meet minimum yard setback from boundaries.                                                                                                                                                 | Correct         |
| 24      | 9,429m <sup>2</sup>   | Communal/<br>Commercial                  | No. Entirely outside                       | Yes                                          | Potentially visible from SH8.                                                                                                                                                                                                        | Correct         |

| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup>                               | Within Development Area <sup>3</sup> ? | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?                                                    | BCPG assessment |
|---------|-----------------------|----------------------------------------------------------------|----------------------------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------|-----------------|
|         |                       |                                                                | Development Area                       |                                              | Does not meet minimum yard setback from boundaries.                                                         |                 |
| 25      | 8,360m <sup>2</sup>   | Residential/ Travellers accommodation                          | No. Part is outside Development Area   | Yes                                          | Potentially visible from SH8. Does not meet minimum yard setback from boundaries.                           | Correct         |
| 26      | 15,240 m <sup>2</sup> | Residential/ Travellers accommodation                          | No. Entirely outside Development Area  | Yes                                          | Potentially visible from SH8.                                                                               | Correct         |
| 27      | 21,080 m <sup>2</sup> | Residential/ Travellers accommodation                          | No. Entirely outside Development Area  | Yes                                          | Potentially visible from SH8. Does not meet minimum yard setback from boundaries.                           | Correct         |
| 28      | 11,240m <sup>2</sup>  | Residential/ Travellers accommodation                          | No. Entirely outside Development Area  | Yes                                          | Potentially visible from SH8. Does not meet minimum yard setback from boundaries.                           | Correct         |
| 29      | 7,706m <sup>2</sup>   | Residential/ Travellers accommodation/ Commercial <sup>7</sup> | No. Entirely outside Development Area  | Yes                                          | Potentially visible from SH8. Does not meet minimum yard setback from boundaries.                           | Correct         |
| 30      | 5,059m <sup>2</sup>   | Communal/ Commercial                                           | No. Entirely outside Development Area  | Yes                                          | Potentially visible from SH8. Height limit of 5.5m will be exceeded for future dwellings on this allotment. | Correct         |

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<sup>7</sup>Note (7) to the Scheme Plan records that Lots 24 and 29 – 20 are intended for commercial use.



| Lot No. | Lot size <sup>1</sup> | Type of Development <sup>2</sup> | Within Development Area <sup>3</sup> ? | Outside conservation covenant <sup>4</sup> ? | Complies with all other RuRA(2) standards <sup>5</sup> ?            | BCPG assessment                                                                                                                        |
|---------|-----------------------|----------------------------------|----------------------------------------|----------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
|         |                       |                                  |                                        |                                              | Does not meet minimum yard setback from boundaries for residential. |                                                                                                                                        |
| 101     | -                     | Road                             | No. Mostly outside Development Area    | Yes                                          |                                                                     | Correct, acknowledging that an access route is depicted on the Concept Plan and anticipated to extend outside of the Development Area. |
| 102     | -                     | Road                             | Yes                                    | Yes                                          |                                                                     |                                                                                                                                        |
| 103     | -                     | Road                             | No. 99% outside Development Area       | Yes                                          |                                                                     |                                                                                                                                        |
| 200     | 46.95 ha              | Balance/ Common                  |                                        |                                              |                                                                     |                                                                                                                                        |

## **Attachment F**

### **Updated suite of conditions**

**Consent Type:** Subdivision and Land Use Consent

**Consent Number:** RC 230179

**Purpose:** Subdivision consent for subdivision creating 30 lots with building platforms and one balance allotment at Rocky Point. Land use consent for residential activity and travellers' accommodation breaching yard standards.

**Location of Activity:** Lakefront Terrace, Bendigo

**Legal Description:** Lot 1 DP 561457 (Record of Title 993471).

**Lapse Date:** [Date of commencement plus five years], unless the consent has been given effect to before this date.

~~[Conditions in square brackets are placeholder conditions pending the receipt of additional information from the applicant]~~

~~Red text~~ (underline and strikethrough are added by the Applicant – 4<sup>th</sup> November 2024)

~~Green text~~ (underline and strikethrough are added by the Applicant – 18<sup>th</sup> November 2024)

~~Blue text~~ (underline and strikethrough are added by the Applicant – 22<sup>nd</sup> April 2025)

#### Subdivision Conditions:

- The subdivision must be undertaken in general accordance with the information provided in support of the amended application on 29 July 2024 and 04 September 2024, and the below plans, as amended by the following conditions.

| Plan Name                                                                                                   | Reference                                                                                        | Author                                     |
|-------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------|
| <b>Subdivision layout</b>                                                                                   |                                                                                                  |                                            |
| Rocky Point TKO Properties Ltd Overall layout, <del>and</del> Enlargement 1-4 <del>and Cross Sections</del> | Drawing W1665 Sheets 1-5<br>Revision <del>G-H and A</del>                                        | Coterra                                    |
| <b>Landscape and Design Controls</b>                                                                        |                                                                                                  |                                            |
| Revised Scheme Plan                                                                                         | 4371-SK125 – <del>29 Aug 31 October 2024</del> <del>22 April 2025</del>                          | Baxter Design                              |
| Lots 1-1 <del>89</del> , 19-21, 22-25, 26 and 27-30                                                         | 4371-SK130–SK134 – <del>29 Aug 30 October and 5 October 2024, 4 Nov 2024 and 22 April 2025</del> | Baxter Design                              |
| Rocky Point Schedule of Lots                                                                                | 4371-SK129 – <del>12 Jul 31 October 2024</del> <del>12 Feb 2025</del>                            | Baxter Design                              |
| <del>Lots 27 – 30</del>                                                                                     | <del>4371-SK137 12 Feb 2025</del>                                                                | <del>Baxter Design</del>                   |
| <b>Ecological Mapping</b>                                                                                   |                                                                                                  |                                            |
| <del>Ecology Mapping</del>                                                                                  | <del>4371-SK127 – 29 Aug 31 October 2024</del>                                                   | <del>Baxter Design</del>                   |
| <del>Proposed Offset Sites at Bendigo Hills</del>                                                           | <del>2608/067/2024</del>                                                                         | <del>Wildlands</del>                       |
| <del>Indicative Location of Enrichment Planting Sites Planting and Protection Areas – Rocky Point</del>     | <del>Ecological Enhancement and Monitoring Plan Figure 4-1 SK161 17 April 2025</del>             | <del>Beale Consultants Baxter Design</del> |
| <b>Infrastructure</b>                                                                                       |                                                                                                  |                                            |

|                                                       |                                                      |                |
|-------------------------------------------------------|------------------------------------------------------|----------------|
| Rocky Point TKO Properties Ltd Cross Sections         | Drawing W1665 Sheet 5 Revision A                     | Coterra        |
| Long Road Sections                                    | Drawing W1874 Sheets 1-6 Revision A                  | Coterra        |
| Infrastructure Mapping                                | 4371-SK128 29 – Aug 2024                             | Baxter Design  |
| Indicative Water and Wastewater Plans 1-5             | Drawings 5001, 6001, 6003, 6003 and 6004, Revision A | CKL            |
| <del>Indicative Stormwater / OLFP Layout 1 of 1</del> | <del>Drawing 4001, Revision 2</del>                  | <del>CKL</del> |

1. The consent holder shall pay to the Council all required administration charges fixed by the Council pursuant to section 36 of the Act in relation to:
  - a) Administration, monitoring and inspection relating to this consent; and
  - b) Charges authorised by regulations.
2. The subdivision may be staged. Any conditions relevant to a stage must be satisfied prior to section 224(c) certification for that stage.
3. Unless modified by other conditions, all designs and approvals are to be in accordance with NZS 4404:2004 and Council's July 2008 Addendum to that standard unless otherwise approved by Council Engineers. Together these two documents form the Council's Code of Practice for subdivision.
4. Certificates Schedule 1A, Schedule 1B, and Schedule 1C are to be submitted at the appropriate times as per NZS 4404:2004 where required by Council.
5. Prior to the commencement of works occurring on site approved by this subdivision consent, the consent holder must:
  - a) Receive council Engineering Acceptance of the designs including:
    - i. Confirming who their representative is for the design and execution of the engineering work.
    - ii. Provide copies of design: reports, calculations, specifications, schedules, and drawings, as applicable.
  - b) ~~Install~~ Ensure all practicable measures are used to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site during any stages of site disturbance that may be associated with this subdivision.
  - c) Ensure any roading material or gravel or fill of any kind must come from a source which is free of any weed seeds in particular those of gorse, scotch broom and tree lupin. River beds are highly likely to be contaminated with these seeds. The source must be approved prior to use.
  - d) Provide to Council for certification a lizard management plan in general accordance with the Draft Lizard Management Plan recommended by Samantha King (Wildlands Consultants) prepared by a suitably qualified and experienced herpetologist. The plan should include, at a minimum:
    - i) Measures for avoiding high quality lizard habitats where possible and minimising damage to lizard habitats during subdivisional works
    - ii) Remediation of lizard habitats that are damaged during subdivisional works



