

21 May 2025

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Dear Sir/Madam

DECISION NOTIFICATION: RC230398 – D J JONES & N R SEARELL FAMILY TRUSTS – 88 TERRACE STREET, BANNOCKBURN

I enclose a copy of the Council's decision on the above application as required by section 114(1) of the Resource Management Act 1991.

I also draw your attention to Section 120 of the Act which provides for the right to appeal a decision, or part of a decision, under certain circumstances. Please note that there is no right of appeal against the whole or any part of a decision to the extent that the decision relates to a boundary activity unless the boundary activity is a non-complying activity.

Appeals must be lodged with the Environment Court and served on the consent authority within 15 working days of notice of the decision being received in accordance with Section 121 of the Resource Management Act 1991.

Yours faithfully

Karen Smith
Planning Support Officer

DJ Jones and NR Searell Family Trusts

Decision

Central Otago District Council

21 May 2025

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1.0 Introduction

1.1 Appointments

[001] We, Rosalind Day-Cleavin (Chair) and Gary Rae, acting under delegated authority from the Central Otago District Council were appointed to hear and decide the resource consent application lodged by DJ Jones and NR Searell Family Trusts (applicant) to undertake a 26-lot subdivision at the site located at 88 Terrace Street, Bannockburn.

1.2 Description of the proposal

[002] The application as notified was described in the applicant's AEE¹, the Section 42A Report² and the evidence of Craig Barr³. We adopt those descriptions, and some of the more salient points of the proposed subdivision, **as notified**, include:

- Lots 1-20 will be freehold lots for residential activity. The lots range in size from 1502m² to 2265m².
- Lot 30 is to be a 4100m² recreation/local purpose reserve located at the terminus of the Terrace Street road extension. The reserve will provide amenity, connection to the informal public trail and a lookout area to the north and east towards Cromwell, the wider Upper Clutha area and eastwards towards the Bannockburn Outlet and Surrounds. The applicant also proposes that the reserve will contain interpretive material associated with the former mining activity, heritage associations with the twin Water Race Hill water races (Archaeological Site identifier F41/369), and also potentially geomorphic explanations of the Upper Clutha area.
- Lot 40 is to be a balance freehold lot comprising an area of 4.44ha. The existing informal walkways within this area are proposed to be maintained, however no formal recognition of the walking areas is proposed.
- Lot 50 is a 7.82ha balance lot intended for future development. Lot 50 has frontage to Bannockburn Road and includes a recorded archaeological site being Revell's Basin sluicing's.
- Lot 51 is a 0.53ha balance lot which comprises a gully feature and contains a recorded archaeological gold workings gully feature F41/368 Pennyweights Sluicing's.
- Lot 100 will be a short loop road located on the southern side of the central road and will provide access to Lots 2, 6 and 15 to 20.
- Lot 101 will be the main access road extending Terrace Street from the current termination point.

[003] As notified, the Application advises that Proposed Lots 4, 5, 6, 13, 14, 15 to 20 are located either entirely within, or such that future buildings will be located within a building line restriction (BLR) area identified on the Central Otago District Plan (CODP) Maps. While Lots 2, 10, 11 and 12 were also noted to be affected by the BLR to varying degrees, the Applicant considered it is more likely than not that houses will be able to be built outside, or partially outside the BLR.

¹ Application for Resource Consent to the Central Otago District Council for DJ Jones and NR Searell Family Trusts, Town Planning Group (NZ) Ltd, 22 December 2023.

² RC 230398 Section 42A Report, Consultant Kirstyn Royce, 20 September 2024.

³ Statement of Evidence, Craig Barr, 27 September 2024.

- [004] As notified, the only land use consent component related to buildings being located within the BLR.
- [005] The applicant has volunteered a suite of development controls relating to building platform areas, maximum built coverage, maximum height restrictions, earthworks, cladding, roofing, fencing, roading, shared paths, and landscape planting.
- [006] We include a site plan below which shows the location of the site and proposed subdivision in the context of surrounding features of the Bannockburn locale.

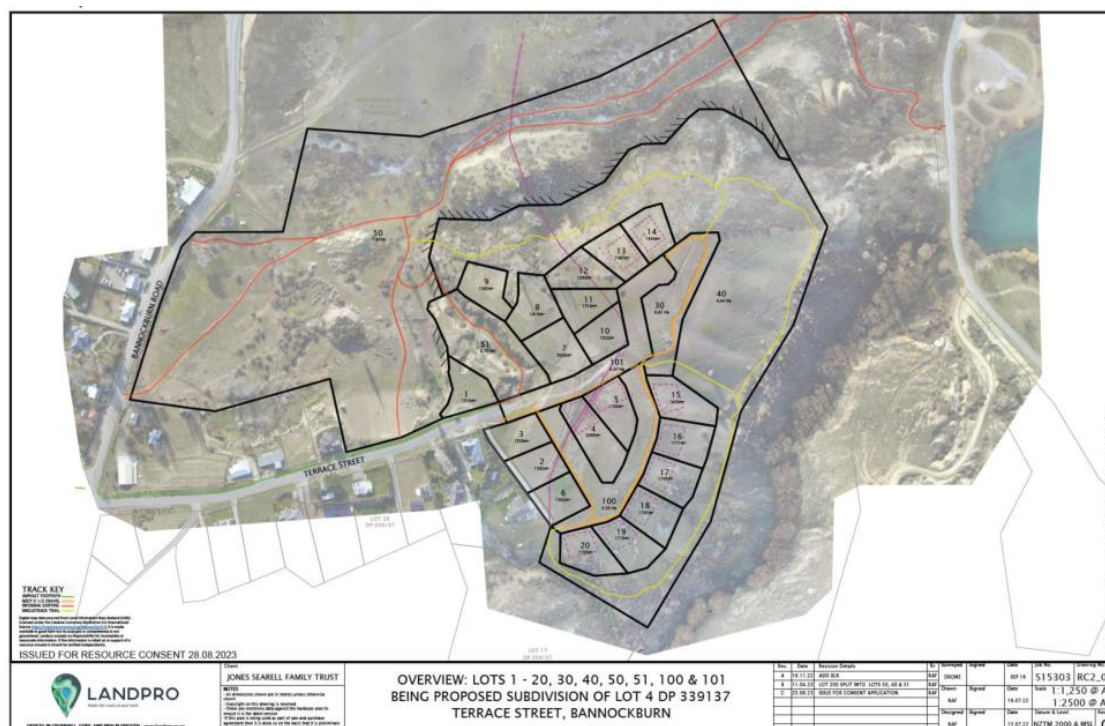


Figure 1 Plans for RC230398 (Source: Application & Appendix 1 to s42A Report)

- [007] Further details of the proposal (including as amended by the applicant prior to and during the hearing) are set out in the effects assessment sections of this Decision and broadly relate to the following matters:
- The requirement for an earthworks consent under PC19 Rule LLRZ-R11(2) which restricts the maximum volume of land excavated within any site in any 12-month period to 200m³.
 - Updated Visual Simulations and additional proposed mitigation planting.
 - Amended subdivision and landscape master plans to show a building platform on all lots proposed to contain residential activity.
 - Amendment to Lot 2 so that the building platform lies entirely outside the BLR.
 - Updated Proposed Consent Conditions.

2.0 Process matters

2.1 Written approvals and notification

- [008] The application was received by the Central Otago District Council (the Council) on 22 December 2023. No written approvals were submitted with the application.
- [009] A decision was made to publicly notify the application on 22 May 2024. The application was publicly notified on 11 July 2024. The submission period closed on 8 August 2024.

2.2 Scope of application

- [010] Prior to the Hearing, we received a Memorandum from Ms Royce⁴, the s42A Report author, raising a question about the nature and scope of the resource consent applications sought by the Applicant.
- [011] Ms Royce disagreed with Mr Barr where he stated in his evidence that Rule LLRZ-R12-Comprehensive Residential Development (CRD) and Rule SUB-S5 are rules under which resource consent is required.⁵ In her view, the application did not specifically seek approval for CRD or any other residential development across the wider site, with the land use component applied for being restricted to buildings within the BLR only.
- [012] In Panel Minute 9 we invited the Applicant to respond to Ms Royce's Memorandum.⁶ We received a response from Mr Fowler, legal counsel for the Applicant, on 26 February 2025 which confirmed agreement with Ms Royce's interpretation that the proposal does not require a resource consent under the CRD rule and that SUB-S5 is not relevant to the Application. We note that Mr Barr also concluded in his summary evidence that resource consent is not needed under Rules LLRZ-12 and SUB-R5, nor are these rules triggered by the Application.⁷
- [013] We are satisfied that the land use component as part of the overall subdivision application applied for does not include an application for a CRD, and that any consideration of LLRZ-R12 falls outside the scope of the application and is not a matter for our consideration.
- [014] Some other matters were raised in submissions that we consider to be outside the scope of the Application and which are not matters that we are able to consider. These include submissions:
- From BRDI requesting that the application be rejected until a Bannockburn focused master plan is completed. We are not bound by the statements that may have been made by the Hearings Panel for PC19 relating to the need for a township scale spatial planning exercise to be undertaken. Any such exercise would be undertaken separately to the current resource consent process, and we are not able to speculate on any outcome of such an exercise as part of these proceedings. Our assessment is limited to the relevant planning instruments, which in this case includes the CDDP and PC19.
 - Requesting that Lot 51 is developed concurrently, or as an alternative to the proposed subdivision design, and that a village common is developed centrally within the site. We find that it is open to the Applicant to subdivide and develop the site incrementally, an approach that is commonly understood and accepted in the practice of subdivision design.
 - Requesting that Lot 50 should be accompanied with concept plans identifying the entire development, including a local reserve. We find there is no requirement for the future development of this lot to be included as part of this application, and in reaching this view we note the agreement reached between Ms Royce and Mr Barr in this regard.
 - Relying on the Vincent County District Scheme (VDS) provisions regarding the BLR. Given our findings set out later in this Decision, while we acknowledge that the VDS provides a useful historical context about the BLR, the VDS is otherwise irrelevant to our assessment of the Proposal.

⁴ Kirstyn Royce, Memo to Commissioners, 25 February 2025

⁵ Craig Barr, Statement of Evidence, 27 September 2024, para 76.

⁶ Panel Minute 9, 25 February 2025.

⁷ Craig Barr, Summary Evidence, 28 February 2025, paras 43-47.

2.3 Submissions received

- [015] The Council received 38 submissions within the submission period including two neutral, three in support, and 33 in opposition.
- [016] We were provided with full copies of all submissions. We record that we have read and had regard to all the submissions that were lodged, regardless of whether or not the submitter appeared before us at the hearing.

2.4 Site visit

- [017] We visited the site and the area surrounding the site on the afternoon of Monday 3 March 2025, one day prior to commencement of the hearing.
- [018] Starting at Terrace Street, we walked through the Application site observing the location of the proposed Lots, the location of the BLR, and the poles indicating the building platforms proposed to be located on Lots 4-5, 15-20 on the eastern extent of the Site. We traversed Proposed Lots 30 and 40 before returning to Terrace Street via Lot 101 and saw the location and extent of Lots 10-14 (including the poles on Lots 13-14), 7-9, Lot 51 and Lot 1. During the site visit we observed the presence of the historic water races and historic fence elements.
- [019] Having gained a sense of the immediate Terrace Street environment, including the properties directly adjacent to the subject site, we drove by car to a number of viewpoints (including each of the viewpoint locations depicted in the visual simulations provided by the Applicant) and considered the existing views alongside the simulated views.
- [020] The site visit enabled us to gain a better understanding of the existing environment, the nature and scale of the proposal, and the issues before us.

2.5 Hearing

- [021] We conducted a hearing at the Five Stags Conference Centre in Cromwell from Tuesday 4 May – Wednesday 5 May 2025.
- [022] We heard from a number of submitters, as listed in Appendix A. Copies of the evidence and legal submissions that were presented are held by the Council. We do not summarise that material here, but we refer to it in the remainder of this Decision where appropriate. We took our own notes of any verbal answers to questions that we posed.
- [023] We adjourned the Hearing following the hearing of submissions and directed further landscape comments from Mr Milne (the applicant's landscape expert).⁸ Once received, those comments were then responded to by Ms Steven (landscape expert for the submitter, BRDI), and Ms Pfluger (landscape expert) and Ms Royce (s42 Report Author) for the Council.
- [024] In Minute 12⁹ we directed the matters to be addressed in the Applicant's Right of Reply, which was subsequently received on Friday 11 April 2025.
- [025] We closed the hearing on 30 April 2025 having concluded that we required no further information from any of the participants and that we had sufficient information to enable us to make our decision.

⁸ Panel Minute 11, 10 March 2025.

⁹ Panel Minute 12, 27 March 2025.

3.0 Consents Required

Central Otago District Plan

[026] We were informed that the subject site area is located within the Residential Resource Area [4] within the CODP and that a BLR is identified on the entire east to north facing slopes of the escarpment and lower parts of the hillside down toward the Bannockburn Inlet. No other overlays or annotations apply to the site.

[027] In her s42A Report, Ms Royce advised that consent is required under the Plan for the following:

Rule	Why consent is required	Activity Status
Rule 12.7.7: Building Line Restrictions states that 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.	Lots 4, 5, 6, 13, 14, 15 to 20 are located either entirely within, or such that future buildings will be more likely than not located within the BLR.	Restricted discretionary
Rule 7.3.3(i)(a) and (c): where a subdivision will create lots with a minimum lot area of 1500m ² and an average allotment size is no less than 2000m ² within the RR4 then this is a restricted discretionary activity.	The proposal meets this standard	Restricted discretionary
Rule 7.4.4(ii) states that where a site is likely to be subject to land that is, or is likely to be, subject to material damage by erosion, falling debris, subsidence, slippage or inundation of any source is a discretionary activity.	The Geotechnical investigation submitted with the application, identifies that the site is affected by slope stability issues and recommends conditions of consent to mitigate any risk during development of the site and in particular for the development of Lots 15, 16, 17, 18 and 19.	Discretionary

[028] We note that a large number of submissions in opposition, including those by Mr Olds, Mr Stewart, Mr Walton, C & N Hughes and the Bannockburn Responsible Development Incorporated (BRDI) asserted that the Application does not achieve the minimum average allotment size required for the RRA(4) Zone of 2000m². Some of these submissions identified that the large balance Lot 40 was used to achieve the average minimum of 2000m² and considered that it is not appropriate to do so.

[029] We heard from Mr Hughes who maintained his view that the Application does not achieve the minimum average allotment size and, on this basis, he asserted that the proposal is a non-complying activity under Rule 7.3.3 of the CODP. His view was based on his former experiences as a land surveyor, and his direct experience in the application of the rules in question.

[030] Having considered the evidence on this matter, it is clear to us that there is no methodology within the CODP which requires the exclusion of the balance Lots when undertaking the averaging calculation for subdivision in the RR4 under Rule 7.7.3, a position accepted by Mr Gardner-Hopkins for BRDI at the Hearing. However, we note Ms Royce's comments¹⁰ that the CODP does cap the area within the balance lots which may be used to calculate average lot sizes in the Rural Resource Areas, which may be reflective of Mr Hughes' experiences.

¹⁰ Kirstyn Royce, Review of s42A Recommendation, paras 1-3.

[031] We therefore accept Ms Royce's assessment in her s42A Report where she states that Rule 7.3.3(i)(c) does not differentiate between residential and non-residential lots and there is no exclusion provision or lot size cap to be applied to the averaging calculation. In reaching this view, we note both Ms Royce and Mr Barr agreed that the average minimum site area of 2000m² has been met.

[032] A matter traversed at the Hearing was the activity status of the Proposal under Rule 7.4.4(ii) relating to land instability risk. Mr Barr for the Applicant did not agree with Ms Royce's assessment that a resource consent is required under Rule 7.4.4(ii) and stated that:

*"When interpreting the rule, I consider that the presence of any slope stability issues and a landowner engaging a specialist to better understand building feasibility and recommendations to manage natural hazard risk in itself does not render the site likely to be subject to material damage by erosion, falling debris, subsidence, slippage or inundation from any source. If this approach were applied then every subdivision undertaken in the District would trigger the rule because no site in the District is without the risk of a natural hazard which may potentially result in subsidence or slippage"*¹¹

[033] Having considered the evidence, we prefer the evidence of Ms Royce and agree with her that while the site is not identified within a mapped hazard area and does not trigger the first limb of the Rule, the application does include a geotechnical assessment which identifies a slope stability hazard risk and it volunteers conditions of consent to mitigate the risk. We agree that that the provision of the assessment by ENGEO does not negate the triggering of the rule and that it is reasonable to assume that without the practicable measures identified and recommended by ENGEO, some of the land could be potentially subject to damage arising from subsidence or slippage. In response to Mr Barr's evidence we cannot see how this rule would trigger a resource consent on every site in the District, particularly on level sites located away from steep hills or areas of known hazard. The subject site can likely be differentiated from many other sites in terms of land instability risk, and we prefer to take a conservative approach in interpreting the application of this rule in this instance.

[034] Overall, in accordance with the 'bundling principle', we find that the proposal requires consent as a **discretionary activity** under the CODP.

Plan Change 19

[035] Under Plan Change 19 (PC19), the site is proposed to be rezoned Large Lot Residential. In her s42 Report, Ms Royce advised that consent was required under PC19 as follows:

Rule/Standard	Requirement	Activity Status
SUB-R6 Subdivision not otherwise specified All Residential Zones	Activity Status: RDIS Where the activity complies with the following standards: SUB-S1	Restricted Discretionary [The proposal complies with SUB-S1 relating to Minimum Allotment Sizes in the Large Lot Residential Zone, being no less than 1500m ²]
SUB-R7 Subdivision of Land Subject to Hazards	Where: 1. The subdivision involves land that is subject to or potentially subject to the effects of any hazard as identified on the planning maps; or 2. The subdivision involves land that is likely to be subject to material damage by erosion, falling debris, subsidence,	Discretionary

¹¹ Craig Barr, Statement of Evidence, 27 September 2025, para 71.

	slippage or inundation from any source.	
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- [036] Additionally, during the hearing Mr Barr noted that it was now apparent to him that an earthworks consent is required for the Proposal under PC19 Rule LLRZ-R11(2) which restricts the maximum volume of land excavated within any site in any 12-month period to 200m³. In response, Ms Royce said that she agreed with that. We accept their evidence that this additional consent is required, however they also agreed that the information already provided by the Applicant was adequate to inform an effects assessment for the purposes of this Rule. This was also addressed in Mr Fowler's legal submissions¹² and we agree with the evidence and legal submissions in this regard.
- [037] For the reasons previously addressed in Section 2, we have determined that neither LLR-Z-R12 nor SUB-R5 are relevant to the Application and as such we confirm that resource consent is not sought or required under those Rules.
- [038] Overall, in accordance with the 'bundling principle' we find that the proposal requires consent as a **discretionary activity** under PC19.
- [039] We accept the evidence of Ms Royce in her s42A Report in respect of the National Environmental Standard for Assessing and Managing Contaminants to Protect Human Health (NESCS) and agree that there are no other NESs relevant to this application. We received no evidence to the contrary.

Overall Activity Status

- [040] Having considered the s42 Report and all evidence presented to us at the Hearing, we find the proposal requires resource consent as a discretionary activity under the CODP and as a discretionary activity under PC19. Overall, the proposal requires consent as a discretionary activity.
- [041] We understand that in this case, the activity retains the discretionary activity status set by the CODP. However, it is the provisions of both the CODP and PC19 in force at the time of the decision that must be had regard to in reaching our determination. We discuss the relative weightings of these in a later section.
- [042] We note that Mr Barr states in his evidence¹³ that a draft application for resource consent to the Otago Regional Council for residential earthworks¹⁴ (which primarily manages the effects of construction and erosion and sedimentation) has been prepared and will be lodged at a future time should RC230398 be granted.
- [043] We are satisfied there are no Regional Plan consents that would be required to be considered at this time as part of this process. In reaching this view we note and agree with Ms Royce's comments where she states that *"it would be premature to consider the earthworks required"* for the lots to be developed prior to any house design on the basis that *"it would be undesirable to require the building platforms to be established as part of the s224(c) certification, which may sit vacant and exposed for any number of years prior to any lots being on-sold"*.¹⁵

¹² Chris Fowler, Legal submissions in Reply, Paras 52-53, 11 April 2025.

¹³ Craig Barr, Statement of Evidence, 27 September 2024, para 20.

¹⁴ We note Ms Royce referred to these earthworks as 'subdivisional earthworks' in her s42A Review Report.

¹⁵ Kirstyn Royce, Review of s42A Report, paras 57-58.

4.0 STATUTORY REQUIREMENTS

[044] Given the proposal has an overall status as a discretionary activity, the proposal must be considered under sections 104 and 104B of the RMA.

[045] Section 104B enables us to grant or refuse consent to a discretionary activity and if granted, to impose conditions of consent. Section 104(1) of the RMA outlines the matters that we must have regard to when making our decision. The following sections address these matters.

4.1 Effects assessment

4.1.1 Structure and Approach

[046] Ms Royce broadly structured the s42A Report in accordance with the relevant assessment matters in the CODP, along with the matters set out in relevant NESs. We have taken the same approach and have generally used the same headings as in the s42A Report where appropriate.

4.1.2 Permitted baseline

[047] When forming an opinion for the purposes of section 104(1)(a) of the RMA we may disregard an adverse effect of an activity on the environment if a national environmental standard or a plan permits an activity with that effect.¹⁶

[048] In this case, given that subdivision and residential building platforms are not provided for as permitted activities under the CODP or relevant NESs, we find there is no useful permitted baseline to be applied under the CODP. There was no dispute on this matter between Ms Royce and Mr Barr, and we received no evidence to the contrary from any other party.

4.1.3 Effects of the Subdivision Design

[049] The effects of the subdivisional design on heritage, archaeological and cultural values are considered in sections 4.1.4 and 4.1.5 of this Report, along with the effects of the BLR in section 4.1.3.

[050] We understand the character of Bannockburn as defined in the CODP to be:

“The area of land identified as Residential Resource Area (4) applies to Bannockburn, on the eastern side of Bannockburn Road and both sides of Hall Road west until just beyond Miners Terrace. The area is capable of accommodating low density residential development in a manner that provides privacy for the occupiers of dwelling houses and maintains the rural character of Bannockburn. An open form of development is promoted”

[051] The majority of submissions in opposition raised concerns regarding the proposed lot sizes. Given our previous finding in section 3 with regard to the interpretation of Rule 7.3.3(i)(c), we are satisfied that the proposal meets the minimum and average lot size standards required in the Residential Resource Area [4].

[052] We also note that in the decisions version of PC19, the site is to be rezoned as notified being Large Lot Residential where development is assessed as appropriate with a subdivision lot area of 1500m² (SUB-R6 and SUB-S1). Furthermore, there are no appeals which seek a larger lot area for LLRZ zoned land. In this regard it can be reasonably assumed that a lot size of at least 1500m² would be commensurate with the intended future character of this area.

[053] Opposing submitters have expressed concern that there is potential for Lots 40 and 50 to be further subdivided and developed at a later date. We note the evidence of Ms Royce where she states that the

¹⁶ Section 104(2) of the RMA.

future development of Lots 40 and 50 is not a matter within the scope of our consideration, and that any future applications (if any) are likely to be made under the PC19 rules.¹⁷

[054] However, in respect to Lot 40, a matter to arise during the Hearing was the suggestion by Mr Gardner-Hopkins for BRDI that there is an opportunity to prevent future development on the balance Lot 40 via a covenant or similar legal mechanism. We invited the Applicant to respond to this matter (Minute 12) and in response Mr Fowler confirmed that having considered matters raised by submitters in the Hearing, the Applicant has volunteered a consent notice condition which, if the Panel was minded, would prohibit buildings on Lot 40 and thereby prevent any future development of this Lot.¹⁸ While the condition does not strictly relate to the activities for which consent is sought, we consider it can and should be included as a condition of consent on the basis of it being volunteered by the Applicant to address the legitimate concerns of submitters.

[055] We are satisfied that the subdivision will maintain the specific residential character and amenity of Bannockburn and the wider receiving environment through adherence to the RRA [4] and LLRZ minimum lot size and design controls; that development patterns will be consistent with existing and intended future settlement within Bannockburn and the resultant lots will be capable of accommodating low density residential development.

Finding

[056] We find that the effects of the subdivisional design are acceptable and do not weigh against the granting of consent. The effects on the BLR are addressed below in section 4.1.4.

4.1.4 Effects of the BLR Encroachment and Landscape Features

[057] All submissions in opposition oppose the future buildings within the BLR and seek that development be excluded from this area. Key concerns identified in submissions variously include:

- That the BLR is a special landscape feature of local significance (Robert and Robyn Galvin)
- That the proposal contravenes the intention of the BLR (David Olds)
- The BLR is there to keep the future growth of the township of Bannockburn from fungating into the rural setting of the Bannockburn Inlet (Arna Verboekt)
- Change is not an inevitable consequence where development is proposed within the BLR (Mason and Julie Stretch)
- That the development will result in a loss of character through domesticated elements such as accessory buildings, dog kennels, glass houses and clothes lines (Robert and Robyn Galvin)
- That the development will create a precedent (Timothy James)

[058] We have addressed the key concerns below.

Purpose of the BLR

[059] We heard extensive submissions and evidence on the BLR, and all parties agreed this is the 'crux' of the issue.

[060] The s42A Report traversed the relevant planning background of the BLR, a planning method which was 'carried over' from the previous VDS to the current CODP. Ms Royce further explained that the policy framework that supports the BLR in the CODP has changed from the framework in the VDS. Ms Royce also informed us that the existing BLR fell outside of the scope of PC19 and the BLR affecting this site was not changed as a result of PC19.

¹⁷ Kirstyn Royce, s42A Report, 20 September 2024, para 51.

¹⁸ Chris Fowler, Legal Submissions in Reply, 11 April 2025, paras 57, 107.

[061] We also heard planning evidence on the BLR from Mr Barr, representations from Mr Gardner-Hopkins for BRDI, and legal submissions from Mr Fowler. From that, it is clear to us the BLR has evolved from what was originally a restrictive planning mechanism to what is now part of a policy and rule framework that, rather than seeking to avoid incursions into the BLR, enables individual applications to be made and assessed. This is evidenced by the Restricted Discretionary Activity status for any proposals in breach of the BLR, which are to be assessed against a defined set of assessment matters. Ms Royce, in her closing statement, expressed it in this way:

*“Ultimately, building within a BLR is a restricted discretionary activity which signals that development may occur, provided the effects on the matters of discretion are appropriately avoided, remedied or mitigated”.*¹⁹

[062] We agree with the planning evidence of Ms Royce and Mr Barr on this matter. We also accept the legal submissions of Mr Fowler that, in response to BRDI’s assertion, there is no legal basis for interpreting the BLR rule and associated definition as being an ‘avoid’ type policy direction. We consider that, if that had been intended to be the case, the activity status of any breaches of the BLR would have been required to be assessed as a Non-Complying Activity or at the very least as (full) Discretionary. For the same reasons, we do not accept the BLR is intended to act as an ‘urban growth boundary’ as contended by Ms Stevens for BRDI, in answer to a question from the Panel, noting in particular the underlying Residential zoning of this site. We consider it extremely unlikely that incursions of an urban growth boundary would be able to be assessed as a Restricted Discretionary Activity. Consistent with that, we accept Mr Fowler’s legal submissions, supported by relevant case law, that any consent granted for this proposal cannot, for all intents and purposes, set a precedent or adversely affect the integrity of the CODP.

[063] We readily acknowledge the concerns expressed by the residential submitters who appear to have understood the BLR as being a ‘line in the sand’ that prevents any building beyond that line. While that may have been the case under the previous planning regime, under the current CODP it is a line that, together with its associated Rule 12.7.7, acts as a trigger for assessment rather than preventing development beyond the line. However we consider an important part of this planning framework is for proposals to be properly assessed against the relevant criteria, and this is addressed in the next section of our Decision Report.

Relevant matters for Assessment of Encroachments into the BLR

[064] Rule 12.7.7 contains several matters for assessment when considering breaches of the BLR. The s42A Report sets out the key matters for consideration for this application, including:

- The effect on the natural character of water bodies and their margins; and
- The effect on amenity values of the neighbourhood, in particular the character of the streetscape.

[065] We agree that those are the key considerations, but we also note that *“the effect on the safe and efficient operation of the roading network”* is also relevant, and we have addressed that aspect separately (see section 4.1.10).

[066] It is also pertinent to note that this proposal is being assessed, overall, as a full Discretionary Activity rather as a Restricted Discretionary Activity²⁰ and so we are not restricted to the matters set out in Rule 12.7.7. We firstly address the two matters outlined above:

Effect on natural character of water bodies and their margins

[067] The application was accompanied by a Landscape and Visual Assessment (LVA) prepared by Mr Tony Milne, which was guided by the Te Tangi a te Manu Aotearoa New Zealand Landscape guidelines. It included assessment of the development (in particular of building development proposed within Lots 4-6,

¹⁹ RC230398 – ‘Review of S42A Recommendation’, para 30.

²⁰ See discussion in section 3.0

13-15 and 20 to be located within the BLR) undertaken from several viewpoints, including from the Kowarau Bannockburn Inlet (Viewpoint 6) and Bannockburn Inlet Recreation Reserve (Viewpoint 7). The LVA also included site plans showing the location and layout of proposed allotments, and building platforms relative to the BLR, as well as roading and walking trails. The LVA noted that the sensitivity of the site being partially within the BLR required careful design of the development proposal and this included a reduction in the number of lots proposed as compared with the previous application RC190154.