- iii) Locations and nature of new lizard habitat creation to offset any areas destroyed during subdivisional works to ensure no net loss in extent of lizard habitat
- e) ~~Update the Proposed Offset Sites at Bendigo Hills, Indicative Location of Enrichment Planting Sites plans and Ecological Enhancement Monitoring Plan to specify plantings for each offsetting area to ensure that only species that will not outcompete existing indigenous species in the area, and change planting patterns to avoid the removal of indigenous vegetation already in the area. Provide to Council for certification a landscaping plan showing how Archaeological feature G41/773 will be protected including by minor re-routing of the access road and the location of the public carpark.~~
6. Measures to avoid, minimise and remedy adverse effects on indigenous biodiversity must be implemented at all times during subdivisional works in general accordance with Section 10 of the Terrestrial Ecology Impact Assessment and Terrestrial Invertebrate Assessment lodged as Appendices H and L to the amended application respectively, and the updated lizard management plan required above. The applicant must keep records of how these measures are being implemented on the site. These records must be made available to Council on request.
7. Prior to certification of the survey plan, pursuant to Section 223 of the Resource Management Act 1991, the subdivider must ensure the following:
- a) If a requirement for any easements for services, including private drainage, is ~~incurred~~ included during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.
- b) The right of way over Lot 200 providing access to Lot 5 DP 324082 must not be shown on the plan of subdivision.
- c) Public access easements must be provided over the walking tracks and parking spaces identified on the Revised Scheme Plan 4371-SK125 – 29 Aug 31 October 2024 22 April 2025 provided in support of the amended application.
- d) The building platforms and curtilage areas (as applicable) identified for Lots 1-30 must be shown on the plan of subdivision
8. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the subdivider must complete the following:
- a) ~~Plant out the offsetting and enrichment planting areas shown on the updated Proposed Offset Sites at Bendigo Hills and Indicative Location of Enrichment Planting Sites plans and implement the Ecological Enhancement Monitoring and Vegetation Management Plan submitted as Appendix I to the amended application, including ensuring provision for any ongoing monitoring and reporting required by the plan.~~
- b) ~~Implement the pest control measures listed in the Ecological Enhancement Monitoring and Vegetation Management Plan submitted as Appendix I, and including measures to manage mustelids, hedgehogs and feral cats, to the amended application, including ensuring provision for their ongoing operation.~~
- [Conditions 8a and b above are now replaced by Condition 10 – 12]*
- a) An operational domestic water supply must be designed and constructed to the boundary of each allotment. In general accordance with the Indicative Water Supply Plan Drawings 6001, 6002, 6003 and 6004, Revision 5 and in accordance with NZS 4404:2010. The system must be designed and constructed to provide a minimum of 1,000 litres of water per day to each allotment.
- b) A bacteriological and chemical water test of the network water supply, sourced from a suitably qualified laboratory, must be provided to the Chief Executive. The water test must be accompanied by a laboratory report which clearly details any non-compliance with Maximum Allowable Values (MAVs) and Guideline Values (GVs) under the Water Services

f(Drinking Water Standards for New Zealand) Regulations 2022 and identifies appropriate means of and costs for any necessary remedial treatment.

- c) The reticulated water network must be provided with fire hydrants sufficient to provide firefighting water coverage at the distances and pressures specified in Table 2 of SNZ PAS 4509:2008. Where any lot is not provided with sufficient coverage, the following must be registered as a consent notice on that lot:

- i) At the time residential activity is established on ~~Lot [X]~~ Lots 1 – 6 and 8 – 30 minimum domestic water and firefighting storage is to be provided by;

- (a) A standard 30,000 litre tank. Of this total capacity, a minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve. Alternatively an 11,000 litre firefighting reserve is to be made available to the building in association with a domestic sprinkler system installed in the building to an approved standard. A firefighting connection is to be located within 90 metres of any proposed building on the site. In order to ensure that connections are compatible with Fire and Emergency New Zealand (FENZ) equipment the fittings are to comply with the following standards:

- (i) Either: For flooded sources, a 70 mm Instantaneous Couplings (Female) NZS 4505 or, for suction sources, a 100 mm and 140 mm Suction Coupling (Female) NZS 4505 (hose tail is to be the same diameter as the threaded coupling e.g. 100 mm coupling has 100 mm hose tail), provided that the consent holder shall provide written approval of Fire and Emergency New Zealand to confirm that the couplings are appropriate for firefighting purposes.
- (ii) All connections shall be capable of providing a flow rate of 25 litres per second at the connection point
- (iii) The connection shall have a hardstand area adjacent to it to allow a Fire and Emergency New Zealand appliance to park on it. The hardstand area shall be located at the centre of a clear working space with a minimum width of 4.5 metres. Access shall be maintained at all times to the hardstand area.

*Note: For more information on how to comply with this Condition or on how to provide for FENZ operational requirements refer to the Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008. In particular, the following should be noted:*

*For more information on suction sources see Appendix B, SNZ PAS 4509:2008, Section B2.*

*For more information on flooded sources see Appendix B, SNZ PAS 4509:2008, Section B3.*

- (b) Firefighting water supply may be provided by means other than that provided for in a) if the written approval of the Fire and Emergency New Zealand is obtained for the alternative method.

~~(c) Ongoing compliance with the Fire Risk Management Plan approved under Condition [x] below.~~

- (c) Prior to Section 224(c) certification the consent holder shall submit for approval by the Council the Fire Risk Management Plan, that includes the following shall be submitted to the Council for approval:

- (i) Provision for a secondary emergency fire exit;
- (ii) Measures detailed within the FENZ fire smart guidance;
- (iii) Hydrant water supplies that meet the FW2 classification under NZ PAS4509;

- (iv) 26 wildfire sprinklers in the gully's downslope and near to the building platforms;
  - (v) Water storage and supply to enable ember sprinklers to operate on houses where required; and
  - (vi) Access roads that meet the FENZ width and clearance requirements.
- d) A separate water reticulation network and sprinklers for fire control must be constructed in general accordance with the Indicative Water Supply Plan Drawings 6001, 6002, 6003 and 6004, Revision 5. This system must be supplied from a static reserve with a capacity of at least 340m<sup>3</sup>.
- e) A reticulated wastewater network to service Lots 4-18 must be designed and constructed by a suitably qualified and experienced person in general accordance with the Indicative Wastewater Plan Drawing 5001, Revision 5 and in accordance with NZS 4404:2010. The system must be designed and constructed to accommodate at least [12,500] litres per day.
- f) Stormwater management (including reticulation and disposal) shall be undertaken must be constructed for each lot in general accordance with the Stormwater Management Plan (Rev 2, dated 12/07/2024), including addendum (dated 31/10/2024)~~Indicative Stormwater Layout Drawing 4001, Revision 2~~ and in accordance with NZS 4404:2010.
- g) Formal ownership, management, and operational documents are to be provided for the Management Entity new entity/entities to be established and responsible for:
- i. managing any the private shared three waters ~~or and~~ fire management infrastructure;
  - ii. ongoing oversight of the design controls for site landscaping and buildings;
  - iii. ongoing maintenance of the public carpark, walking tracks and interpretive signage;
  - iv. ongoing management and protection of Lot 200;
  - v. implementation and management of offset planting in accordance with Condition 10 - 12.
- ~~an operation and maintenance manual including as-builts shall be prepared to demonstrate extent of properties serviced, to what degree, and how.~~
- h) Lots 101, 102 and 103 (Subdivisional roads) must be formed to the Local Sealed standard in Table 3.2(a) of Council's 2008 addendum to NZS 4404:2004 or as otherwise approved by Council Engineers, with the following amendments:
- i) 20.0m minimum road reserve.
  - ii) 6.0m minimum sealed carriageway width with widening on curves
  - iii) Design in accordance with Austroads Guide for Geometric Design of Rural Roads.
  - iv) Road shoulder of 0.25m width metal.
  - v) 4% normal camber and designed super-elevation.
  - vi) Subgrade >CBR of 7.
  - vii) Rock armouring to be provided to side-channels along steeper sections.
  - viii) Shallow trafficable side-drains / water channels over level sections, if any.