- [068] Mr Milne's evidence was that the lots located within the BLR will be generally viewed in the context of other existing built form and will appear as an extension of built form along Terrace Street. He described various design controls including building platforms, height limits, planting mitigation and rules regarding materials and colours to ensure that the proposed built form within the BLR can be readily absorbed and effects largely mitigated when viewed in context of adjacent development. Mr Milne's evidence acknowledged that even though the proposal is located well away from the water body margin it will result in new built form on the terraces above the Bannockburn Inlet which will result in an adverse effect on the natural character of the Inlet to a low-moderate degree. His conclusion was that the effects are nevertheless relatively contained, are in some cases temporary in duration, and are overall appropriate in the context of existing development as viewed from the key viewpoints.
- [069] The Council commissioned Ms Yvonne Pfluger, landscape expert, to peer review the LVA, and in response to her initial comments the Panel asked the applicant to provide more detailed visual simulations of the development from key viewpoints. Those simulations were sent to the parties, and comment invited from Ms Pfluger, as well as from Ms Stevens, landscape expert for BRDI. We note also that prior to our site visit a number of poles had been placed on the site to demark the location of the building platforms in the BLR area and depicting the maximum height of the buildings. As raised by some submitters at the hearing a number of poles had become displaced, however in our view it was possible to gain an overall impression of proposed built form. We consider there was, at the commencement of the hearing, sufficient information for a thorough assessment to be undertaken of the effect of the development on natural character of Bannockburn Inlet in particular.
- [070] Ms Pfluger advised that she agreed with the methodology (and in particular the use of the Te tangi a te Manu Aotearoa NZ Landscape Guidelines) as appropriate and that she generally agreed with the findings of the LVA regarding the level of effect. At the hearing Ms Pfluger said she agreed with Mr Milne that from most viewpoints the proposed development will be viewed in the context of existing dwellings within Bannockburn, noting that effects from Viewpoints 6 and 7 have the highest degree of potential impact. Her evidence was that while Lots 15-20 would be visible along the terrace edge from elevated viewpoints, they are set back from the Kowarau Inlet above Shepherd's Creek, noting also that within the Inlet area a number of buildings are visible in various directions in similar proximity and visibility to the proposed lots. Ms Pfluger's evidence was that she considered the existing natural character values of Bannockburn Inlet to be low to moderate due to the predominance of exotic plant species, and presence of manmade structures, trails and roads.
- [071] Ms Pfluger recommended two additional conditions to mitigate the effects on the natural character of Bannockburn Inlet and Kowarau River: These were to limit the building height on Lots 15-17 to 8 metres to provide planting areas between and below the sloping sites (Lots 15-20) similar to the planting within Lot 30 to avoid the built form appearing visually prominent on the open escarpment. These matters were accepted by the Applicant and included in the updated proposed conditions as set out in Mr Barr's evidence (Appendix A).
- [072] In summary, Ms Pfluger's evidence was that:

"In my view, low to moderate adverse effects would mostly be of an experiential nature in relation to natural landform patterns and openness. In light of the proposed setback of the closest proposed building platform of over 250m (and associated difference in elevation) I consider that the physical effects on the natural elements and processes of the Bannockburn Inlet would be

very low. Overall, the natural character effects are, in my opinion, appropriate in the context of the existing development within the Bannockburn inlet area.”²¹

[073] Overall, the evidence from Mr Milne and Ms Pfluger concludes that the effects of development within the BLR are acceptable, with the imposition of appropriate conditions to mitigate the effects.

[074] Ms Stevens provided supplementary evidence in which she updated her evidence in chief in response to the visual simulations provided by Mr Milne as directed by the Panel.²² Her evidence concluded that:

“The imagery confirms my opinion that overall there would be a notable loss of open more natural character across the eastern slopes in particular the open natural ridgelines/skyline; and within the BLR area generally. There would also be a loss of visual coherence and the integrity of Bannockburn as a distinctive compact urban area with residential development spilling over the containing rim. I maintain this would be an adverse visual amenity effect that is moderate to high in degree, depending on viewpoint.

In conclusion, the imagery provided confirms my analysis of the likely visual effect of the proposed subdivision and my assessment of effects on landscape character and visual amenity. The imagery is helpful to understand the likely visual effect however the limitations of just five selected viewpoints representing one point in time as a basis for assessment must be recognised.”

[075] We acknowledge there is a divergence of opinion between Mr Milne and Ms Pfluger on the one hand, and Ms Stevens on the other hand. However, we consider it is appropriate to place the landscape assessments in context, i.e. in terms of the relevant planning framework. In that regard, we are grateful to Ms Royce for providing a very thorough and pertinent assessment of this as part of her closing statement.²³

[076] We agree with and adopt her assessment, noting in particular that the matters of discretion set out in Rule 12.7.7 are clear and include the effects on neighbourhood amenity and streetscape character and the effects on the natural character of water bodies and their margins. We agree with her point that the assessment by Ms Stevens extends beyond those matters to an assessment on the protection of the open natural character of skyline/ridgelines and prominent slopes, along with protection of open and natural rural landscape, visual amenity values from the Lake Dunstan Trail, effects on visitors and recreation users. We agree with Ms Royce that Ms Stevens appears to have correlated the BLR as having similar landscape objectives as for the Rural Resource Area.

[077] Whilst those matters may be relevant to our wider assessment of this application as a (full) Discretionary Activity, we consider that the evidence on the critical matters for assessment in terms of the policy framework are those items identified above by Ms Royce. We acknowledge that Ms Stevens’ concerns at the effects on natural character effects from waterbodies and margins are valid, but we also consider these have appropriately been the subject of careful design and mitigation measures proposed by the Applicant and further amended as a result of concerns raised by BRDI, other submitters, and by Ms Pfluger. However, in relation to those effects, and wider landscape effects, we favour the evidence of Mr Milne and Ms Pfluger, as supported by the planning evidence of Ms Royce, and consider the adverse effects have been appropriately addressed.

²¹ Yvonne Pfluger, Review dated 24 February 2025

²² Ms Stevens, Statement of Supplementary Evidence, 21 February 2025

²³ RC230398 – ‘Review of S42A Recommendation’, paras 36 - 44

[078] We further address the effects on neighbourhood amenity and streetscape character in section 4.1.12.

Finding

[079] We find that the effects of the Proposal on the natural character of water bodies and their margins are acceptable and do not weigh against the granting of consent.

4.1.5 Effects on Heritage Values

[080] As set out in Ms Royce's s42A Report²⁴, two submissions support the Proposal on the basis that it includes the protection of heritage values associated with historic mining activities on the site. No submitters in opposition raised effects on heritage values as a matter of concern. We note that the BRDI original submission did not directly address the effects of the proposal on heritage matters, yet the submitter group's representations at the Hearing relied on evidence by Werner Murray which commented on the impact of the proposal on historic heritage and/or the historic and cultural factors that impact on amenity values. Initially we wondered if this represented a scope issue, however this was not raised by the Applicant as a matter of concern, and we are satisfied that the effects on heritage values are clearly within the scope of our consideration. On this basis, we are prepared to consider the evidence presented to us on this matter from the BRDI.

[081] The subject site is zoned for urban development and does not contain any scheduled items in the CODP and does not engage Rule 14.7.1. We also understand based on the evidence that the site was not recognised as having specific heritage values in Council Plan Change 20-Heritage.²⁵ Nonetheless, it was common ground between the planning witnesses that the site is identified as having heritage and archaeological features which require management when considered in the context of Objective 6.3.5 and Policy 6.4.3²⁶ of the CODP.

[082] The application included an Archaeological and Heritage Impact Assessment (AHIA) prepared Mr Matthew Sole of Kopuwai Consulting.²⁷ The AHIA concludes that:

"in terms of the magnitude of impact on the heritage landscape, the visual change and intrusion of the residential subdivision is noticeable to many aspects of the heritage landscape resulting in moderate (more than minor) changes to the historic landscape character. With respect to the overall effects on the heritage landscape character, the AHIA found that the overall effect of the proposed subdivision on heritage features is assessed as ranging from slight (less than minor) to moderate (more than minor) effects due to its visual intrusion on what is at present an open and legible landscape with the past endeavours, particularly of alluvial goldmining and farm steading clear and present on the current landscape"

[083] The AHIA further notes that:

- assessing the magnitude of effects is challenging when a new multidimensional layer/s in terms of residential subdivision is introduced into the heritage landscape. While sections of individual historic features and heritage system components can be retained and protected, their legibility, context and interpretation can become diluted and incoherent.

²⁴ Kirstyn Royce, s42A Report, 20 September 2024, para 104.

²⁵ Kirstyn Royce, s42A Report, 20 September 2024, paras 86-87.

²⁶ Objective 6.3.5 seeks to recognise and protect the heritage values of the District's urban areas; Policy 6.4.3 seeks to ensure heritage values are recognised and provided for in the use of the natural and physical resources found within the District's urban areas.

²⁷ 'Heritage Impact Assessment for Water Race Hill Subdivision'. December 2023 Kopuwai Consulting.

- With the individually affected heritage elements of water races and fences, the losses to heritage water race and fence components can be deemed minor in physical lineal terms and in archaeological contribution.
- The minor effects associated with this subdivision can continue to accumulate, and what remains of the water race and fence features post subdivision will need meaningful interpretation to explain the dislocated remains and their function in the wider heritage system and landscape.
- Interpretation actively enhances public understanding of all aspects of places of cultural heritage value and their conservation. Any interpretation should respect the heritage value of a place. Interpretation methods should be appropriate to the place.
- Interpretation panels are proposed to help with the legibility, context and interpretation of the heritage remnants
- The proposal is a well-considered and thought-out design recognising and working with the respective community heritage, landscape and amenity values of Water Race Hill.

[084] Mr Murray for BRDI explained his knowledge of the site acquired through his contributions to previous subdivision and land use consent application (RC160417) and associated interactions with Mr Sole and Mr Milne. His primary concern is that there is an absence of cultural landscape expertise evident in the Applicant's case, and that the approach taken appears to *"impose external, standard or uninformed perspectives onto a place without understanding or respect"*.²⁸ He leaned heavily on the importance of the 'Bannockburn Cultural Landscape Study', and the content of his submissions to the PC19 process.

[085] Mr Murray then went on to focus his evidence on what he perceived to be flaws in the methodology utilised by Mr Sole, stating that the proposal does not meet relevant heritage policy at a regional level (including Policy 5.2.3 under the RPS, and HCV-HH-P5(2) under the RPS 2021). In support of his position, Mr Murray presented a handwritten annotated plan showing the heritage landscape that in his view is being destroyed. He further commented that under Section 6(f)²⁹ of the RMA the historic heritage features (of the site) need protection from inappropriate subdivision, use and development.

[086] In considering Mr Murray's evidence, we note that the proposal does not trigger any rules in Section 14 (Heritage Buildings, Places, Sites, Objects and Trees) and Schedule 19.4 (Register of Heritage Buildings, Places, Sites and Objects and Notable Trees) of the CODP (as amended by PC20). We note Mr Barr's evidence where he points out that the Bannockburn Heritage Landscape Study³⁰ is not a statutory document and has not been formally endorsed by the Council. Mr Murray confirmed for us at the Hearing that he was appearing as an expert planner and not a heritage expert, and that his expert evidence in this case was not underpinned or reliant on any expert evidence on heritage matters.

[087] We are satisfied that Mr Sole's evidence presents a comprehensive assessment of the Proposal's potential adverse effects on heritage values and that these values have been recognised and, where appropriate, provided for. We also accept Ms Royce's assessment (relying on the heritage expertise of Mr Sole) where she states:

*"When considered in context of the residential zoning, the lack of formal heritage recognition, the AHIA assessment and the installation of interpretive panels, I assess that while there will be a cumulative loss of individual historic features and heritage system components, the adverse effects on the heritage landscape values are assessed as acceptable overall, subject to the conditions of consent".*³¹

²⁸ Werner Murray, Statement of Evidence, 21 February 2025, Para 10.

²⁹ We note at the Hearing Werner Murray corrected his Statement of Evidence which referred incorrectly to s6(e).

³⁰ We discuss this document and our consideration of it in Section 4.7 dealing with s104(1)(c) 'other matters'.

³¹ Kirstyn Royce, s42A Report, 20 September 2024, para 111.

- [088] In reaching this view we are cognisant that Heritage New Zealand was consulted and notified of this Proposal and did not make a submission. We also consider that proposed conditions of consent 6(n) and 6(s) will ensure that heritage (including archaeological values) on the site will be managed appropriately. Additionally, given the Applicant has volunteered a consent notice condition which would prohibit buildings on Lot 40 and thereby prevent any future development of this lot, we consider this will result in a positive effect in respect of the management of heritage values on this lot.

Finding

- [089] We find that the effects of the Proposal on heritage values are acceptable and do not weigh against the granting of consent.

4.1.6 Effects on Cultural Values

- [090] As set out in the s42A Report, the proposed subdivision is located near Te Wairere (Lake Dunstan), which encompasses the Bannockburn Inlet and is a Statutory Acknowledgement area. Because of its location at the confluence of Mata-au and Kaware Rivers, Te Wairere was an important staging post on journeys inland and down-river. The whole of the river on which Te Wairere lies was part of a mahinga kai trail that led inland and was used by Otago hapū including Kāti Kurī, Ngāti Ruahikihiki, Ngāti Huirapa and Ngāi Tuahuriri.³²

- [091] The Application included an Archaeological and Heritage Impact Assessment (AHIA). The AHIA recognises that:

“While Tangata Whenua traversed and occupied sites in the Bannockburn and Hawksburn, no recorded sites are present on the two land parcels (the absence of recorded sites doesn’t mean that Tangata Whenua archaeological evidence is absent) and historic research associated with this project has not come across any specific Tangata Whenua references, apart from those referenced in the Bannockburn Heritage Landscape Study.”

“While no specific evidence Maori cultural values presence has been recorded or noted, the site is extensive and well modified. There may have been values present in the past, but this is not an assessment of those values as this is the responsibility of the appropriate iwi group to provide”.

- [092] The neutral submission from Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou, and Hokonui Rūnanga (Kā Rūnaka) confirms the relationship they hold with the area, and identified a range of matters they considered required close management should consent be granted including the effects of earthworks, stormwater and wastewater, mitigation plantings and landscaping. Given our findings in sections 4.1.9, 4.1.4, and 4.1.7 relating to Infrastructure, Landscape and Earthworks respectively, we are satisfied these matters have been appropriately addressed.

- [093] In his evidence, Mr Sole concluded that the Proposal may result in minor cultural effects, and recommended an Accidental Discovery Protocol be included as a condition of consent in the event Māori artefacts or archaeological materials are discovered. We are satisfied that the conditions as proposed are acceptable.

- [094] We accept the evidence of Ms Royce and consider that, subject to conditions of consent, the matters raised by Kā Rūnaka have been largely addressed such that the threat to cultural values as identified in the submission can be adequately avoided or mitigated to the extent that these are acceptable.³³

³² Kirstyn Royce, s42A Report, 20 September 2024, para 112.

³³ Kirstyn Royce, s42A Report, 20 September 2024, para 118.

Finding

- [095] We find that the effects on cultural values can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

4.1.7 Earthworks

- [096] We note the consensus between the planning experts that any effects of the earthworks are acceptable subject to conditions of consent.
- [097] We asked Mr Milne to address us further at the hearing on the potential visual effects of any earthworks. He advised that the earthworks for building platforms will generally be obscured from view as buildings occupy the excavated areas, and all earthworks (including for roading and tracks) will be managed in terms of the relevant earthworks and sediment control plan, and also by the landscape management and mitigation plans provided with the Application and as linked to the conditions of consent. We accept that evidence.
- [098] We acknowledge Mr Fowler's legal submissions in Reply where he states that *"the earthworks and other land use aspects are inherent to the subdivision development works and the Application and condition framework encapsulates both section 9 (Use of land) and section 10 (subdivision) RMA 1991 aspects"*.³⁴
- [099] We acknowledge and accept this approach and find that any adverse effects of earthworks are able to be addressed and mitigated through the various management and mitigation plans included with the Application and by the conditions of consent.