- ix) Suitably sized culverts in water courses.
  - x) [Safety upgrades/signage for subdivisional roads placeholder condition]
  - xi) Road gradient must not exceed 15%.
  - xii) A cul-de-sac head in accordance with Figure 3.4 of NZS 4404:2004 or as otherwise approved by Council Engineers, must be installed at the terminus of the road within Lot 103
- i) The right of way servicing Lots 1 to ~~6~~ 7 must be formed to the Local Access A standard in Table 3.2(a) of Council's 2008 addendum to NZS 4404:2004 or as otherwise approved by Council Engineers, with the following amendments:
- i) The right of way may remain in private ownership
  - ii) Vehicle entranceway to the proposed Right of Way from the vested road Lot 101 must be constructed in compliance with Part 29 of Council's Roading Policies January 2015.
  - iii) 5.5m formed carriageway metal width with widening on curves.
  - iv) Design in accordance with Austroads Guide for Geometric Design of Rural Roads.
  - v) 5-8% normal camber and designed super-elevation.
  - vi) Subgrade >CBR of 7
  - vii) Rock armouring to be provided to side-channels along steeper sections.
  - viii) Shallow trafficable side-drains / water channels over level sections, if any.
  - ix) A well bound durable surfacing metal to be provided that is resistant to unravelling and provides good all-weather traction.
  - x) Suitably sized culverts in water courses.
  - xi) Shared access to Lots 1-2, 4-5 and ~~6-7~~, and an individual access to Lot 3, must be provided in accordance with Part 29 of Council's Roading Policies January 2015.
  - xii) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
  - xiii) 10.0m minimum road reserve.
  - xiv) Sections over 12.5% gradient shall be sealed.
  - xv) No section shall exceed 16.7% gradient.
- j) The right of way servicing Lots 19 to 21 must be formed to the Right of Way standard in Table 3.2(a) of Council's 2008 addendum to NZS 4404:2004 or as otherwise approved by Council Engineers, with the following amendments:
- i) 4.5m minimum formed width.
  - ii) 10.0m minimum road reserve.
  - iii) 5-8% normal camber.
  - iv) Subgrade >CBR of 7.
  - v) Durable well-bound wearing course to be constructed over pit-run base to provide all weather traction and prevent surface unravelling.



- vi) Shallow trafficable side-drains / water channels over level sections.
  - vii) Rock armouring of side channels over steeper sections.
  - viii) Stormwater discharging to soak pits within the ROW or to natural water courses.
  - ix) Vehicle entranceway to the proposed Right of Way from the vested road Lot 103 shall be constructed in compliance with Part 29 of Council's Roading Policies January 2015.
  - x) Sections over 12.5% gradient must be sealed.
  - xi) No section may exceed 16.7% gradient.
  - xii) Access to individual lots must be provided in accordance with Part 29 of Council's Roading Policies January 2015.
- k) The right of way servicing Lot 25 must be formed to the Right of Way standard in Table 3.2(a) of Council's 2008 addendum to NZS 4404:2004 or as otherwise approved by Council Engineers, with the following amendments:
- i) 4.5m minimum formed width.
  - ii) 10.0m minimum road reserve.
  - iii) 5-8% normal camber.
  - iv) Subgrade >CBR of 7.
  - v) Durable well-bound wearing course to be constructed over pit-run base to provide all weather traction and prevent surface unravelling.
  - vi) Shallow trafficable side-drains / water channels over level sections.
  - vii) Rock armouring of side channels over steeper sections.
  - viii) Stormwater discharging to soak pits within the ROW or to natural water courses.
  - ix) Vehicle entranceway to the proposed Right of Way from the vested road Lot 103 shall be constructed in compliance with Part 29 of Council's Roading Policies January 2015.
  - x) Sections over 12.5% gradient shall be sealed.
  - xi) No section shall exceed 16.7% gradient.
- l) The rights of way servicing Lots 1-2, 4-5 and 6-7 must be formed to the Right of Way standard in Table 3.2(a) of Council's 2008 addendum to NZS 4404:2004 or as otherwise approved by Council Engineers, with the following amendments:
- i) 4.5m minimum formed width.
  - ii) 10.0m minimum road reserve.
  - iii) 5-8% normal camber.
  - iv) Subgrade >CBR of 7.
  - v) Durable well-bound wearing course to be constructed over pit-run base to provide all weather traction and prevent surface unravelling.
  - vi) Shallow trafficable side-drains / water channels over level sections.

- vii) Rock armouring of side channels over steeper sections.
  - viii) Stormwater discharging to soak pits within the ROW or to natural water courses.
  - ix) Sections over 12.5% gradient shall be sealed.
  - x) No section shall exceed 16.7% gradient.
- m) Bendigo Loop Road between State Highway 8 and the intersection with Lot 101 must be upgraded to a Local Sealed standard in Table 3.2(a) of Council's 2008 addendum to NZS 4404:2004 or as otherwise approved by Council Engineers, with the following amendments:
- i) 6.5m minimum sealed carriageway width with widening on curves.
  - ii) Design in accordance with Austroads Guide for Geometric Design of Rural Roads.
  - iii) Surfacing to be two-coat chip seal, or asphaltic concrete.
  - iv) Road shoulder of 0.25m width metal.
  - v) 4% normal camber and designed super-elevation.
  - vi) Subgrade >CBR of 7.
  - vii) Rock armouring to be provided to side-channels along steeper sections.
  - viii) Shallow trafficable side-drains / water channels over level sections
  - ix) Suitably sized culverts in water courses.
  - x) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.

[Condition (j) – (o) were originally proposed by Mr Vincent, however these should be subject to detailed design under the Engineering Acceptance process]

- n) New vehicle entranceways to each of proposed Lots 8 – 18, 24, 26, and 27-30 must be individually constructed in compliance with the requirements of Part 29 of Council's Roading Policies January 2015.
- o) ~~[State Highway 8 / Bendigo Loop Road intersection upgrade placeholder condition].~~ The Consent Holder shall provide to Council, correspondence from the NZ Transport Agency confirming that works in the State Highway, including the upgrading of the Bendigo Loop Road/State Highway 8 intersection to a Diagram E standard, have been constructed to the NZ Transport Agency standards.
- p) ~~Walking tracks, and a gravelled vehicle parking area and any necessary navigational or interpretational signage~~ must be constructed in general accordance with the locations shown on the Revised Scheme Plan 4371-SK125 – 29 Aug 31 October 2024 22 April 2025 submitted in support of the amended application.
- q) ~~[Placeholder for required construction standard for walking tracks]~~ Walking tracks shall be established to a poled route standard. over natural ground with obstacles removed to enable unimpeded walking access along a designated route. The route shall be sign posted with periodic way finding signage. This shall include navigational or interpretive signage of heritage and archaeological values.
- r) ~~[Placeholder for ongoing maintenance of walking tracks, carpark and signage]~~ The management entity shall be responsible for the ongoing maintenance of public walking tracks and associated signage. Implementation of the landscaping plan to protect heritage feature G41/773 as certified by Condition 5 above.

- s) Underground electricity ~~and telecommunications~~ connections must be provided to the boundary of Lots 1 – 6 and 8 – ~~to~~ 30. Where lots are accessed off a right of way, the electricity ~~and telecommunications~~ connections must be extended along the right of way to the buildable area of the lot.
  - t) As-built drawings for any infrastructure to be vested in Council or private infrastructure in vested roads are to be lodged with the Council in accordance with clause 1.5.10(b) of NZS 4404:2004 and shall comply with Council's "Specifications for as-built drawing documentation version 3.1". The as-built drawings are to be provided in \*.dwg/\*.dxf or \*12da, and in \*.pdf file format. New Zealand Vertical Datum (NZVD2016) must be used.
  - u) ~~A suitably worded covenant, to be between the future owners of Lot 200 and either Central Otago District Council, the Department of Conservation, the Queen Elizabeth II National Trust, or an equivalent agency, must be drafted for registration on Lot 200 to the effect that Lot 200 will be maintained for conservation purposes in perpetuity.~~ A suitably worded covenant, to be between the future owners of Lot 200 and Central Otago District Council must be drafted for registration on Lot 200 to the effect that Lot 200 will be maintained for conservation purposes in perpetuity as set out in Condition 11 (a) – (ef).
  - wA A suitably worded covenant between the Central Otago District Council and the future owners of Lots 1 – 6 and 8 – 30 and ~~Lots 4, 8 and 9 of the proposed subdivision of Lot 2 DP561457~~ for registration on Lots 1 – 30 and ~~Lots 4, 8 and 9 of the proposed subdivision of Lot 2 DP561457~~ to the effect that the vegetation within the offset sites as defined in Condition 10(a) is protected in perpetuity.
  - v) A suitably worded covenant, to be between the future owners of Lots 1-30 and Central Otago District Council must be drafted for registration of Lots 1- 6 and 8 – 30 to the effect that no landowner or occupant will keep cats on the property.
  - w) Payment of a reserves contribution of \$30,008.62 (exclusive of Goods and Services Tax) calculated in terms of Rule 15.6.1(1)(a)(i) of the Operative District Plan on the basis of 29 additional dwelling equivalents.
  - x) ~~Any roading material or gravel or fill of any kind must come from a source which is free of any weed seeds in particular those of gorse, scotch broom and tree lupin. River beds are highly likely to be contaminated with these seeds. The source must be approved prior to use.~~
  - y) Provide evidence to the Chief Executive that weed control of the site has been undertaken to remove wildling pines and other problem weed plants ~~broom plants~~. The evidence must also demonstrate that the site has been checked for ~~any other~~ plants of broom or gorse or other woody weed that can practically and reasonably be controlled now before they become widespread and these must also be removed.
9. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on each of the certificates of title for Lots 1 to 30 hereon, for the following ongoing conditions:
- a) All lot owners are required to be part of the Management Entity as required by Condition 8(i) of RC230179.  
  