Finding

- [100] We find that the effects of earthworks can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

4.1.8 Effects on Open Space and Recreational Needs of the Community

- [101] Having review the evidence on this matter, we are satisfied that the effects on open space and recreational needs of the community will be acceptable, and the proposal is likely to result in positive effects.

Finding

- [102] We find that the effects can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

4.1.9 Provision of Adequate Network Utility Services and Infrastructure

- [103] We are satisfied from the information provided with the Application, and from the evidence of Mr Richard Ford, that any adverse effects arising from network utility services and infrastructure will be managed through recommended conditions of consent and are therefore acceptable.

Finding

- [104] We find that the effects can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

³⁴ Chris Fowler, Legal Submissions in Reply, 11 April 2025, para 113.

4.1.10 Effect on the Safe and Efficient Operation of the Roding Network

[105] We heard from Mr and Mrs Stretch (residents at 36 Terrace Street, adjacent to the subdivision site) who expressed a concern about the potential impact of a cul-de-sac on Terrace Street including increased traffic volumes, congestion, and traffic safety risks at the intersection with Bannockburn Road. They considered that the proposal for an additional 20 lots would exceed the CODC standards for roading and infrastructure services.

[106] In response to our questions on this matter, Mr Bartlett referred us to his evidence where he addresses submitter concerns on this aspect.³⁵ He explained that:

- the cul-de-sac road type is an urban road with a single 3.5m traffic lane, formalised parking on one side only (2.5m), and would typically include kerb and channel and parking controls.
- the cul-de-sac road type is expected in a higher density urban environment such as Cromwell. In such an environment this road type would serve a recommended maximum of 20 residential dwelling units based on the CODC Addendum to NZS4404:2004. This limit is for design guidance and to limit traffic demand, it is not an assessment of a roads traffic capacity.
- within Terrace Street there is no identified, or observed, demand for onstreet car parking. This is primarily a result of the larger lots and lower density development expected in Bannockburn meaning the residents, and their guest/visitors may park within their lots rather than needing onstreet car parking.
- it is therefore possible to adapt this road type by removing the formalised parking and instead provide two opposing traffic lanes. This results in a significant traffic capacity increase allowing the adapted road type, with two opposing traffic lanes, to serve a significantly greater number of residential dwellings.
- the existing Terrace Street formation, the extension of Terrace Street into the site (Lot 101) and the loop road (Lot 100), all have a formation more akin to a rural road with a traffic capacity significantly higher than the demand created by the current and proposed number of residential dwellings served.
- The proposed road formation can be observed on other Bannockburn streets such as Hall Road which also has a single separate footpath.

[107] Having considered the evidence on this matter, we are satisfied that, subject to those recommendations as provided by the CODC Engineer, the effects of the proposed subdivision on the safety or efficiency of the adjacent transport network including the local pedestrian and cycling environment are able to be adequately managed such that the effects are assessed as acceptable.

Finding

[108] We find that the effects can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

4.1.11 Effect of Natural Hazards

[109] The application is supported by an ENGEO Geotechnical report. From that, and from Mr Richard Justice's written evidence, we expect that the natural hazard matter can be resolved at subdivision stage prior to any site development such that future land use can be developed in a manner so that the various lots will not be subject to Rule 7.5.3(ii). Subject to the recommendations set out in the ENGEO Geotechnical report, the natural hazard risk for the subdivision (and potential future land use) is assessed as acceptable.

³⁵ James Bartlett, Statement of Evidence, 27 September 2024, paras 28 – 34.

Finding

- [110] We find that the effects can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

4.1.12 Effect on Amenity Values of the Neighbourhood and Character of the Streetscape

- [111] We accept the evidence of Ms Royce where she states that given the relatively central location within Bannockburn, the proposed lot sizes are appropriate in light of the current zoning, intended future character and the proposed open space provided within the development. The proposal would, in her view result in a density providing for detached dwellings on large sites and maintaining a high open space to built form ratio as anticipated by the underlying zoning such that the effects on the amenity values of the neighbourhood are acceptable.³⁶ In her response to Minute 11 Ms Royce also noted that the relevant PC19 objective and policy (LLRZ-O2 and LLRZ-P1) are focused on residential amenity and not rural outlooks. Mr Barr generally agreed with Ms Royce's assessments and conclusions in this regard.
- [112] Further to the above, and in response to the concerns expressed by Mr and Mrs Stretch at the Hearing, the Panel issued Minute 11 to direct further evidence on the effects on the amenity values of the neighbourhood, in particular on the character of the streetscape. Mr Milne provided supplementary evidence³⁷ which further assessed the impacts on views from residential properties as well as the public viewpoints along the street, and concluded that:

"Overall, the amenity of the existing Terrace Street neighbourhood and character of the streetscape, at this end of Terrace Street will change. An existing rural character, which can also be considered 'undeveloped residential land', will change to a character that complements and will be read as an extension to the existing Terrace Street neighbourhood. The resulting amenity that is associated with the existing built form development of Terrace Street will remain."

- [113] Ms Pfluger responded by saying that she agreed with Mr Milne's findings on the general effects on amenity values and streetside character, noting that it is the development outside the BLR that will lead to the most noticeable change (i.e. Lots 1, 2 and 7) with Lots 4, 5 and 6 appearing in the backdrop from the eastern end of Terrace Street. Ms Pfluger further considered effects on views from the existing residences at 21, 34 and 36 Terrace Street that are adjacent to the proposal.
- [114] We have carefully considered Ms Pfluger's supplementary evidence and agree that the residence at 21 Terrace St will be mostly exposed to views of the part of the proposal outside the BLR. We also agree that the residence at 34 Terrace Street is buffered by dense planting along the property boundary/adjacent driveway with limited visual exposure to the east. Whilst the effects on private views would be most noticeable from 36 Terrace St (owned by Mr and Mrs Stretch) due to its proximity and a lack of screening, the only visual effects from buildings within the BLR would arise from built form on Lots 6 and 20. However, both buildings appear to be located outside the main outlook from the building; and Lot 20 will be located at a lower elevation without blocking the view. Ms Pfluger also acknowledged Mr Milne's confirmation that the building on Lot 2 should be located outside the BLR to reduce any effect on the outlook from 36 Terrace Street.
- [115] Ms Stevens also responded in her supplementary evidence, and we understand that whilst she has expressed some differences in opinion with Mr Milne with respect to effects on rural outlooks from some sites within the BLR, there is an overall acknowledgement that development of the land outside the BLR will be an extension of existing development along Terrace Street. Overall, we accept Mr Milne's evidence supported by Ms Pfluger's assessment, as well as Ms Royce's evidence and in particular in her supplementary evidence, that the adverse effects on amenity values and character of the streetscape will

³⁶ Kirstyn Royce, s42A Report, paras 147-150.

³⁷ Mr Milne, Second Supplementary Statement of Evidence, 17 March 2025

be to a large degree influenced by development outside the BLR, noting also the confirmation regarding the building platform on Lot 2 is to be outside the BLR.

Finding

- [116] We find that the effects on amenity values of the neighbourhood and character of the streetscape can be managed appropriately via conditions of consent and do not weigh against the granting of consent.

4.1.13 Positive Effects

- [117] The Applicant proposes that Lot 30 is vested as a reserve to the Central Otago District Council and has put forward a condition to this effect. We accept the evidence of Ms Royce and Ms Pfluger where they conclude that this aspect of the Proposal will result in positive effects for the community by formalising the walkway connections through the balance lots and providing recreational opportunities.³⁸
- [118] The Proposal will also integrate archaeological sites and heritage values into the subdivision and provide for their protection, particularly on Lot 40 where the Applicant has volunteered a consent notice condition which would prohibit buildings on Lot 40 and thereby prevent any future development of this Lot.³⁹
- [119] We address the proposal in terms of the NPS-UD in section 4.3 of this Decision Report, and whilst we have found that the NPS-UD is not strictly relevant it is clear to us that the provision of additional housing to serve the community needs is a higher-level positive effect of the proposal.

4.1.14 Other Effects

- [120] We generally accept the evidence of Ms Royce as set out in the s42A Report relating to Financial Contributions, esplanade reserves and strips, and amalgamations and easements. We address these, and some other matters, further in terms of the conditions of consent. We further note that there are no other matters under s220 of the RMA which require consideration.⁴⁰

4.1.15 Alternatives

- [121] Mr Gardner-Hopkins argued that the Applicant failed to describe alternative locations or alternative methods for undertaking the activity.⁴¹ We note that the RMA requires a consideration of alternative locations (or sites) in limited circumstances by way of Schedule 4(6)(a) if it is likely that the activity will result in any significant adverse effect on the environment. In this case, given our findings on key assessment matters above, we concur with the evidence of Ms Royce and Mr Barr that demonstrates there are no significant adverse effects on the environment arising from the proposal, noting also that the land is zoned for residential development, and the rule and policy framework that applies here enables consideration of effects on a case by case basis. On this basis we find that the consideration of alternative locations or sites is not required.

4.1.16 Overall findings on effects

- [122] In light of the preceding assessments, our overall finding is that effects are either no more than minor or can be suitably avoided, remedied, mitigated by the imposition of appropriate conditions of consent. We find that the proposal is likely to result in positive effects in respect to provision of additional housing, open space and recreational needs of the community along with positive effects on heritage values.

³⁸ Kirstyn Royce, s42A Report, paras 122-125.

³⁹ Chris Fowler, Legal Submissions in Reply, 11 April 2025, paras 57, 107.

⁴⁰ Kirstyn Royce, s42A Report, paras 151-157.

⁴¹ James Gardner-Hopkins, Project Manager's Representations, 25 February 2025, para 55.

4.2 National environment standards and other regulations

[123] We adopt Ms Royce's assessment where she relies on the findings of the Combined Preliminary and Detailed Site Investigation (submitted in support of the Application) and find that the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011 (NESCS) is not triggered by this proposal.⁴²

[124] There are no other National Environmental Standards (NES) relevant to the application.

4.3 National policy statements

[125] Mr Barr considers the National Policy Statement on Urban Development (NPS-UD) to be a relevant consideration and asserted that the Proposal would contribute positively to Objective 1 and Policy 1, Objective 2, Objective 4 and Policy 6.⁴³ Mr Fowler in his submissions also stated that:

"The proposed subdivision provides an excellent partial solution to the predicted housing shortfall at Bannockburn particularly as there is very little greenfield land available or development within Bannockburn. As part of the hearing process for PC19, a Section 42A Report was prepared by Liz White for Stage 2 of the PC19 hearings. Ms White's s42A Report identifies a shortfall of housing capacity in Bannockburn of approximately 200 dwellings under the medium forecasted demand and 300 under the high forecasted demand scenario".⁴⁴

[126] Having considered this matter, we favour the evidence of Ms Royce where she noted that:

"As currently calculated, the population of Cromwell and environs is not projected to reach a population of 10000 people for another 15 years and, therefore, is unlikely to be classified as "urban environment" at this time" and

"the NPS-UD was well traversed during the PC19 hearings and it was determined that the housing capacity created by PC19 was in line with the NPSUD despite the population not meeting the "urban environment" criteria for a number of years. I also understand that with the advent of PC19, the housing supply potential far exceeds the projected demand".

[127] On this basis we agree with Ms Royce's conclusion that the NPS-UD has little relevance to this proposal. However, we consider that, as a general principle, the provision of additional housing on residentially zoned land can be seen as a positive effect of this application, as outlined earlier.

[128] There are no other National Policy Statements relevant to the application.

4.4 Regional policy statements

[129] The Operative Regional Policy Statement for Otago (PORPS) was made partially operative on 14 January 2019 and fully operative 15 March 2021. Given our findings on the effects of the applications, we consider the proposal to be consistent with all relevant provisions of the PORPS and in reaching this view we note that Ms Royce and Mr Barr concluded that the proposal is consistent with the existing and proposed objectives of the RPS and the PRPS.

⁴² Kirstyn Royce, s42A Report, paras 25-26.

⁴³ Craig Barr, Statement of Evidence, 27 September 2024, paras 119- 222.

⁴⁴ Chris Fowler, legal submissions, 25 February 2025, para 92.

4.5 Central Otago District Plan

- [130] Ms Royce supplied an assessment of the relevant objectives and policies in her s42A Report. She stated that overall, the proposal is consistent with the existing and proposed objectives and policies of the CODP and PC19. Mr Barr's evidence was that he agreed with Ms Royce's assessment of the relevant objectives and policies.
- [131] We accept Ms Royce's evidence, and as supported by Mr Barr, that the PC19 objectives and policies are to be afforded more weight than those from the CODP. We note that in the s42A Report, Ms Royce had advised that whilst decisions on PC19 had been released some were subject to appeal. Mr Barr's evidence clarified that the objectives and policies were not subject to appeal and therefore can be given considerably more weight, and this was accepted by Ms Royce in her Response to Minute 11⁴⁵.
- [132] We understood that, in relation to the BLR, this means that a proposal for building within the BLR are to be assessed against residential character and amenity criteria, and not against effects on rural character or outlook. As discussed in section 4.1.12 we have accepted the planning evidence of Ms Royce and Mr Barr, as well as the landscape evidence of Mr Milne and Ms Pfluger, that the amenity effects on the neighbourhood and effects on the character of the streetscape, are no more than minor. We also consider that Policy 7.2.8 of the CODP, which is concerned with the management of change, is not relevant in this case as the underlying zoning and development standards contemplate residential development and so cannot be seen as a "major change at the interface between various resource areas". We disagree with Ms Stevens in that regard and agree with the evidence of Ms Royce and Mr Barr and the legal submissions of Mr Fowler on this aspect. In any event we note that PC19 seeks to replace Chapter 7 of the CODP and that will involve the removal of Policy 7.2.8.
- [133] Mr Gardner-Hopkins addressed us on what he said was a 'gap' in the policy framework as it relates to the BLR noting in particular that the BLR rule had essentially been carried over from the VDS but it was not now supported by a coherent policy framework in the CODP. This was also addressed in Mr Murray's planning evidence.⁴⁶ We understood Mr Fowler's submissions on this were that whilst the BLR is not supported by any particular policies in the CODP there is no gap that would cause concern, as the BLR rule (i.e. Rule 12.7.7) has a comprehensive set of assessment matters that will apply to any proposals to build within the BLR and the intent of the rule is made clear from those.
- [134] We note the evidence of Ms Royce and Mr Barr that PC19 did not specifically address the BLR rule or its application to this site at Bannockburn. Despite this, both Mr Barr and Ms Royce consider that PC19 contains residential amenity type policies that are relevant to the BLR (i.e. LLRZ-O2 and LLRZ-P1 and LLRZ-P2).
- [135] Mr Barr's evidence was that:
- ".... the ODP does not have an objective or policy in Section 12 which appears to support the BLR at Bannockburn in terms of landscape or visual amenity effects. Despite this, Residential Resource Area Policies 7.2.2 - Amenity Values, 7.2.3 Environmental Quality and 7.2.5 Open Space are relevant to the effects of locating buildings within the BLR at Bannockburn."⁴⁷*
- [136] Having carefully considered the legal submissions and planning evidence we find that the policies of the CODP, and in particular in PC19, do support the BLR insofar as it relates to the consideration of residential amenity (i.e. neighbourhood amenity and character of the streetscape) as well as the wider matters specified in Rule 12.7.7 with the exception of the effects on natural character of waterways and their margins (a point we understood to be made by Mr Barr). Notwithstanding that we agree with Mr Fowler that Rule 12.7.7 contains a comprehensive set of assessment matters that make it clear what is intended by the rule,

⁴⁵ Ms Royce, Response to Minute 11, paragraph 5

⁴⁶ Mr Murray, evidence in chief, paragraphs 39 – 40.

⁴⁷ Mr Barr, evidence in chief, paragraph 82

and there is no gap in the policy and rule framework that would require us to go back to the policy framework of the VDS for guidance in assessing this Proposal.

- [137] For those reasons, and in light of our findings with regard to adverse effects of the proposal on the environment under section 104(1)(a), we are satisfied there is sufficient evidence to conclude that proposal is consistent with all relevant CODP and PC19 objectives and policies. We accept the expert evidence of Ms Royce and Mr Barr on this.

4.6 Offsetting or compensation measures

- [138] Under s104(1)(ab) we are required to have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.
- [139] In this case there are no offsetting or compensation measures proposed or agreed to by the applicant that need consideration.

4.7 Section 104(1)(c) other matters

- [140] The Kai Tahu ki Otago Natural Resource Management Plan 2005 and the Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 were not specifically addressed in the s42A Report, or the Applicant's evidence. However, given our previous findings on cultural values, and in the absence of any evidence to the contrary, we find that the proposal is consistent with both iwi management plans.
- [141] There were no other relevant s104(1)(c) matters for us to consider.

4.8 Section 106

- [142] Section 106 of the Act allows a consent authority to refuse subdivision consent if there is a significant risk from natural hazards or sufficient provision has not been made for legal and physical access. We adopt Ms Royce's assessment where she concludes that subject to conditions of consent there is nothing which would prevent the granting of consent in accordance with section 106 of the Act.⁴⁸

4.9 Part 2 matters

- [143] We are aware of the case law which outlines that if the lower order statutory instruments appropriately deal with Part 2 matters, then no further assessment of Part 2 matters is required. In this case, we note that the CODP is an older document, and for that reason consideration needs to be given to the extent to which it addresses Part 2 matters.
- [144] As noted in Section 4.5 of our Decision Report, the submitter BRDI through Mr Gardner-Hopkins put the case to us that there is a 'gap' in the policy framework relating to the BLR arising from policies not being carried forward from the VDS, such that the CODP does not have coherent objectives and policies supporting the BLR. We do not consider this is the case, as we accept the legal submissions from Mr Fowler and the evidence from Ms Royce and Mr Barr that the BLR is a method for assessing the effects of building encroachments on case-by-case basis, and it is generally supported by relevant objectives and policies, and specific assessment criteria, in the CODP and in PC19.
- [145] We therefore consider there is no gap in the policy and rule framework that would require us to assess the proposal against Part 2. However, in any event we confirm that we concur with the expert evidence on Part

⁴⁸ Kirstyn Royce, s42A Report, paras 185-187

2 from Ms Royce.⁴⁹ We note that whilst Mr Barr did not provide evidence specifically on Part 2, the Application which he prepared makes the statement that the proposal is consistent with the purposes and principles and the associated matters under Part 2 of the RMA.⁵⁰

[146] Therefore, we find that to the extent that Part 2 matters may need to be considered, the proposal is consistent with Part 2.

4.10 Consent conditions

[147] Mr Fowler put forward a suite of updated recommended conditions in his Reply Submissions.⁵¹ We have generally adopted the Reply version of conditions except where otherwise discussed throughout this Decision and/or listed below. We have relocated two conditions from the s224c condition section so that the plans referred to are required to be lodged prior to the commencement of works. We have also amended the wording of some conditions so that they are more easily interpreted and/or impose enforceable obligations on the consent holder and have renumbered conditions as a consequence of those changes. We provide some commentary on the key aspects below:

- Conditions 6(g)(viii), 6(h)(vii), 6(j)(ix) relating to swales. We have accepted the conditions put forward by the Applicant and accept the reasoning provided in the Reply submissions. These amended conditions provide some flexibility, however in practice it will be a matter for a Council officer to determine the practicality of providing berms of 100mm depth clean topsoil between the channel and road boundary that can be trimmed and grassed to a mowable standard.
- Condition 6(g)(ix) relating to the finish of the footpath on Lot 101. We agree with Ms Royce, and with Mr Barr's evidence, that the footpath to be provided along the existing Terrace Street and extended onto Lot 101 should be formed in asphaltic seal. We consider that given the underlying large lot residential zoning of Terrace Street, and the increased development on Terrace Street that will arise from this proposal, it is appropriate for a single footpath to be provided to residential standards to serve the existing and proposed development. It is noted that we have also combined the original conditions 6(g)(ix) and 6(h) (viii) to form a single condition on this matter which is now condition 6(e).
- We accept the evidence from all parties that the footpath on the Loop Road, i.e. Lot 100 should not be required to be sealed (Condition 6(h)(ix)).
- Condition 6(j)(xii) relating to the ROW gradients. We have reinstated the original condition recommended by Ms Royce in her s42A Report and confirmed in her s42A Review Report. We are satisfied this condition is based on Council staff's experience and evidence of local conditions in this region and while we acknowledge the Applicant's point that they may not be able to meet the gradient requirements in all instances, the condition provides a pathway for a solution to be reached with Council officers that can be followed if the requirements are exceeded.
- Condition 6(q). We have accepted the Applicant's amended wording for Lot 30 to be vested as a reserve to the CODC.
- Condition 7(k)(i). We have accepted the Applicant's condition. In response to Ms Steven's concern, we do not find any ambiguity with this clause and consider it clear that the 500m² curtilage area would correspond to the 500m² building platform area, noting that General Condition 1 requires that the proposed activity must be undertaken in general accordance with the approved plans which include the building platforms.

⁴⁹ Kirstyn Royce, s42A Report, paras 177 - 182

⁵⁰ Application dated 22 December 2023, AEE Section 7.9.

⁵¹ Chris Fowler, Legal Submissions in Reply, Appendix E Updated Proposed Consent Conditions 11/04/25.

- New Condition 7(q). We have accepted the Applicant's volunteered consent notice condition that building on Lot 40 is prohibited.

4.11 Determination

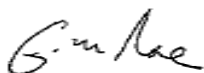
[148] For the reasons set out above, under sections 104 and 104B of the Resource Management Act we grant the consents sought by DJ Jones and NR Searell Family Trust from the Central Otago District Council to undertake a 26-lot subdivision at the site located at 88 Terrace Street, Bannockburn, subject to the Conditions of Consent in Appendix B to this Decision.

[149] Our reasons are detailed in the body of this Decision, but in summary they include:

- i. Potential adverse effects of the proposal are either minor; minimised to the extent practicable or are otherwise suitably avoided, remedied, or mitigated by the imposition of appropriate conditions of consent; and
- ii. The proposal is consistent with the relevant statutory instruments.



Rosalind Day-Cleavin



Gary Rae

21 May 2025

Appendix A - Appearances

Submission number	Submitter	Name	Role
04	David Olds	David Olds	
15	Charles & Nicola Hughes	Charles Hughes	
16	Martin Early	Martin Early	
29	Graham (Peter) & Rosalind Herbison	Peter Herbison	
10	BRDI	James Gardner-Hopkins	Project Manager
10	BRDI	Anne Steven	Landscape Architect
10	BRDI	Werner Murray	Planner
10	BRDI	James Dicey	Chairman
11	James Dicey	James Dicey	
27	Niall & Julianne Watson	Niall Watson	
23	Harvey Perkins & Judith Miller		
33	Robert & Robyn Galvin	Robert Galvin	
37	James Walton & Others	James Walton	
09	Mason & Julie Stretch	Mason & Julie Stretch	
		Applicant's team	
		Chris Fowler	Legal Counsel
		Craig Barr	Planner
		Douglas Jones	Applicant
		Thomas Justice (Richard)	Principal Engineering Geologist
		Richard Ford	Licensed Cadastral Surveyor
		Jason Bartlett	Engineer
		Tony Milne	Landscape Architect
		Matthew Sole	Archaeological Consultant
		CODC team	
		Kirstyn Royce	Planner
		Yvonne Pfluger	Landscape Architect
		Tarryn Lines	Hearings Administrator
		Karen Smith	Hearings Administrator

Appendix B - Conditions of Consent

1 Dunorling Street
PO Box 122, Alexandra 9340
New Zealand

03 440 0056

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



Consent Type: Subdivision Consent

Consent Number: RC 230398

Purpose: To undertake a 26-lot subdivision; in a recreational reserve and road reserves

Location of Activity: 88 Terrace Street, Bannockburn

Legal Description: Lot 4 Deposited Plan 339137 (Record of Title 474127)

Lapse Date: 12 June 2030, unless the consent has been given effect to before this date.

CONDITIONS:

General

1. The proposed activity must be undertaken in general accordance with the approved plans referenced as:
 - i. Scheme Plan s15303_RC2_01_Rev_E dated 10 April 2025 prepared by Landpro;
 - ii. Scheme Plan s15303_RC2_02_Rev_E dated 10 April 2025 prepared by Landpro;
 - iii. Indicative Earthworks s15303 12_01c Rev A dated 25 August 2023 prepared by Landpro;
 - iv. Preliminary Engineering Layout Proposed Subdivision Of Lot 4 DP 339137 Terrace Street, Bannockburn' Drawing No. 15_01 dated 28.08.23 prepared by Landpro;
 - v. Typical Driveway Crossing Of Historic Water Race Proposed Subdivision Of Lot 4 DP 339137 Terrace Street, Bannockburn. Revision I dated 26.02.21 prepared by Landpro;
 - vi. Spatial plan over 2014 LINZ aerial of Heritage Landscape features (derived from Figure 9 of Appendix 1 'Archaeological & Heritage Impact Assessment: Lot 4 DP 339137 Terrace Street Bannockburn. Water Race Hill Subdivision - RC2 01 REV C December 2023', forming Attachment [C] of the Application) prepared by Kopuwai Consulting;
 - vii. Proposed Subdivision Landscape Mitigation Plan dated 11 April 2025 prepared by RMM;
 - viii. Landscape Management Plan dated 27 September 2024 prepared by RMM; and
 - ix. Revised Planting List dated 11 April 2025 prepared by RMM.

and the information provided with the resource consent application received by the Council on 22 December 2023, further information received on 27 February 2024, 10 February 2025, at the Hearing and post Hearing, and in the Applicant's written Right of Reply except where modified by the following conditions.

2. The Consent holder is responsible for all contracted operations relating to the exercise of this consent and must ensure that all personnel (contractors) working on the site are made aware of the conditions of this consent, have access to the contents of consent documents and must ensure compliance with land use consent conditions.
3. The consent holder must 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.
4. Prior to the commencement of works occurring on site approved by this subdivision consent, the consent holder must:
 - a) Provide a letter to Council advising who the supervisor must be for the design and supervision of the subdivision works.
 - b) Provide notice to the Planning and Regulatory Services Manager by email to resource.consent@codc.govt.nz of the start date of the works. This notice must be provided at least five (5) working days before the works are to commence.
 - c) Unless modified by other conditions, all designs and approvals must be in accordance with NZS 4404:2004 and the July 2008 CODC Addendum. Together these two documents form the Council's Code of Practice for subdivision.
 - d) Provide copies of design: reports, calculations, specifications, schedules, and drawings, as applicable.
 - e) Receive Council Engineering certification of the design/s as applicable.
 - f) Prepare an Erosion, Dust and Sediment Control Plan. The Plan must be prepared by a suitably qualified and experienced person and must be submitted to the Planning and Regulatory Services Manager at resource.consent@codc.govt.nz for certification.
 - g) Install all measures identified in the Erosion, Dust and Sediment Control Plan to mitigate erosion and to control and contain sediment-laden stormwater run-off and dust from the site and to water during any stages of site disturbance that may be associated with this subdivision.
 - h) Submit a final water reticulation design to Council's General Manager 3 Waters for certification. The final water reticulation design must meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum and include but not be limited to rider mains, fire hydrants and necessary incidental equipment) from the Cromwell (Bannockburn) Water Supply. No works may occur until the final design has been certified
 - i) Submit a final wastewater reticulation design to Council's General Manager 3 Waters for certification. The final wastewater reticulation design must meet the requirements of NZS 4404:2004 and the Council's July 2008 Addendum and discharge to the Cromwell (Bannockburn) Wastewater Reticulation System. No works may occur until the final design has been certified

- j) Provide evidence to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz that, if required, all necessary consents have been obtained from the Otago Regional Council.
- k) Undertake all subdivision works in accordance with the Archaeological and Heritage Impact Assessment, prepared by Kopuwai Consulting, dated December 2023 including adaptive reuse of heritage items. Records of how the recommendations in the Archaeological and Heritage Impact Assessment have been met are to be maintained and presented to a warranted Council Officer upon request.
- l) Provide evidence to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz that all necessary Archaeological Authorities for the subdivision works have been obtained.

Prior to Section 223 Certification

- 5. Prior to certification of the survey plan, pursuant to section 223 of the Resource Management Act 1991, the subdivider must ensure the following:
 - a) If a requirement for any easements for access and services, including private drainage and access, is incurred during the survey then those easements must be granted or reserved and included in a Memorandum of Easements on the cadastral dataset.
 - b) All residential building platforms identified on the Scheme Plan referenced in Condition 1, shall be shown on the legal plan of subdivision and the co-ordinates must be provided to the Planning and Regulatory Services Manager at resource.consents@codc.govt.nz.

Prior to Section 224(c) Certification

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

Water

- a) In accordance with the certified final water reticulation design, the consent holder must at a minimum:
 - i) Extend the existing 150mm water main on Terrace St for the length of the proposed formed road
 - ii) Install standard DN25 water connection for each serviced lot with an approved Acuflo toby/meter assembly at the road boundary and with the tail extending to buildable platform on rear lots.
 - iii) Install Fire hydrants within the new water reticulation network to serve the subdivision in compliance with SNZ PAS 4509:2008, and NZS4404: 2004 and Council's 2008 Addendum to NZS4404:2004

Wastewater

- b) In accordance with the certified final wastewater reticulation design, the consent holder must at a minimum

- i) Install a cleaning eye for each lot.
- ii) Alternatively, lots which are required to be serviced by pressure sewer must have a Boundary Valve Kit (BVK) installed at the boundary in lieu of a cleaning eye.
- iii) Provide standard DN100 sewer connections to the boundaries of any lot with a gravity connection or a DN63 pumped line for any property where a gravity connection cannot be achieved. Connections must be extended to the buildable areas of all rear allotments.