In the absence of a Management Entity, or in the event that the Management Entity established is unable to undertake, or fails to undertake, its obligations and responsibilities, the lot owners shall be responsible for establishing a replacement Management Entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
  - b) Buildings must comply with the following standards:
    - i) All residential buildings and accessory buildings must be located on the building platform identified on the relevant lot, with the following exceptions:

- (a) Verandahs and eaves are permitted to extend up to 2.75m outside of the RBP from exterior walls on elevations orientated towards Lake Dunstan and the north
  - (b) Decks are permitted on Lots 11-18 and may extend up to 2.5m outside of the RBP's on those lots and must not exceed 25m<sup>2</sup> in area
  - (c) Decks can extend 2.5m past the RBP on all other lots
  - (d) Small structures not exceeding 5m<sup>2</sup> in footprint size or 2.5m in height are permitted within the curtilage areas on each lot
- c) Stormwater from buildings, landscaping and impervious surfaces on Lots 23, 25 and 26 must be designed, constructed and maintained so as to not increase stormwater runoff into the saline areas identified in Figure 10 of the Rocky Point Subdivision Bendigo Saline/Sodic Soils Identification and Location report by Roger Gibson lodged in support of RC 230179.
- d) Ongoing compliance with the Fire Risk Management Plan approved under Condition ~~x~~8(c)(i)(c) above.

## **Biodiversity Management and Enhancement**

### **Offset / Compensation Planting**

10. Prior to Section 224(c) certification, the consent holder shall submit to the Central Otago District Council for certification a final version of the *Rocky Point Ecological Enhancement and Monitoring Plan (EEMP)*. The updated EEMP shall in addition to the management of the offset / compensation planting sites at Bendigo Hills, include the management of the offset / compensation planting sites within Lot 200, the areas of cushionfield maintenance and additional high value woody vegetation plantings ("Proposed Offset / Compensation Planting Areas" on the BDG Plan reference SK158 dated 17/04/25) and management of the ecological values of the balance of Lot 200.

10A. Prior to Section 224(c) certification, the consent holder shall

#### **EITHER:**

- (a) Implement the required Offset / Compensation Planting works within the areas marked "Proposed Offset / Compensation Planting Areas" on the BDG Plan reference SK158 dated 17/04/25 "Hemlock Gully", "Panorama Rise" and "Pylon Flat" on the plan "Proposed offset sites at Bendigo Hills" prepared by Wildlands, dated 08/07/2024, within Lots 4, 8 and 9 of the proposed subdivision of Lot 2 DP 561457 ("Bendigo Hills"). The species and density/spacings of the Offset / Compensation Planting shall be in accordance with Section 11 of the report *Rocky Point Subdivision Terrestrial Ecology Impact Assessment* by Beale Consultants, dated ~~xx~~ July 2024, and with Section 5 of the *Rocky Point Ecological Enhancement and Monitoring Plan*, prepared by Beale Consultants, dated ~~xx~~ July 2024 and as otherwise required by the Wildlands Supplementary Information on Threatened/At Risk Plant Survey at Rocky Point, dated 10/02/25; and
- (b) Implement the required Offset Planting works within the four proposed offset sites at Rocky Point as shown on the plan "Proposed offset sites at Rocky Point" prepared by Wildlands, dated ~~xx~~ 2024. The species and density/spacings of the Offset Planting shall be in accordance with Section 11 of the report *Rocky Point Subdivision Terrestrial Ecology Impact Assessment* by Beale Consultants, dated ~~xx~~ 2024, and with Section 5 of the *Rocky Point Ecological Enhancement and Monitoring Plan*, prepared by Beale Consultants, dated ~~xx~~ 2024; and



(c) Enter into a bond covering the maintenance of all Offset / Compensation Planting works as required by and undertaken in accordance with clauses (a) and (b) above. The bond shall cover the maintenance of all the required planting, and annual reporting, for a period of 5 years following the completion of the planting, and to cover the costs of replacing planting that dies or becomes diseased, damaged or is otherwise removed, to the extent required by the *Rocky Point Ecological Enhancement and Monitoring Plan* dated [xx] July 2024 Section 8 (monitoring) and Section 9 (annual reporting). The bond will be released upon approval of the Council that the Offset / Compensation Planting has fulfilled the objectives set out in Section 11.2 of the report *Rocky Point Subdivision Terrestrial Ecology Impact Assessment*, dated [xx] July 2024 and as otherwise required by the *Wildlands Supplementary Information on Threatened/At Risk Plant Survey at Rocky Point*, dated 10/02/25.

OR:

(d) Implement the first stage (2025) of required Offset / Compensation Planting works within one or more of the areas marked "Proposed Offset / Compensation Planting Areas" on the BDG Plan reference SK158 dated 17/04/25 "Hemlock Gully", "Panorama Rise" and "Pylon Flat" on the plan "Proposed offset sites at Bendigo Hills" prepared by Wildlands, dated 08/07/2024, within Lots 4, 8 and 9 of the proposed subdivision of Lot 2 DP 561457 ("Bendigo Hills") or the four offset planting areas within Rocky Point, as set out in the programme in Section 10 of the *Rocky Point Ecological Enhancement and Monitoring Plan*, dated [xx] July 2024. The species and density/spacings of the Offset / Compensation Planting shall be as described in Section 11 of the report *Rocky Point Subdivision Terrestrial Ecology Impact Assessment* by Beale Consultants, dated [xx] July 2024, and in accordance with Section 5 of the *Rocky Point Ecological Enhancement and Monitoring Plan*, [xx] July 2024 and as otherwise required by the *Wildlands Supplementary Information on Threatened/At Risk Plant Survey at Rocky Point*, dated 10/02/25; and

(e) Prepare a consent notice for registration on the record of title for [Lots 1 – 6 and 8 – 30 and 200] in accordance with section 221 of Resource Management Act 1991 requiring that the further stages of the required Offset / Compensation Planting, being the stages for 2026, 2027, 2028, and 2029 as set out in the programme in Section 10 of the *Rocky Point Ecological Enhancement and Monitoring Plan*, dated [xx] July 2024, are implemented in accordance with the Section 11 of the report *Rocky Point Subdivision Terrestrial Ecology Impact Assessment*, dated [xx] 2024, and in accordance with the *Rocky Point Ecological Enhancement and Monitoring Plan* dated [xx] July 2024 and as otherwise required by the *Wildlands Supplementary Information on Threatened/At Risk Plant Survey at Rocky Point*, dated 10/02/25;

(f) Enter into a bond that covers:

(i) the implementation of the further stages of the required Offset / Compensation Planting, as set out in the programme in Sections 5.3 and 10 of the *Rocky Point Ecological Enhancement and Monitoring Plan*, dated [xx] July 2024; as required by clause (d) above and as otherwise required by the *Wildlands Supplementary Information on Threatened/At Risk Plant Survey at Rocky Point*, dated 10/02/25; and

(ii) the maintenance of all stages of the Offset / Compensation Planting works as required by and undertaken in accordance with clauses (c) and (d) above. The bond shall cover the maintenance of all the required planting, and annual reporting, for a period of 5 years following the completion of the planting, and to cover the costs of replacing planting that dies or becomes diseased, damaged or is otherwise removed, to the extent required by the *Rocky Point Ecological Enhancement and Monitoring Plan* dated [xx] July 2024 Section 8 (monitoring) and Section 9 (annual reporting). The bond will be released in stages upon approval of the Council that the Offset / Compensation Planting undertaken for that stage has fulfilled the objectives set out

in Section 11.2 of the report *Rocky Point Subdivision Terrestrial Ecology Impact Assessment*, dated ~~xxx~~ July 2024 and as otherwise required by the Wildlands Supplementary Information on Threatened/At Risk Plant Survey at Rocky Point, dated 10/02/25.