Stormwater

- c) As part of subdivision works, stormwater from roads and other impervious surfaces must be disposed of via a soak-pit designed by a suitably qualified and experienced professional.

Electricity

- d) Operational power and telecommunication connections must be provided underground to all Lots except for rear Lots 8 and 9 where ducts must be extended to the buildable area of Lots 8 and 9 via the right-of-way such that these services may be supplied at time of dwelling construction.

Access

- e) The road shown as Lot 101 (extension of Terrace Street) on the subdivision plan, must be constructed and vested in accordance with the "Cul-de-sac" Local Road standard in Table 3.1 of Council's 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:
 - i) A minimum sealed carriageway width of 7.0 metres.
 - ii) A minimum road reserve width of 20.0 metres
 - iii) A subgrade CBR >7
 - iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
 - v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - vi) A carriageway crossfall of 4%.
 - vii) Shallow trafficable side-drains / water channels over level sections.
 - viii) Where practicable, berms of 100mm depth clean topsoil between the channel and road boundary must be formed, trimmed and grassed to a

mowable standard, unless it is otherwise practicable to form the berms with a 4% crossfall.

- ix) Cul-de-sac turning head must be constructed at the northern-eastern end.
 - x) Parking bays must be constructed adjacent to Lots 5 and 30.
- f) A single 1.5m asphaltic concrete footpath must be installed along the full length of the existing Terrace Street including the Terrace Street extension (Lot 101). This footpath must be located on the northern side of the street and must include a crossing point over Bannockburn Road to allow pedestrians to access the existing footpath network on the western side of Bannockburn Road.
- g) The road shown as Lot 100 (loop road) on the subdivision plan, must be constructed and vested in accordance with the “Cul-de-sac” Local Road standard in Table 3.1 of Council’s 2008 Addendum to NZS 4404:2004, with the following modifications and requirements:
- i) A minimum road reserve width of 20.0 metres
 - ii) A subgrade CBR >7
 - iii) Metal depths to NZS4404:2004 and Council’s July 2008 Addendum standards.
 - iv) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
 - v) A carriageway crossfall of 4%.
 - vi) Shallow trafficable side-drains / water channels over level sections.
 - vii) Where practicable, berms of 100mm depth clean topsoil between the channel and road boundary must be formed, trimmed and grassed to a mowable standard, unless it is otherwise practicable to form the berms with a 4% crossfall.
 - viii) An unsealed footpath of 1.5m width shall be constructed on one side of the road, and it must connect to the new footpath to be constructed within Lot 101, the extension of Terrace Street.
- h) Individual vehicle accessway/crossings to serve Lots 1 to 6, and 10 to 14, must be constructed from Terrace Street or the new roads (Lots 100 & 101) to be constructed to serve the proposed subdivision in accordance with the requirements of Part 29 of Council’s Roadway Policies January 2015. Additionally, the entranceways for Lots 3, 4, 5, and 10 must have a minimum separation distance of 15m from the nearest road intersection.
- i) All new shared right-of-way serving two or more lots must be constructed in accordance with the right-of-way (2-4 lots/DUs) standards in Table 3.1 of Council’s 2008 Addendum to NZS 4404:2004, with the following modifications and requirements

- i) A minimum sealed carriageway width of 4.0 metres.
- ii) A minimum road reserve width of 6.0 metres.
- iii) A subgrade CBR >7.
- iv) Metal depths to NZS4404:2004 and Council's July 2008 Addendum standards.
- v) A two-coat chip seal, standard concrete, or 30mm depth asphaltic carriageway.
- vi) A 4% crossfall must be provided across the carriageway.
- vii) Shallow trafficable side-drains / water channels over level sections.
- viii) Stormwater must be disposed of by soakpit within the right-of-way.
- ix) Where practicable, berms of 100mm depth clean topsoil between the channel and road boundary must be formed, trimmed and grassed to a mowable standard, unless it is otherwise practicable to form the berms with a 4% crossfall.
- x) Sealed vehicle crossings/entranceways must be provided within the right-of-way to the boundary of each lot served in accordance with Part 29 of Council's Roading Policies 2015.
- xi) A sealed vehicle crossing/entranceway must be installed to the right-of-way in accordance with Part 29 of Council's Roading Policies 2015
- xii) The ROWs may exceed a gradient of 16.7% only with the approval and certification of the Council's Infrastructure Manager at the time of Engineering Acceptance/Approval, and with the designed specific surface treatments to be certified of the Council's Infrastructure Manager

Advice Note:

It is expected that the location and construction of the individual vehicle accessway/crossings to serve Lots 15-20 will be determined at the time of building development in accordance with the requirements of Part 29 of Council's Roading Policies January 2015.

- j) Three LED streetlights must be installed as shown in the plan 'Preliminary Engineering Layout Proposed Subdivision Of Lot 4 DP 339137 Terrace Street, Bannockburn' Drawing No. 15_01 dated 28.08.23 and vested in accordance with NZS4404:2004, and Council's Addendum to NZS4404:2004, and any District Plan requirements. for the avoidance of doubt streetlights are to be provided at intersections and footpath crossings. In other locations bollard lighting is to be provided to illuminate the footpaths and pedestrian areas within the vested road network (Lots 100 & 101).
- k) Planting and landscaping undertaken within roads shall be carried out in general accordance with the Landscape Master Plan and maintained in accordance with the 'Proposed Landscape Mitigation Plan, Landscape Maintenance Plan and Revised Plant List', prepared by RMM dated 11th April 2025, for a period agreed with the

Council. All batter slopes and scarring from earthworks not remediated by planting undertaken as part of the Landscape Master Plan shall be revegetated with grass.

Lot 30 Reserve Planting and Planting on Lot 40

- l) Lots 30 and 40 shall be landscaped in general accordance with the 'Proposed Subdivision Landscape Mitigation Plan, Landscape Maintenance Plan and Revised Proposed Plant List' dated 11th April 2025. Plantings shall be maintained in accordance with the Landscape Maintenance Plan, prepared by RMM dated 27 September 2024, for a period agreed with the Council.

Advice Note:

The planting shown on the 'Proposed Subdivision Landscape Mitigation Plan' at the boundaries of all other Lots (and in particular Lots 4, 5, 9); the portion of planting area within Lot 15 but adjacent to Lots 30 and 40; and all of Lots 16-20 will be required to be undertaken by future Lot owners as provided for in Conditions 7 j) and k).

- m) Shared paths within the recreation reserve and road reserve shall be local compacted gravel and/or schist stone.
- n) Heritage interpretive panels must be prepared and installed under the supervision of a suitably qualified and experienced person. Any reference to mana whenua history or values must only be included with the express permission of the relevant rūnaka whose takiwa the site falls within.
- o) Lot 30 shall be vested as a reserve to the Central Otago District Council.

Engineering Design and Assets

- p) Provide Producer Statements in an approved format from a suitably qualified professional certifying the engineering adequacy and compliance with Council consent conditions relating to:
 - i) engineering design of subdivision works.
 - ii) construction and construction review of subdivision works.

Financial Contributions

- q) Payment of a reserves contribution of \$45,530.54 (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 20 additional dwelling equivalents.

Advice Note: The consent holder and the Council may negotiate the financial contributions calculation as part of the vesting of Lot 30 as a reserve, in recognition of the development and vesting of Lot 30 as a reserve.

Accidental Discovery Protocol

- r) If during any site disturbance, the consent holder or subsequent owners:
 - i) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Māori artefact material, the consent holder or subsequent owner must without delay:

- a) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
- b) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate rūnanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- ii) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:
 - a) stop work within the immediate vicinity of the discovery or disturbance; and
 - b) advise the Consent Authority, Heritage New Zealand, and in the case of Māori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and
 - c) arrange for a suitably qualified archaeologist to undertake a survey of the site.
- iii) Site work may recommence following consultation with the Consent Authority.

Trails and Tracks

- s) The Trails or tracks shown on the approved plan of subdivision referenced in Condition 1 shall be formed and/or formalised as follows:
 - a) Indicative Proposed Track: The trail shall be retained in its current condition in so far as practicable with only limited additional formation so as to retain its heritage association. Where the track passes over Lot 40 and Lot 51 there shall be an easement in gross registered in favour of the Central Otago District Council, to provide for the ongoing public use of the existing track. Any additional formation to the track shall be undertaken in a manner consistent with the recommendations of the Kopuwai Consulting Report forming Attachment C of the application document titled: *Archaeological & Heritage Impact Assessment: Lot 4 DP 339137 Terrace Street Bannockburn. Water Race Hill Subdivision - RC2 01 REV C 2023*.
 - b) NZCT Grade 1 or 2: These shall be formed within the road reserve and reserve Lot 30. The Trails shall be designed and formed in a manner consistent with the recommendations of the Kopuwai Consulting Report forming Attachment C of the application document titled: *Archaeological & Heritage Impact Assessment: Lot 4 DP 339137 Terrace Street Bannockburn. Water Race Hill Subdivision - RC2 01 REV C 2023*.

Advice Note:

The informal track shown over Lot 50 is for information purposes only.

Consent Notice Conditions

7. Pursuant to Section 221 of the Resource Management Act 1991, consent notices must be prepared for registration on the records of title the following ongoing conditions:

Design controls Applies to Lots 1-20 unless otherwise stated

- a) All future buildings shall be contained within the Building Platforms as shown as a consent notice Area [X] as shown on Land Transfer Plan [XXXXXX] No built development is permitted outside the building platform, including items such as clothes lines, swimming pools or other activities generally associated with a curtilage area.
- b) Built coverage must not exceed a maximum total of 300m². Should any dwellings be two storeys, the maximum footprint for the ground floor must not exceed 200m².
- c) The access to Lot 6 must be designed to limit the extent of earthworks required, and as far as practicable be located off the ridgeline.
- d) Exterior cladding is limited to timber (vertical or horizontal), schist, or corrugated iron in one of the following Colorsteel colours: Lichen, Sandstone Grey, Lignite, Ironsand, Flax Pod, Grey Friars, New Denim Blue.
- e) Roofing shall be constructed of corrugated iron in one of the of the following Colorsteel colours (or similar with a light reflectance value (LRV) of the less than 12%): Lignite, Ironsand, FlaxPod, Grey Friars, New Denim Blue.
- f) Fencing at lot boundaries shall be limited to 1.2 m high unpainted post and rail, post and wire or waratah and wire fencing. The addition of rabbit wire mesh is encouraged.
- g) Buildings shall be subject to the following maximum height limitations, measured in terms of New Zealand Vertical Datum 2016 (NZVD16):

Maximum Building Height & Roof Elevation			
Lot Number	Maximum Building Height	Maximum Roof Elevation	Notes
1, 2, 3	5m	269 masl	
4, 6	4.2m	269.2 masl	
5	4.2m	270.2 masl	
7, 8, 9	7.5m	269 masl	
10	5m	269.5 masl	
11, 12, 13, 14	4.2m	271 masl	Buildings to be stepped with grade
15, 16, 17, 18,19	5m	265 masl	Buildings to be stepped with grade, and in addition, on Lots 15-17 the maximum building height must be no more than 8m in total height from lowest ground level to top roof level to avoid the appearance of three storey townhouses
20	5m	266 masl	Buildings to be stepped with grade

- h) To minimise night sky intrusion, exterior lighting is permitted but shall only be in the form of downlighting to avoid unnecessary glare. Up-lighting for the purpose of accentuating trees, walls or other landscape features is not permitted. All fixed exterior lighting shall be directed away from neighbouring properties. Exterior lighting on buildings shall be fixed, no higher than 1 metre above finished ground level, capped, filtered, or pointed downwards and screened so as to reduce lux spill. There shall be no lighting of vehicle accessways within any sites.
- i) Stormwater from buildings and other impervious surfaces within each Lot must be stored for beneficial reuse or disposed of via a soak-pit designed by a suitably qualified and experienced professional within the boundary of each lot.

Landscaping

- j) On Lots 4, 5, 9, 13, 14, 15-20, within 18 months of the code of compliance issuing for the Dwelling. mitigation planting shall be undertaken as shown on the Landscape Mitigation Plan, 11th April 2025 , and using species identified in the Plant List (Plant Mix 3: Private Lot Amenity Planting within Building Platforms, and Plant Mix 4: Private Lot Revegetation Planting outside Building Platforms, prepared by RMM and attached as *[Add sheet to Consent Notice Documentation]*. These landscape areas shall be maintained by the landowners and cannot be altered or removed.
- k) On Lots 3 – 5 and 12 – 20, a landscape plan prepared by a suitably qualified landscape architect that shall be submitted to Council for approval at the time of Building Consent. This Landscape Plan shall be consistent with requirements of the preceding Condition j), and shall have regard to and show the following:
- A maximum 500m² curtilage;

- ii. Planting and grassing of any cut and fill batters for earthworks for driveways or building platforms;
- iii. Planting to integrate any buildings and any associated water tanks into the landscape;
- iii. Planting to soften and filter views of built form in views from properties located on Cainmuir and Patersons Road to the east of the site;
- iv. Ongoing maintenance obligations:
- v. Avoiding plants within 10m of buildings that have a high or moderate flammability class as identified in the *FireSmart: Protecting our Communities from Interface Fires manual*.
- vi. For Lots 15-20, planting areas between and below the sloping sites must be established and must be of a form similar to that within the Lot 30 reserve area. Planting for Lots 15-20 should include a comprehensive structural planting area around the building platforms to avoid the built form appearing visually prominent on the open escarpment.
- vi. Landscaping in accordance with the approved Landscape Plan shall be implemented within 18 months of Building Consent being approved and maintained in accordance with the approved plan.

Slope Stability

- I) The subdivision development design and implementation shall observe the recommendations of the Engeo geotechnical report titled Geotechnical Investigation - Lot 4 Water Race Hill, Bannockburn, entered into Council records as part of the approved documentation of resource consent RC230398, including but not limited to the following specific measures:
 - I. Lot 18: Specific engineering mitigation design will be required to address creep of surficial soil overlying shallow bedrock for any development.
 - II. Lots 15 to 19: Development on these lots must adhere to engineering practices suitable for hillslope development, including:
 - 1. Implementation of subsoil drainage.
 - 2. Minimisation of cutting and filling.
 - 3. Proper disposal of stormwater, grey water, and black water without discharge to the slope.
 - 4. Construction of appropriately engineered retaining walls where necessary.
 - III. Lots 1 and 9, foundation construction shall be set back from the crest at a horizontal distance at least twice the adjacent vertical slope height.
 - IV. All Lots: Engineering practices suitable for hillside construction shall be incorporated as necessary.

Earthworks

- m) For Lots 1-20 a site-specific erosion and sediment control plan, commensurate with the scale of proposed disturbance, shall be prepared prior to initiating ground disturbing activities. General advice and guidance that is appropriate minor works can be found in the Building on Small Site Brochure from the Auckland Council. Link: [Building on small sites \(aucklandcouncil.govt.nz\)](http://aucklandcouncil.govt.nz).

All site disturbance must undertake erosion and sediment control and dust control by adopting the following principles:

- Limiting the duration and extent of soil disturbance as practicable.
- Avoiding work during heavy rain.
- Diverting clean stormwater away from excavations/exposed soil.
- Containing runoff within the excavations during rainfall events.
- Brushing or sweeping vehicle wheels that have been in contact with exposed soil clean prior to leaving the site.
- Regular visual monitoring of the effectiveness of erosion and sediment control measures shall take place throughout the duration of the soil disturbance activity until the soil is returned to an erosion resistant state.

Accidental Discovery Protocol

n) For Lots 1-20, 40, 50 and 51, if during any site disturbance, the consent holder or subsequent owners:

- i) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Māori artefact material, the consent holder or subsequent owner must without delay:
 - a) notify the Consent Authority, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
 - b) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate rūnanga and their advisors, who must determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Site work may recommence following consultation with the Consent Authority, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- ii) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder must without delay:
 - a) stop work within the immediate vicinity of the discovery or disturbance; and
 - b) advise the Consent Authority, Heritage New Zealand, and in the case of Māori features or materials, the Tangata whenua, and if required, must make an application for an Archaeological Authority pursuant to Heritage New Zealand Pouhere Taonga Act 2014; and
 - c) arrange for a suitably qualified archaeologist to undertake a survey of the site.
- iii) Site work may recommence following consultation with the Consent Authority.

Heritage

- o) The following heritage controls are imposed on the lots identified in accordance with Figures 1-10 in Appendix 1 of the Kopuwai Consulting Report forming Attachment C of the application document titled: *Archaeological & Heritage Impact Assessment: Lot 4 DP 339137 Terrace Street Bannockburn. Water Race Hill Subdivision - RC2 01 REV C 2023*.

Note: The Figures referred to in 7(o) must be attached to the consent notice

LOT	Feature	Condition
1	Retain & protect (blue) shallow sluicing's water race & sluice face (yellow)	No earthworks, hard landscaping features or structures allowed to be built over these areas attached as Appendix 2.
9	Retain & protect (blue) shallow sluicing's water race bordering Pennyweight sluicing F41/368 Lot 51 (excepting branch (red)) in Lot 9	Sluice gulch: No earthworks, hard landscaping features or structures allowed to be built over these areas.
40	Within Lot 40 preserve lower remnants sluicing's Penny weights & others; water race remnants; hand revetted stacked wall sections; hardwood post and wire fence line remnants x 2; hand stacked tailings	The Lot owner is alerted to the presence of archaeological items.
50	Lot 50 incorporates and protect west facing terrace sluice face off Lot 1 & pedestal mining claim boundary marker 2. Protection of these features. (F41/385 Revell's Gully Sluicing's)	The Lot owner is alerted to the presence of archaeological items.
51	Retain & protect (blue) shallow sluicing's water race bordering Pennyweight sluicing & the sluicing's F41/368 (excepting branch (red) in Lot 9)	The Lot owner is alerted to the presence of archaeological items.

- p) In the event that subdivision development works, or processes associated obtaining an archaeological authority identifies additional measures to manage heritage items, as necessary for a particular lot, then a consent notice shall be registered on the Records of Title for the affected lots detailing requirements for the lot owner(s).

Lot 40 Building Restriction

- q) Buildings are prohibited upon Lot 40.

ADVICE NOTES:

Earthworks

1. An earthworks consent will be required from the Otago Regional Council
2. Existing ground level to calculate approved building height will need to be established at the time of survey.
3. Where there is a risk that sediment may enter a watercourse at any stage during the earthworks, it is advised that the Otago Regional Council be consulted before works commence, to determine if the discharge of sediment will enter any watercourse and what level of treatment and/or discharge permit, if any, may be required.

Heritage

4. An Archaeological Authority will be required on all lots before any site disturbance occurs and in particular:
 - Lot 6: Apply for archaeological authority to destroy portions marked (red) on plan; being (F41/369 Upper water race)
 - Lot 9: Apply for authority to modify/destroy (red) branch water race Lot 9 (supplied from F41/369 Upper water race)
 - Lots 16, 17, 18 & 19: Apply for authority to modify/destroy (red) sections of branch water race that traverses the lots.
 - Lots 20: Apply for archaeological authority to remove section of hardwood post & wire fence line & repurpose hardwood posts. Apply for authority to modify/destroy (red) sections of branch water race that also traverse Lots 16, 17, 18 & 19.
 - Lot 30: Apply for archaeological authority to modify/disturb portions marked (blue) on plan traversing lots 30. (F41/369 Upper water race) Apply for archaeological authority for adaptive reuse 267m of lower water race as footpath and destruction of 3 sections for roadway/driveways and 2 sections for pathways & single track crossings totalling 10m (F41/369 linked lower water race).
 - Lot 40: Apply for an archaeological authority to adaptively reuse the water race as public walking track within Lot 40.
 - Lot 51: Apply for authority to modify/destroy (red) branch water race Lot 9 (supplied from F41/369 Upper water race).
 - Lot 100 (Road): Apply for archaeological authority to destroy portions (marked red) as shown on plans traversing the road. Adaptive reuse of remaining components.

Development Contributions

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

6. Development contributions for roading of \$32,882.96, Water supply of \$53,947.36 and wastewater \$51,861.83 (exclusive of goods and services tax) are payable for pursuant to the Council's Policy on Development and Financial Contributions contained in the Long Term Council Community Plan. Payment is due upon application under the Resource Management Act 1991 for certification pursuant to Section 224(c). The Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development and Financial Contributions have not been paid, pursuant to section 208 of the Local Government Act 2002 and Section 15.5.1 of the Operative District Plan.

Access

7. It is the consent holder's responsibility to obtain all necessary Temporary Traffic Management Plans, Corridor Access Requests or any other approvals to undertake works within the road reserve. These approvals should be obtained prior to the works commencing.

General

8. 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.
9. The consent holder must 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.
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. This is a resource consent. Please contact the Council's Building Services Department, about the building consent requirements for the work.

Landscaping Undertaken within Roads and Lot 30 Reserve

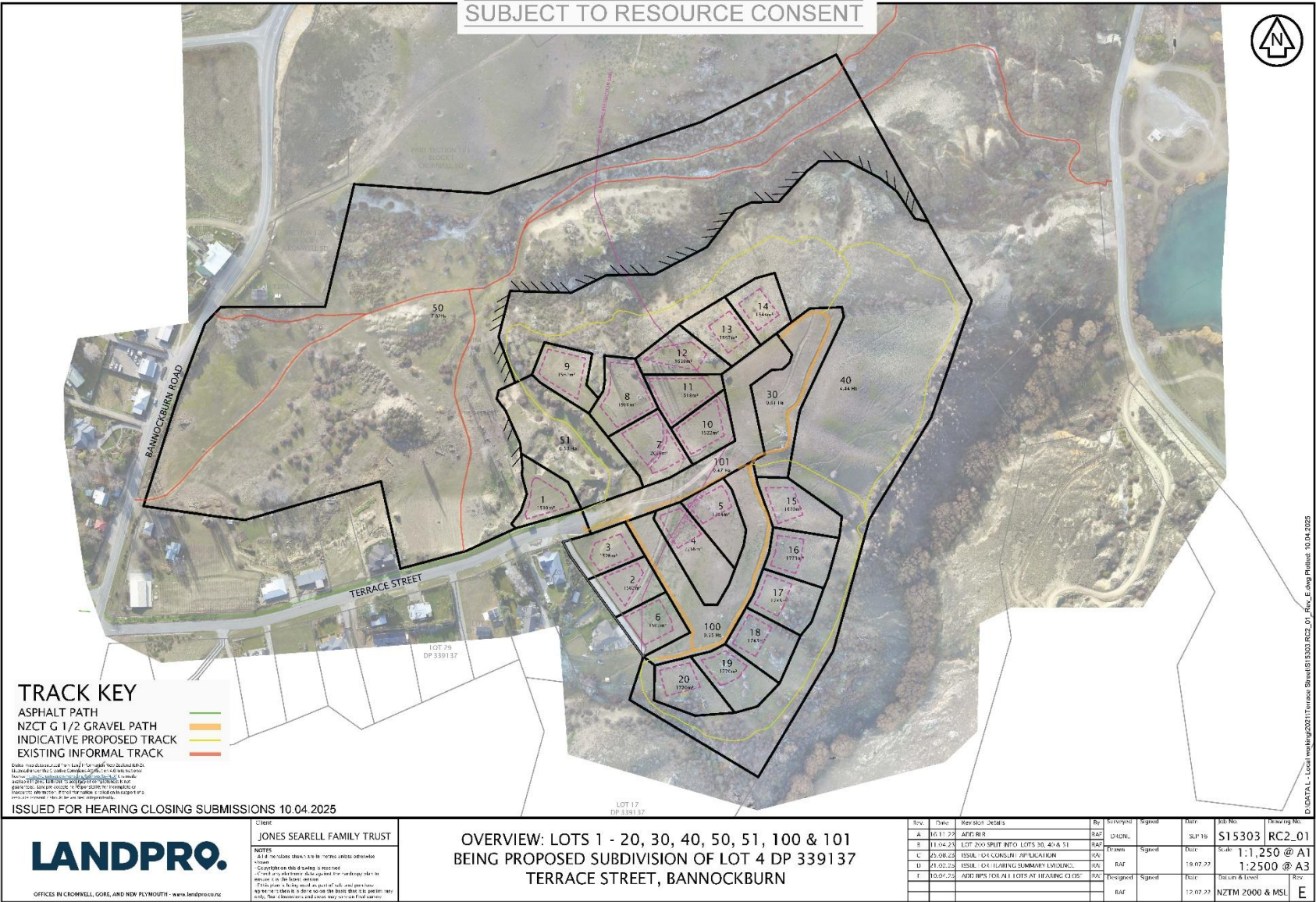
14. Planting and landscaping undertaken within the road reserve and Lot 30 Reserve, including maintenance periods will require certification by the Council's Parks and Recreation Manager.

Issued at Central Otago on 21 May 2025



Karen Smith
Planning Support Officer

Appendix C: Approved Plans for RC 230398 (scanned image(s), not to scale)



SUBJECT TO RESOURCE CONSENT



ISSUED FOR HEARING CLOSING SUBMISSIONS 10.04.2025

Rev	Date	Revision Details	By	Surveyor	Signed	Date	Job No.	Drawing No.
A	16.11.20	ADD B.I.R.	RAF	DRONE		SEP 16	S15303	RC2_02
B	11.04.25	LOT 200 SPLIT INTO LOTS 30, 40 & 51	RAF	Drawn				
C	25.08.25	ISSUE FOR CONSENT APPLICATION	RAF	RAF	Signed	Date	Scale	
D	21.02.25	ISSUE FOR HEARING SUMMARY EVIDENCE	RAF	RAF		05.05.23	1:1,000 @ A3	
F	10.04.25	ADD BPS FOR ALL LOTS AT HEARING CLOSE	RAF	Designed	Signed	Date	Drawn & Level	Rev.
			RAF			25.03.22	NZTM 2000 & MSL	E

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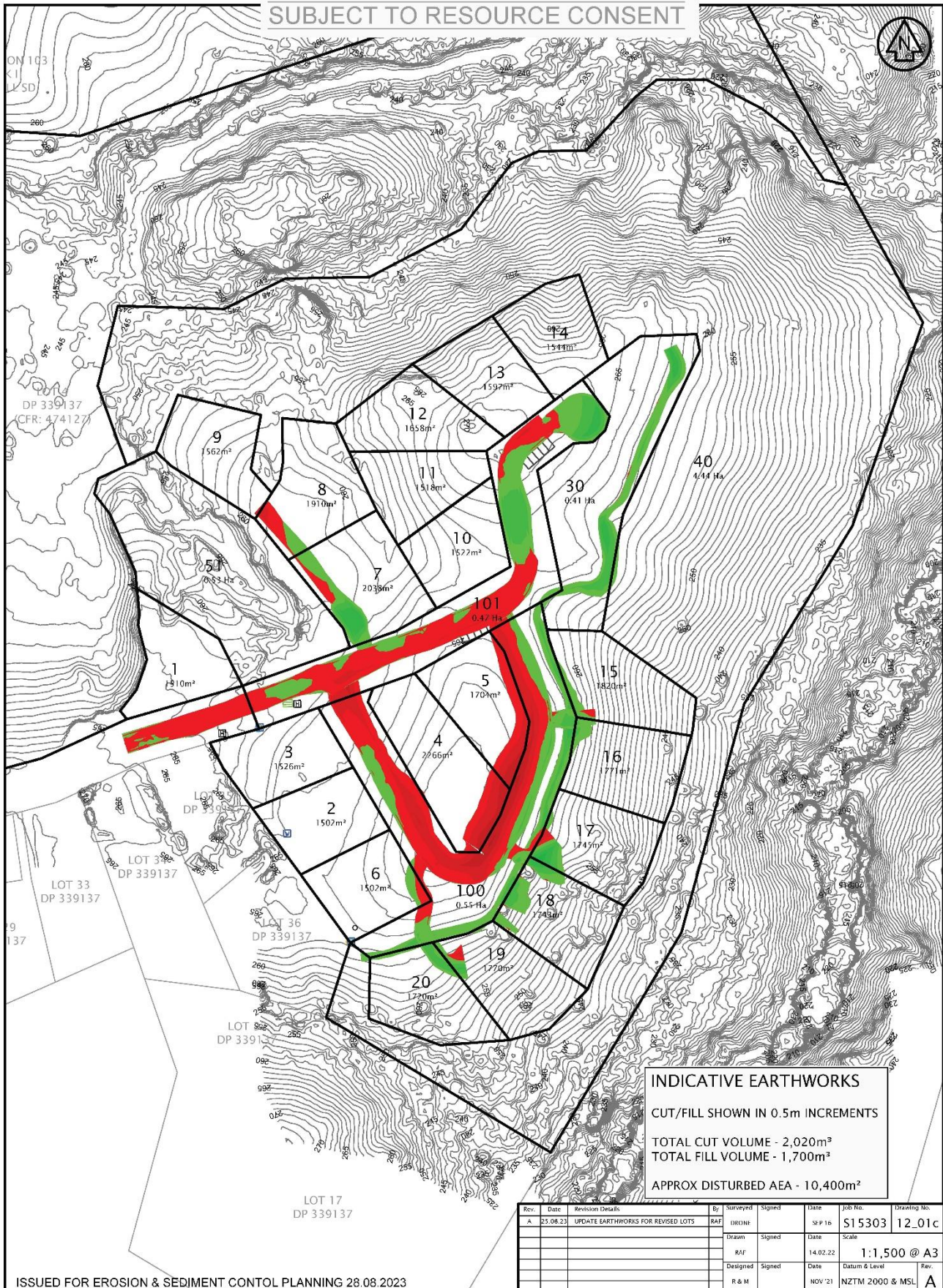
Client
JONES SEARELL FAMILY TRUST

NOTES
All dimensions shown are in metres unless otherwise shown.
Copyright on this drawing is reserved.
Check any electronic data against the hardcopy plan to ensure it is the latest version.
This plan is being used as part of sale and purchase agreement then it is done so on the basis that it is preliminary only. Final dimensions and areas may vary on final survey.