**Protection of balance land, stock exclusion, and plant and pest management**

11. Prior to Section 224(c) certification, a consent notice must be prepared for registration on the records of title for all lots, pursuant to section 221 of the Resource Management Act 1991, for the following on-going conditions:

- a) That the owner of the lot, including of Lots 1 – 6 and 8 – 30 and 200, retain and maintain, in perpetuity, the existing native vegetation and associated fauna habitat, within the lot, outside the building platform and curtilage areas shown on the plans ~~xxx~~;
- b) Ensure that stock is excluded from the Lots 1 – 6 and 8 – 30 and 200.
- c) That the owner of the Lots 1 – 6 and 8 – 30 and 200 shall undertake property wide weed control, and rabbit and goat control, in accordance with Sections 6 and 7, respectively, of the *Rocky Point Ecological Enhancement and Monitoring Plan* dated ~~xxx~~ July 2024; and other plant and animal pest management as necessary to ensure the maintenance of indigenous biodiversity values throughout the lots. Weed control must be frequently undertaken to remove wilding pines, gorse, and broom and other problem woody plant species. ~~The lots must be checked for any other plants of broom or gorse or other woody weed that can practically and reasonably be controlled.~~
- d) The Management Entity shall be responsible for the ongoing maintenance of public walking tracks and associated interpretive signage.
- e) The Management Entity shall be responsible for the ongoing maintenance and management of the cushionfield management areas as shown on the BDG Plan titled “Proposed Offset / Compensation Planting Areas” on the BDG Plan reference SK158 dated 17/04/25
- f) There shall be no further subdivision of Lot 200.

Provided that a Management Entity may be established to fulfil the obligations in clauses a) – c) above collectively on behalf of all lot owners.

12. If the consent holder discovers any feature or archaeological material that predates 1900, heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:

- a. stop work within the immediate vicinity of the discovery or disturbance;
- b. advise the Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014; and
- c. arrange for a suitably qualified archaeologist to undertake a survey of the site.

**Land Use Conditions:**

- 1. This consent authorises residential activity and travellers’ accommodation on the building platforms on Lots 1- 6 and 8 – 23, 25 and 26-29, in general accordance with the information provided in support of the application and as amended by the following conditions.
- 2. Travellers’ accommodation on Lots 1- 6 and 8 – 23, 25 and 26-29 is limited to single groups of guests per allotment.

3. All buildings must be located within the identified building platform on the lot with the following exceptions:
- a) Verandahs and eaves are permitted to extend up to 2.75m outside of the RBP from exterior walls on elevations orientated towards Lake Dunstan and the north
  - b) Decks are permitted on Lots 11-18 and may extend up to 2.5m outside of the RBP's on those lots and must not exceed 25m<sup>2</sup> in area
  - c) Decks can extend 2.5m past the RBP on all other lots
  - d) Small structures not exceeding 5m<sup>2</sup> in footprint size or 2.5m in height are permitted within the curtilage areas on each lot. These structures must be clad in a recessive colour with an LRV less than 25%.

4. Buildings must not exceed the maximum height and building coverage for the relevant platform set out in Appendix One.

- ~~4. All buildings must comply with the design controls in Appendix 1. Departures from these standards may be approved with the written approval of the Planning Manager.~~

5. Plantings on each lot are limited to up to 30m<sup>2</sup> of herb and garden planting within 5m of the dwelling, and maintained to not exceed 1m in height, and otherwise the species listed in Appendix Two.

6. Exterior lighting (Both on and off buildings) must comply with the following standards:
- a) Any exterior lighting must be downlighting and located no more than 1.2m above ground level.
  - b) All fixed exterior lighting must be directed away from adjacent roads and property boundaries
  - c) All outdoor lighting must have a colour temperature of light emitted of 3,000K or lower
  - d) Lighting must be limited to a maximum of 12 lumens per m<sup>2</sup>
  - e) Lighting must align to the Five Lighting Principles for Responsible Outdoor Lighting published by the International Dark Sky Association.

At the time building consent is lodged for any building incorporating exterior lighting, an exterior lighting plan must be provided demonstrating that any new exterior lighting will comply with the above standards.

7. Internal lighting must comply with the following:

- a) There shall be no spill of light through any skylights after 10pm;
- b) Window coverings shall be installed for large glass doors and windows that allow light to spill outside (e.g., high vaulted and dormer windows);
- c) Shielded and tiled light fittings are used for indoor lights that are fitted near glass doors, windows and skylights.

- ~~8. All water tanks shall be located within the curtilage areas, be buried underground a minimum of 60%, fully screened by planting and must be in dark colours.~~

9. Except as otherwise required by Conditions 4 to 8, buildings must be designed and constructed in accordance with the design controls attached in Appendix One, unless otherwise approved in writing by the Planning Manager.

Note: For the avoidance of doubt, any control listed in the design controls but also listed in Conditions 4 to 8 will require an application be made to vary the condition, and cannot be departed from using the written approval process in Condition 9.

10. Prior to the construction of any building on Lots 27-~~29~~ 30, landscape planting must be established to mitigate views of screen the building from Bendigo Loop Road. A landscaping plan demonstrating compliance with this condition must be provided at the time building consent is lodged for any building on these lots.
11. Water filtration and UV sterilisation treatment must be provided at the water source or at point of use, at the Building Consent stage to achieve full compliance with Water Services (Drinking Water Standards for New Zealand) Regulations 2022 by means outlined in the Laboratory Report required by subdivision Condition 8(d) above or other solutions acceptable to the Chief Executive. To further clarify, the water must as a minimum requirement achieve full compliance with mandatory provisions of Water Services (Drinking Water Standards for New Zealand) Regulations 2022 including all Maximum Allowable Values (MAV's) as detailed in the Laboratory Report and the consent holder or successor must be alerted to any exceedance of Guideline Values (GV's) for which additional treatment is strongly recommended.
12. At the time of construction of a dwelling on Lots 1-3 and 19-30, an on-site wastewater disposal system that complies with the requirements of AS/NZS 1547:2012 "On-site Domestic Wastewater Management" must be designed by a suitably qualified professional.
13. The designer must supervise the installation and construction of the system and shall provide a construction producer statement to the Chief Executive.
14. An operation and maintenance manual must be provided to the owner of the system by the designer and a copy supplied to the Chief Executive. This manual must include a maintenance schedule and an as-built of the system dimensioned in relation to the legal property boundaries. A code of compliance certificate for the dwelling and/or disposal system will not be issued until the construction producer statement and a copy of the owner's maintenance and operating manual have been supplied to the Chief Executive. The maintenance and operating manual must be transferred to each subsequent owner of the disposal system.
15. Disposal areas must be located such that the maximum separation (in all instances greater than 50 metres) is achieved from any water course or any water supply bore.
16. At the time of construction of a dwelling or any other building that generates wastewater on Lots 4- 6 and 8 – 18, the dwelling must connect to the reticulated wastewater system.
17. Stormwater from buildings and impervious surfaces must either be stored for beneficial re-use within the site, or discharged to the outfalls shown on the Indicative Stormwater Layout Drawing 4001 Revision 2.
18. That a ~~Service Agency Management Entity~~ be established to ensure adequate provision and maintenance of water supply and wastewater treatment and disposal facilities are provided and that an appropriate monitoring, testing, reporting and maintenance regime is established to ensure compliance with Taumata Arowai Quality Assurance requirements.
19. That adequate and safe access be provided for maintenance vehicles to all water storage and treatment facilities, wastewater treatment facilities, fire hydrants and wild fire equipment.
20. That a water supply agreement be established by the ~~Service Agency Management Entity~~ to confirm the allowable quota of water per day, and allowable peak flow rate, together with any conditions, to be allocated for the Rocky Point development from the Chinaman's water supply scheme. Arrangements must be made for measurement and recording of water supply against the agreement.
21. That adequate water quality and supply is maintained for the provision of potable, fire and wildfire water. Water quality is to be of an acceptable standard to enable proper functionality of point of entry treatment systems to provide safe drinking water, in accordance with Drinking Water Standards NZ.



22. That the ~~Service Agency Management Entity~~ establish an appropriate operating and maintenance regime to ensure monitoring of treatment system performance and to ensure that all point of entry water treatment systems are monitored and replaced in accordance with supplier's specifications, to ensure a sustainable supply of safe drinking water quality in accordance with Drinking Water Standards NZ.
23. That vegetation sprinklers and ember suppression systems be installed to control spread of wildfires. Wildfire protection sprinklers and any associated control valves and communication and control systems will need regular inspections and testing to ensure adequate response, functionality and reliability. Emergency/contingency plans are required to address quality/security of supply issues.
24. That an operations and maintenance (O&M) guideline be made available for (but not limited to) the water pretreatment systems (if required), water storage, reticulation, pumps (if required), individual filtration and UV systems, hydrants, sprinklers, pressure reduction valves and control valves. Appropriate servicing/replacement protocols and frequencies must be established to ensure safe and sustainable water treatment and supply.
25. That on-site site-specific investigations are carried out for each lot by a suitably qualified engineer to design an on-site wastewater treatment and land disposal system, in accordance with ASNZ1547:2012.
- The onsite systems are expected to consist of an Aerated Wastewater Treatment System (AWTS) with bed disposal. Due to lot size, ecological effect, soil type and topographical location, lots 1 – 3 and 19 – 30 are recommended for implementation of on-site treatment and disposal (TBC at building consent stage).
26. That where lots are deemed unsuitable for on-site treatment and disposal (Lots 4 – 6 and 8 – 18); adequate provision be made for communal wastewater treatment and disposal facilities and maintained to ensure secondary treatment as per ASNZ1547:2012 and a minimum quality of:
- BOD5 less than or equal to 20 g/m<sup>3</sup> (mg/l) with no sample greater than 30 g/m<sup>3</sup>
  - TSS less than or equal to 30 g/m<sup>3</sup> with no sample greater than 45 g/m<sup>3</sup>
  - That 50% reserve area for wastewater disposal be provided for the communal wastewater treatment facility.
27. That an operations and maintenance (O&M) guideline be made available for (but not limited to) the proposed communal wastewater treatment and disposal facilities. Appropriate servicing/replacement protocols and frequencies must be established to ensure safe and sustainable wastewater treatment and disposal.
28. If the consent holder discovers any feature or archaeological material that predates 1900, heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
- a. stop work within the immediate vicinity of the discovery or disturbance;
  - b. advise the Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014; and
  - c. arrange for a suitably qualified archaeologist to undertake a survey of the site.

**Advice Notes:**

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

2. Land uses on Lots 24 and 30 have not been considered as part of this application. Any future use of these lots will need to comply with Rule 4.7.1 and the permitted activity standards in Rule 4.7.6 of the District Plan (Or any superseding rule), or further resource consent will be required.
3. Development contributions for roading of \$46,343.08 (exclusive of goods and services tax) are payable for roading pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.
4. Prior to the commencement of works to upgrade any existing road within existing road reserve, the consent holder needs to obtain approval from Central Otago District Council's Roading Manager in order to undertake works on the road.
5. As the potable water supply will be a network supply, the supplier should be aware of the requirements of, and their obligations under, the Water Services Act 2021.
6. Management of the risk of fire, for example through developing, adopting and implementing fire management plans, is the responsibility of the consent holder, future landowners and any entity set up to manage the development.
7. Prior to any disturbance of archaeological items G41/771, G41/772, G41/773 or G41/774, an archaeological authority will be required from Heritage New Zealand Pouhere Taonga. Any requirements of the archaeological authority will need to be complied with in addition to any requirements of this consent.
8. ~~Many sites in Central Otago have archaeological value. The provisions of the Heritage New Zealand Pouhere Taonga Act 2014 confirm that any site with evidence of human occupation or activity prior to 1900 is considered an archaeological site. Many of these sites have not been formally identified through survey. The modification, damage or destruction of any known or unknown archaeological site by a landowner or contractor without an archaeological authority from Heritage New Zealand is a criminal offence under this Act. Please note that this Consent is not an Archaeological Authority. It is recommended that the consent holder contact Heritage New Zealand's archaeologists for more information.~~
9. In addition to the conditions of a resource consent, the Resource Management Act 1991 establishes through sections 16 and 17 a duty for all persons to avoid unreasonable noise, and to avoid, remedy or mitigate any adverse effect created from an activity they undertake.
10. Resource consents are not personal property. The ability to exercise this consent is not restricted to the party who applied and/or paid for the consent application.
11. It is the responsibility of any party exercising this consent to comply with any conditions imposed on the resource consent prior to and during (as applicable) exercising the resource consent. Failure to comply with the conditions may result in prosecution, the penalties for which are outlined in section 339 of the Resource Management Act 1991.
12. The lapse period specified above may be extended on application to the Council pursuant to section 125 of the Resource Management Act 1991.
13. Future homeowners should be made aware of the risks and have the following strategies in place:
  - Construction materials should be of low flammability particularly on the downslope side of any buildings. See FENZ "Wildfire Safer Housing Guide" Protect your home from outdoor fires | Fire and Emergency New Zealand
  - All residents should have a fire plan, including a household evacuation plan.
  - Activities that could start a fire should be managed to minimise the risk on an ignition, such as mowing grass on hot dry windy days.

- Continual management of vegetation to ensure it meets the guidelines as per the “Fire Smart Documents”
- Internal sprinklers are recommended to reduce the likelihood of fire spreading inside a house and from the house to other properties.

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## Appendix One: Land Use Design Controls

[Mr Baxter's design controls wording amended and replaced with the following Appendix A.]

### Appendix A – Design Controls

1. Buildings must not exceed the following maximum height and building coverage for the relevant platform

| <u>Lot No.</u> | <u>Height</u>                                                             | <u>Height Datum RL</u><br><u>(MASL)</u> | <u>Platform Coverage</u>      |
|----------------|---------------------------------------------------------------------------|-----------------------------------------|-------------------------------|
| <u>Lot 1</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+292.00</u>                          | <u>55% (220m<sup>2</sup>)</u> |
| <u>Lot 2</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+291.50</u>                          | <u>49% (220m<sup>2</sup>)</u> |
| <u>Lot 3</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+292.00</u>                          | <u>49% (220m<sup>2</sup>)</u> |
| <u>Lot 4</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+297.00</u>                          | <u>52% (220m<sup>2</sup>)</u> |
| <u>Lot 5</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+297.00</u>                          | <u>56% (220m<sup>2</sup>)</u> |
| <u>Lot 6</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+298.00</u>                          | <u>56% (220m<sup>2</sup>)</u> |
| <u>Lot 7</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+299.00</u>                          | <u>55% (200m<sup>2</sup>)</u> |
| <u>Lot 8</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+296.00</u>                          | <u>55% (200m<sup>2</sup>)</u> |
| <u>Lot 9</u>   | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>        | <u>+300.00</u>                          | <u>54% (200m<sup>2</sup>)</u> |
| <u>Lot 10</u>  | <u>5.0m</u><br><u>Pile foundations maximum</u><br><u>1200mm in height</u> | <u>+304.00</u>                          | <u>54% (150m<sup>2</sup>)</u> |
| <u>Lot 11</u>  | <u>5.0m</u><br><u>Pile foundations maximum</u><br><u>1200mm in height</u> | <u>Natural ground level</u>             | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 12</u>  | <u>5.0m</u>                                                               | <u>Natural ground level</u>             | <u>100% (84m<sup>2</sup>)</u> |

|               |                                                                     |                             |                               |
|---------------|---------------------------------------------------------------------|-----------------------------|-------------------------------|
|               | <u>Pile foundations maximum<br/>1200mm in height</u>                |                             |                               |
| <u>Lot 13</u> | <u>5.0m</u><br><u>Pile foundations maximum<br/>1200mm in height</u> | <u>Natural ground level</u> | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 14</u> | <u>5.0m</u><br><u>Pile foundations maximum<br/>1200mm in height</u> | <u>Natural ground level</u> | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 15</u> | <u>5.0m</u><br><u>Pile foundations maximum<br/>1200mm in height</u> | <u>Natural ground level</u> | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 16</u> | <u>5.0m</u><br><u>Pile foundations maximum<br/>1200mm in height</u> | <u>Natural ground level</u> | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 17</u> | <u>5.0m</u><br><u>Pile foundations maximum<br/>1200mm in height</u> | <u>Natural ground level</u> | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 18</u> | <u>5.0m</u><br><u>Pile foundations maximum<br/>1200mm in height</u> | <u>Natural ground level</u> | <u>100% (84m<sup>2</sup>)</u> |
| <u>Lot 19</u> | <u>4.5m</u>                                                         | <u>+332.50</u>              | <u>91% (250m<sup>2</sup>)</u> |
| <u>Lot 20</u> | <u>4.5m</u>                                                         | <u>+329.00</u>              | <u>63% (250m<sup>2</sup>)</u> |
| <u>Lot 21</u> | <u>4.5m</u>                                                         | <u>+333.00</u>              | <u>49% (250m<sup>2</sup>)</u> |
| <u>Lot 22</u> | <u>4.5m</u>                                                         | <u>+322.00</u>              | <u>63% (250m<sup>2</sup>)</u> |
| <u>Lot 23</u> | <u>4.5m</u>                                                         | <u>+322.00</u>              | <u>65% (250m<sup>2</sup>)</u> |
| <u>Lot 24</u> | <u>4.5m</u>                                                         | <u>+323.00</u>              | <u>50% (250m<sup>2</sup>)</u> |
| <u>Lot 25</u> | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>  | <u>+328.00</u>              | <u>65% (220m<sup>2</sup>)</u> |
| <u>Lot 26</u> | <u>Downhill elevation – 3.0m</u><br><u>Uphill elevation – 3.8m</u>  | <u>+302.00</u>              | <u>56% (260m<sup>2</sup>)</u> |
| <u>Lot 27</u> | <u>5.0m</u>                                                         | <u>+203.00</u>              | <u>49% (350m<sup>2</sup>)</u> |
| <u>Lot 28</u> | <u>5.0m</u>                                                         | <u>+204.00</u>              | <u>61% (350m<sup>2</sup>)</u> |
| <u>Lot 29</u> | <u>5.0m</u>                                                         | <u>+210.00</u>              | <u>57% (350m<sup>2</sup>)</u> |
| <u>Lot 30</u> | <u>5.0m</u>                                                         | <u>+210.00</u>              | <u>47% (350m<sup>2</sup>)</u> |



Refer to plans Baxter Design Plans SK130, SK132, and SK133 for roof slope indication

2. Exterior glazing on all lots must be non-reflective, recessed into any elevation be at least 250mm, and comply with the following areas:

| <u>Lot No.</u> | <u>Glazing</u>                                                                                   |
|----------------|--------------------------------------------------------------------------------------------------|
| <u>Lot 1</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 2</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 3</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 4</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 5</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 6</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 7</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 8</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 9</u>   | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 10</u>  | <u>60% of any 3.0m high elevation</u>                                                            |
| <u>Lot 11</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 12</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 13</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 14</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 15</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 16</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 17</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 18</u>  | <u>50% of total external wall area across all elevations combined</u>                            |
| <u>Lot 19</u>  | <u>75% of northern elevation and 50% total external wall area across all elevations combined</u> |
| <u>Lot 20</u>  | <u>75% of northern elevation and 50% total external wall area across all elevations combined</u> |
| <u>Lot 21</u>  | <u>75% of northern elevation and 50% total external wall area across all elevations combined</u> |
| <u>Lot 22</u>  | <u>75% of northern elevation and 50% total external wall area across all elevations combined</u> |
| <u>Lot 23</u>  | <u>75% of northern elevation and 50% total external wall area across all elevations combined</u> |
| <u>Lot 24</u>  | <u>50% of northern elevation</u>                                                                 |

|               |                                                                       |
|---------------|-----------------------------------------------------------------------|
| <u>Lot 25</u> | <u>60% of any 3.0m high elevation</u>                                 |
| <u>Lot 26</u> | <u>60% of any 3.0m high elevation</u>                                 |
| <u>Lot 27</u> | <u>50% of total external wall area across all elevations combined</u> |
| <u>Lot 28</u> | <u>50% of total external wall area across all elevations combined</u> |
| <u>Lot 29</u> | <u>50% of total external wall area across all elevations combined</u> |
| <u>Lot 30</u> | <u>60% of total external wall area across all elevations combined</u> |

3. Plantings on each lot are limited to up to 30m<sup>2</sup> of herb and garden planting within 5m of the dwelling, and maintained to not exceed 1m in height, and otherwise the species listed in Appendix Two.

For all lots:

- (i) Where not prohibited by fire management requirements, only Kanuka shall be utilised for the purposes of tree or shrub planting
- (ii) Where not prohibited by fire management requirements, all tree planting (kanuka) shall be planted and maintained by the lot owner. Any deceased kanuka shall be replaced and planted by the lot owner during the planting season immediately following their loss.
- (iii) Any existing Kanuka that is removed (not including those removed for fire management) is to be replaced within the lot boundary where permitted by fire management.
- (iv) Herb and garden planting is permitted is permitted with 5m of the dwelling and shall not exceed 1m in height or 30m<sup>2</sup> in area.
- (v) All areas outside the curtilage areas shall be maintained in its existing state, retaining existing Kanuka planting where permitted by fire management.
- (vi) Outside of Kanuka, a mixture of dryland species can also be planted to aid in preventing ecological fragmentation. These species are limited to those below:
  - *Corokia cotoneaster* Korokia
  - *Olearia lineata*
  - *Olearia odorata*
  - *Coprosma propinqua*
  - *Coprosma crassifolia*
  - *Coprosma virescens*
  - *Ozothamnus vauvilliersii* Mountain cottonwood
  - *Meuhlenbeckia axillaris*
- (vii) All noxious weeds within lots shall be controlled by lot owner.

4. **Exterior lighting (Both on and off buildings) must comply with the following standards:**

- a) Any exterior lighting must be downlighting and located no more than 1.2m above ground level.
- b) All fixed exterior lighting must be directed away from adjacent roads and property boundaries
- c) All outdoor lighting must have a colour temperature of light emitted of 3,000K or lower
- d) Lighting must be limited to a maximum of 12 lumens per m<sup>2</sup>
- e) Lighting must align to the Five Lighting Principles for Responsible Outdoor Lighting published by the International Dark Sky Association.

At the time building consent is lodged for any building incorporating exterior lighting, an exterior lighting plan must be provided demonstrating that any new exterior lighting will comply with the above standards.

5. **Internal lighting must comply with the following:**

- a) There shall be no spill of light through any skylights after 10pm;
- b) Window coverings shall be installed for large glass doors and windows that allow light to spill outside (e.g., high vaulted and dormer windows);
- c) Shielded and tiled light fittings are used for indoor lights that are fitted near glass doors, windows and skylights.

6. **Building form, roof and height controls**

- (a) Lots 1 – 6 and 8 – 10, 25 and 26: All buildings shall be in monopitch ('flat') forms only to follow the natural grade of the Rocky Point landscape forms. The 'downhill' elevation (being that facing towards the primary view or drop in elevation) shall be a maximum of 3m high in height sloping back up continuous to a maximum height of 3.8m. Roof slope shall be in accordance with the plans **Baxter Design Plan SK130, SK132, and SK133** dated 30 October 2024.
- (b) Lots 11 – 18: All buildings shall be standalone 'cabins' with footprints of maximum area of 84m<sup>2</sup>. Maximum height shall be 5.5m, with single gabled roof forms between 20 and 35 degrees only. No hip roofs are permitted. All buildings shall be constructed on timber piles with piles not to exceed 1200mm in height. Decks are permitted and may extend up to 2.5m outside of the RBPs, provided that any deck shall not exceed 25m<sup>2</sup> in area.
- (c) Lots 19 – 23: Buildings shall not exceed 4.5m in height and shall have a gable roof only. A break in the gable (flat roof) is permitted up to maximum 3m in height.
- (d) Lot 24: The building shall be designed as a typical farm building and shall not exceed 4.5m in height. The roof shall be gabled in form between 20-25 degrees, with the gable running west to east along the building form. A break in the gable (flat roof) is permitted up to 3m in height.
- (e) Lots 27 – 29: Buildings shall not exceed 5.0m in height and shall have a gable roof form. A break in the gable (flat roof) is permitted up to 3m in height.
- (f) Lot 30: The building shall not exceed 5.5m in height. The roof shall either be a gable form between 20-25 degrees or shall be in a monopitch ('flat') form. A break in the gable (flat roof) is permitted up to 3m in height.

(h) For Lots 1 – 6 and 8 – 10 and 19 – 30, the datums are specified for each dwelling on a level RBP. Building heights are determined from those specified datums. No buildings shall exceed the specified heights by way of excavation below the specified datums

(i) For all lots:

- (i) Flat connections are permitted between gabled and monopitch building forms. Any flat connections are to be level with to or below gutter levels. Flat connections shall be at 3m high and not exceed 15% of the building's footprint. All windows on the lower elevation shall be either recessed 1m back from the building edge or the roofline shall extend 1.5m past the windows.
- (ii) All roof colours should have an LRV of less than 27%. Roof materials shall be restricted to one material from the listed materials only.
- (iii) Each building platform has a specified R.L. datum as set out on the schedule **SK129** with maximum heights for dwellings on each RBP noted.

## 7. Roof materials and external wall cladding

(j) Lots 1– 6 and 8 – 10, 25 and 26:

- (i) Roof Material: All roof material on these lots shall be **Steel tray roof** in Colorsteel 'Flaxpod' or similar or in **corrugated iron**, in Colorsteel 'Flaxpod' or similar;
- (ii) Wall claddings: Exterior wall materials shall be restricted to the following materials only:
  - Natural timber cladding, left to weather or in a clear 'natural' stain;
  - Stained timber cladding, in a 'Drydens' Stain Elm wood oil, or similar, or in a black stain;
  - Corrugated Iron cladding, in colorsteel 'Flaxpod' or similar;
  - Steel tray cladding in Colorsteel 'Flaxpod' or similar, to match roof finish;
  - Concrete, either in situ or precast. Low light reflection coefficient to be achieved through texture or oxide additive;
  - Locally sourced schist stone, laid horizontally with dark tinted mortar/grout;
  - Steel sheet cladding, in mild steel, with steel oil ('Penetrol' or similar) to prevent rusting.

(k) Lots 11 – 18:

- (i) Roof material: All roof material on these lots shall be **Steel tray roof** in Colorsteel 'Flaxpod' or similar or in **corrugated iron**, in Colorsteel 'Flaxpod' or similar
- (ii) Wall claddings: Exterior wall materials shall be restricted to the following materials only:
  - Horizontal rusticated weatherboard left to weather or in a clear 'natural' stain or in a 'Drydens' Stain Elm wood oil, or similar, or in a black stain.

(l) Lots 19 – 23:

(i) Roof Material: All roof material on these lots shall be **Steel tray roof** in Colorsteel 'Flaxpod' or similar or in **corrugated iron**, in Colorsteel 'Flaxpod' or similar

(ii) Wall claddings: Exterior wall materials shall be restricted to the following materials only:

- Natural timber cladding, left to weather or in a clear 'natural' stain,
- Stained timber cladding, in a 'Drydens' Stain Elm wood oil, or similar, or in a black stain,
- Corrugated Iron cladding, in colorsteel 'Flaxpod' or similar
- Steel tray cladding in Colorsteel 'Flaxpod' or similar, to match roof finish.
- Concrete, either in situ or precast. Low light reflection coefficient to be achieved through texture or oxide additive,
- Locally sourced schist stone, laid horizontally with dark tinted mortar/grout
- Steel sheet cladding, in mild steel, with steel oil ('Penetrol' or similar) to prevent rusting

(m) Lot 24:

(i) Roof and Wall claddings: the building shall be clad in locally sourced schist stone stacked horizontally or in aged un-coloured corrugated iron, or a combination of both. Timber barge boards are permitted also.

(n) Lots 27 – 29:

(i) Roof Material: All roof material on these lots shall be Steel tray roof in Colorsteel 'Flaxpod' or similar or in corrugated iron, in Colorsteel 'Flaxpod' or similar or in aged corrugated iron;

(ii) Wall claddings: Exterior wall materials shall be restricted to the following materials only:

- Natural timber cladding, left to weather or in a clear 'natural' stain;
- Stained timber cladding, in a 'Drydens' Stain Elm wood oil, or similar, or in a black stain;
- Corrugated Iron cladding, in colorsteel 'Flaxpod' or similar;
- Steel tray cladding in Colorsteel 'Flaxpod' or similar, to match roof finish;
- Concrete, either in situ or precast. Low light reflection coefficient to be achieved through texture or oxide additive;
- Locally sourced schist stone, laid horizontally with dark tinted mortar/grout;
- Steel sheet cladding, in mild steel, with steel oil ('Penetrol' or similar) to prevent rusting.

(o) Lot 30:



(i) Roof Material: All roof material on this lot shall be Steel tray roof in Colorsteel 'Flaxpod' or similar or in corrugated iron, in Colorsteel 'Flaxpod' or similar or in aged corrugated iron

(ii) Wall claddings: Exterior wall materials shall be restricted to the following materials only:

- Natural timber cladding, left to weather or in a clear 'natural' stain,
- Stained timber cladding, in a 'Drydens' Stain Elm wood oil, or similar, or in a black stain,
- Corrugated Iron cladding, in colorsteel 'Flaxpod' or similar
- Steel tray cladding in Colorsteel 'Flaxpod' or similar, to match roof finish.
- Concrete, either in situ or precast. Low light reflection coefficient to be achieved through texture or oxide additive,
- Locally sourced schist stone, laid horizontally with dark tinted mortar/grout.
- Steel sheet cladding, in mild steel, with steel oil ('Penetrol' or similar) to prevent rusting.

(p) All lots: For steel and aluminium joinery all window and door joinery, gutters and downpipes shall be coloured to match the roof and exterior wall cladding. Timber window and door joinery is permitted on all buildings. No galvanized finishes are permitted.

## 8. **Curtilage areas**

For all curtilage areas as shown on the plans [BDG plans SK4371-SK130-SK134, dated 30 October 2024]:

(i) All buildings, structures, fixed clothes lines, play equipment, sculptures or any other items associated with domesticated landscaping and structures are to be located within the curtilage areas and out of locations where they may be visible from wider views,

(ii) No garden art or sculptures beyond the curtilage areas are permitted.

## 9. **Fencing and gates**

(z) For all lots:

(i) No fencing materials outside the curtilage area are permitted

(ii) Fencing within the curtilage area is restricted to 1m high post and wire fencing only for the purpose of containing pets and for rabbit proofing.

(iii) Any gate or feature wall shall be 1.0m high only, unless required for retaining. Materials will be limited to the following:

- Timber left to weather naturally
- Locally sourced schist stone, laid horizontally,
- Mild steel left to weather.

- A combination of the above

Fencing required for the purposes of stock exclusion, and plant and pest management is excluded from this control.

10. **Development – Earthworks, driveways and parking**

(aa) For all lots:

- (i) Vehicle courtyards are restricted to gravel or exposed aggregate only.
- (ii) Driveways shall be in gravels only

11. **Development – External lighting**

(bb) For all lots:

- (i) Any external lighting shall be restricted to down lighting only and no higher than 1.2m.
- (ii) Lighting should not create any light spill and shall be low lux level. Light sources are to be LED, incandescent, halogen or other 'white light'. Sodium vapour or other coloured lighting is not allowed.
- (iii) Lighting shall align to the 5 Five Principles for Responsible Outdoor Lighting from the International Dark-Sky Association.

12. **Development – Utilities and exterior service areas**

(cc) For all lots:

- (i) Air conditioning units, meters or any other electronic units relating to the house shall be painted to match house cladding or screened with planting.
- (ii) No air conditioning units, heat pumps etc or other units of any kind are permitted to be mounted on the roof.
- (iii) All site utilities such as gas supply, electrical supply, storm water piping, foul sewer, and telecommunications, shall be underground or contained within the building structure.

All water tanks shall be located within the curtilage areas, be buried underground a minimum of 60%, fully screened by planting and shall be in dark colours.

**Notes:**

1. Ground level must be established for each residential building platform at the time of survey.
2. A 'continuous length' will be measured as follows for walls that modulate: where modulation involves a step-back of one metre or more in depth it will be counted as a new wall, but where modulation is less than one metre in depth it will be considered a continuous length. A modulated building with shadow lines will assist to integrate it into the kanuka landscape.

13. **General**

(dd) For all lots:

- (i) and amenity plantings) that are known to have weed potential including Planting of non-indigenous vegetation for the purpose of amenity (and ornamental garden) or production (a vegetable garden) up to 30m<sup>2</sup> within the curtilage area of each

- (ii) All machinery used for residential building or access construction must be washed down prior to coming on site to remove soils or material that could be carrying weed seeds.
- (iii) Plants (gardens plants on the National Pest Plant Accord and/or Otago Regional Council weed register are prohibited.
- (iv) Development/plantings and soil disturbance is not permitted in the observed areas and areas of ~~interest for defined~~ Saline Soils of saline soils and cushion plants as shown in the Plans attached to this consent notice.

Note: The Plan showing the observed areas and defined areas of ~~interest for~~ Saline Soils and cushion plants must be attached to the consent notice.

- (v) Any roading material or gravel or fill of any kind must come from a source which is free of any weed seeds, in particular those of gorse, scotch broom and tree lupin. River beds are highly likely to be contaminated with these seeds. The source must be approved by the CODC Planning Manager prior to use.
- (vi) There shall be no further subdivision of Lots 1 – 6 and 8 – 30.

Note: The consent holder is bound by the Conservation Covenant attached at Appendix 2 of this consent and this consent does not infer any rights or authorisation which are contrary to the Conservation Covenant. Authorisation from the Minister of Conservation will be required to undertake any works on the site in accordance with Conservation Covenant.

## Appendix Two: Plant Species List

### Trees

Cordyline australis  
Griselinia littoralis  
Hoheria angustifolia  
Kunzea serotina  
Myrsine australis  
Pittosporum tenuifolium  
Plagianthus regius  
Pseudopanax ferox  
Sophora microphylla  
Myrsine divaricata  
Olearia lineata

~~Ti kōuka~~

~~Kāpuka~~

### Shrubs

~~Kunzea ericoides~~

Veronica pimeleoides  
Vittadinia australis  
Carmichaelia compacta  
Coprosma dumosa  
Coprosma crassifolia  
Coprosma propinqua  
Coprosma virescens  
Corokia cotoneaster  
Melicope simplex  
Melicytus alpinus  
Olearia odorata  
Ozothamnus vauvilliersii  
Veronica salicifolia

~~Corokia cotoneaster~~

~~Olearia lineata~~

~~Olearia odorata~~

~~Coprosma propinqua~~

~~Coprosma crassifolia~~

~~Coprosma virescens~~

~~Ozothamnus vauvilliersii~~

~~Muehlenbeckia axillaris~~

### Herbs, Mosses, Ferns and Vines

Raoulia australis  
Muehlenbeckia australis  
Muehlenbeckia complexa  
Muehlenbeckia axillaris  
Rubus schmidelioides  
Bryophytes  
Asplenium flabellifolium  
Polystichum neozelandicum  
Asplenium richardii  
Pellaea calidirupium