RESIDENTIAL LOTS: LOTS 1 - 20, 30, 40, 50, 51, 100 & 101
BEING PROPOSED SUBDIVISION OF LOT 4 DP 339137
TERRACE STREET, BANNOCKBURN

D:\DATA\L - Local Working\2021\Ternee Street\S15303_RC2_01_Rev_E.dwg Plotted: 10.04.2025

SUBJECT TO RESOURCE CONSENT



ISSUED FOR EROSION & SEDIMENT CONTROL PLANNING 28.08.2023



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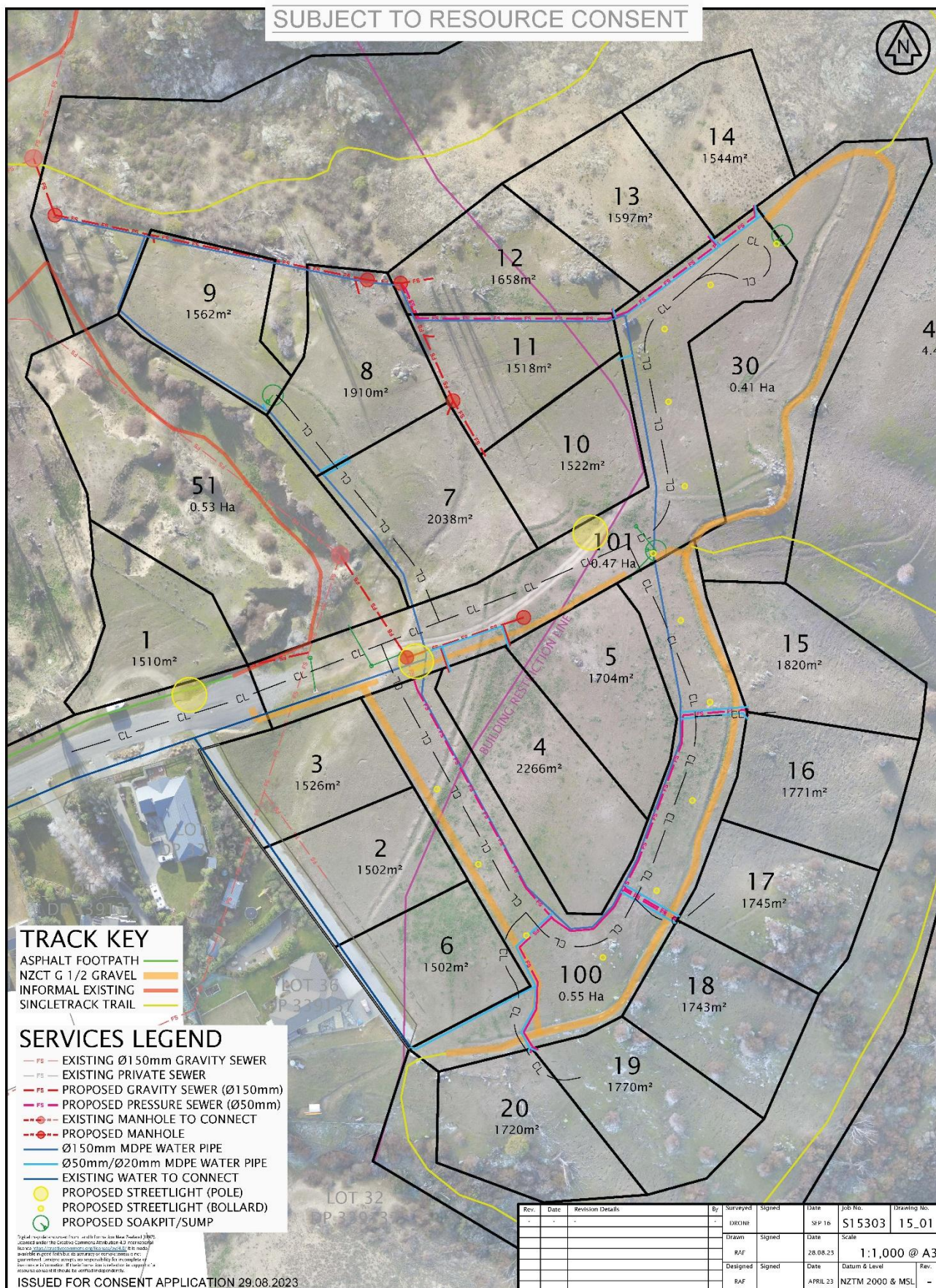
Client
JONES SEARELL FAMILY TRUST

NOTES
All dimensions shown are in metres unless otherwise stated.
Footprint on this drawing is proposed.
Check any new survey data against the baseline plan to ensure it is the latest version.
This plan is being used as part of a resource consent application and is not to be used for any other purpose.
Only final dimensions and areas may vary on final survey.

INDICATIVE EARTHWORKS PLAN
PROPOSED SUBDIVISION OF LOT 4 DP 339137
TERRACE STREET, BANNOCKBURN

D:\DATA\L - Local working\2021\Terra Street\12.01c.dwg Plotted: 28.08.2023

SUBJECT TO RESOURCE CONSENT



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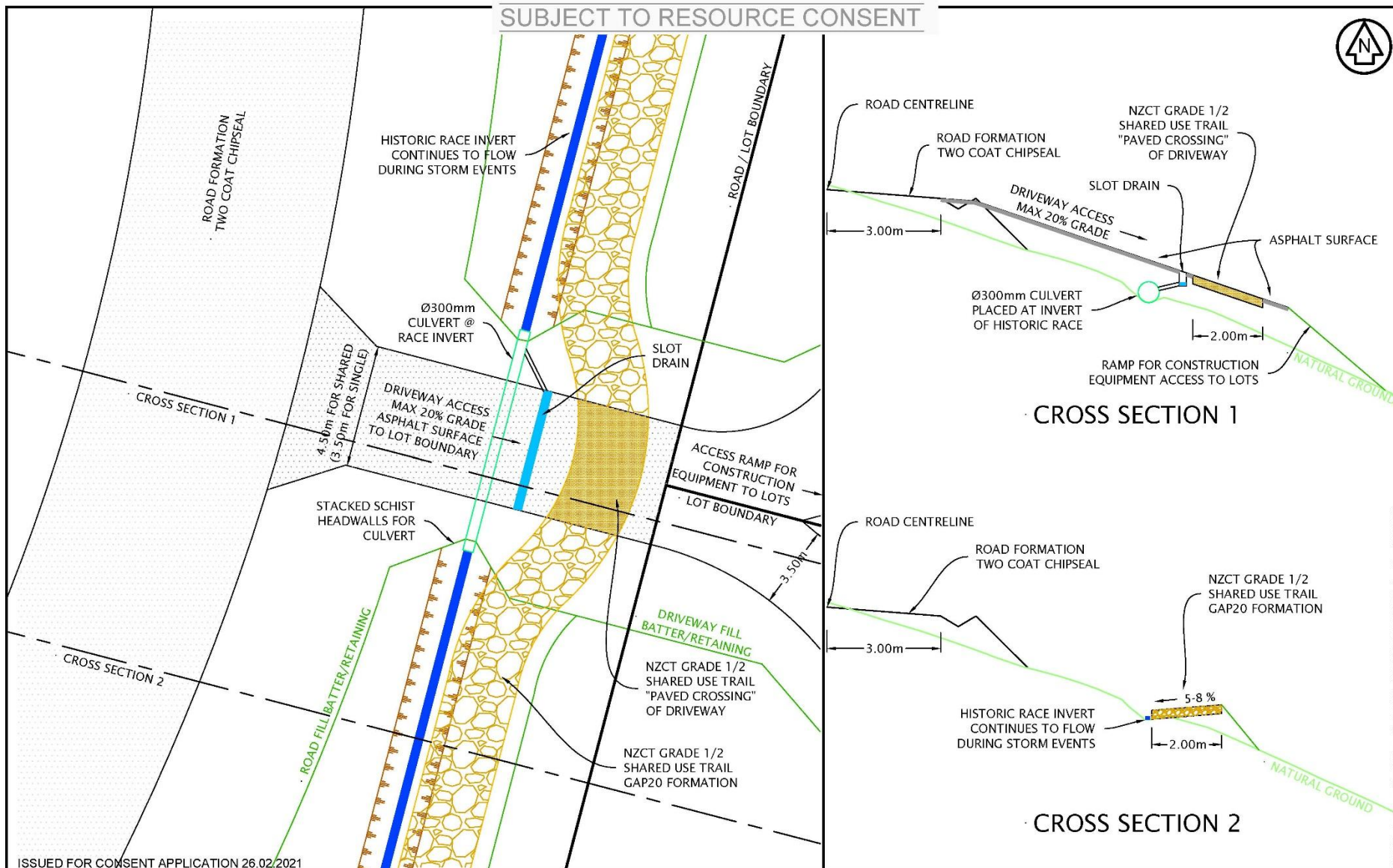
Client
JONES SEARELL FAMILY TRUST

NOTES
All dimensions shown are in metres unless otherwise stated.
Footings on this drawing are proposed.
Check any new work data against the back-survey plan to ensure it is the latest version.
This plan is being used as part of a resource consent application and is not to be used for any other purpose.
No warranty is made by the engineer as to the accuracy of the data provided.
Only final dimensions and areas may vary on final survey.

PRELIMINARY ENGINEERING LAYOUT PROPOSED SUBDIVISION OF LOT 4 DP 339137 TERRACE STREET, BANNOCKBURN

D:\DATA\Local working\2021\Terra Streets\15303_15_L15_Eng.dwg Printed: 28.08.2023

SUBJECT TO RESOURCE CONSENT



OFFICES IN CROMWELL, GORE, AND NEW PLYMOUTH - www.landpro.co.nz

Client
JONES SEARELL FAMILY TRUST

NOTES
All proposed works are to be carried out in accordance with the Resource Management Act 1991 and the Resource Management (Consent) Regulations 2002.
Consent is granted on the basis of the information provided in the application and the Resource Management Act 1991 and the Resource Management (Consent) Regulations 2002.
If the landowner or user of the land is not satisfied with the consent, they may appeal to the Environment Court.

TYPICAL DRIVEWAY CROSSING OF HISTORIC WATER RACE PROPOSED SUBDIVISION OF LOT 4 DP 3391 37 TERRACE STREET, BANNOCKBURN

Rev.	Date	Revision Details	By	Surveyed	Signed	Date	Job No.	Drawing No.
F	13.11.18	PREPARE CONSENT APPLICATION VERSION	RAF	DONE		SEP 16	S15303	01_DXR
F	01.07.19	ADD ENGINEERING INFORMATION FOR R.F.L.	RAF					
G	21.01.21	REVISE TO 35 LOT LAYOUT	RAF	Drawn	Signed	08.09.17	Scale	V. 1:50 @ A3
H	19.02.21	REVISE TO TRACK & ACCESS TO LOTS 26-29	RAF	RAF			Hz.	1:100 @ A3
I	26.02.21	ADDITION OF DRIVEWAY X RACE DETAILS	RAF	Designed	Signed	08.09.17	Date	Noted & Level
			RAF					NZTM 2000 & MSL

L:\S15303 - Jones Searell Family Trust - 7 Lot Subdivision\CAD\S15303 04 RC_REV_1.dwg Plotted: 02.03.2021

Heritage Landscape of the interconnected wider surrounds of the DJ Jones and NR Searell Family Trusts Lot 4 Revell's Basin & Gully & Part Section 103 Slaughteryard Hill

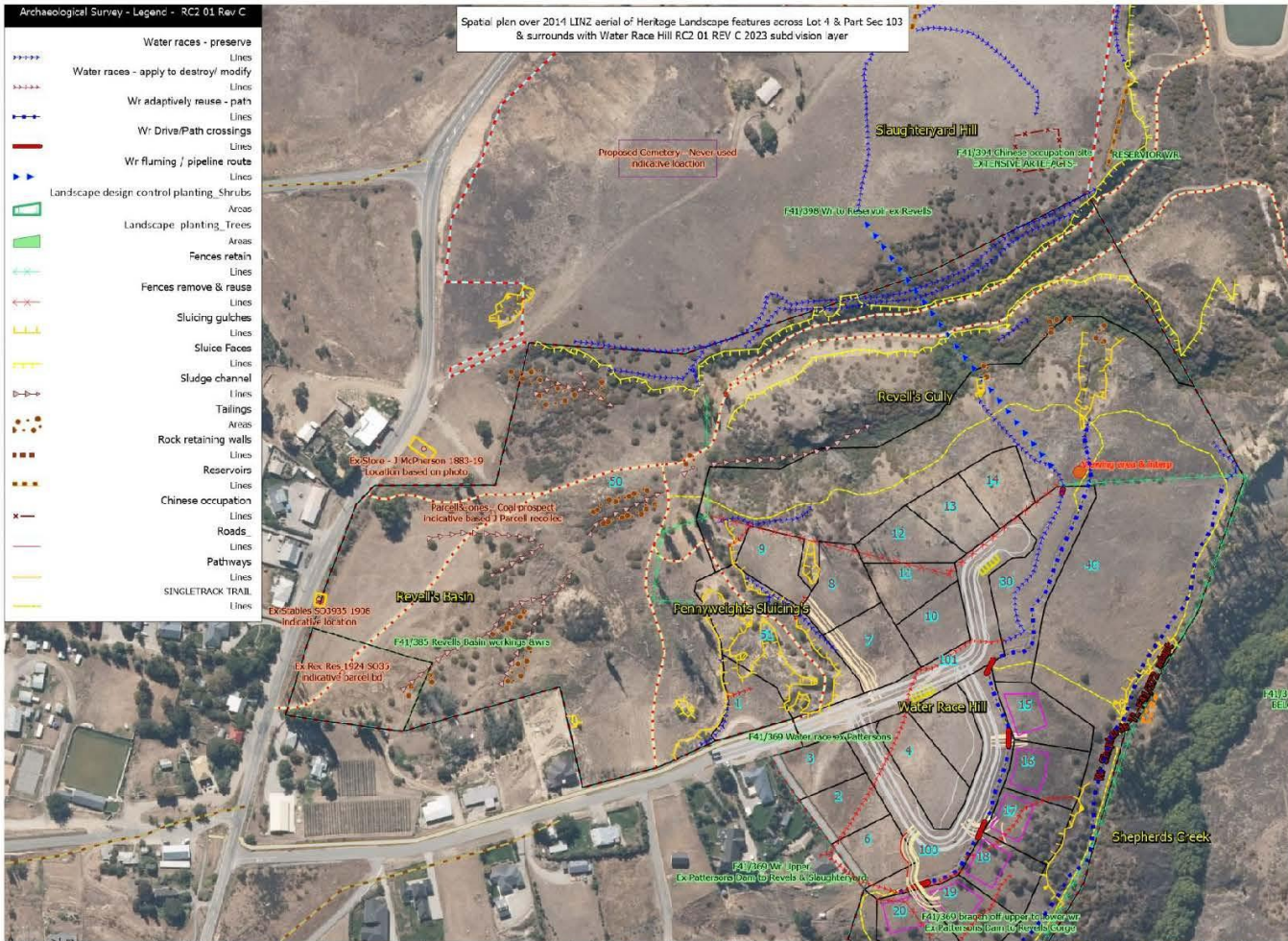
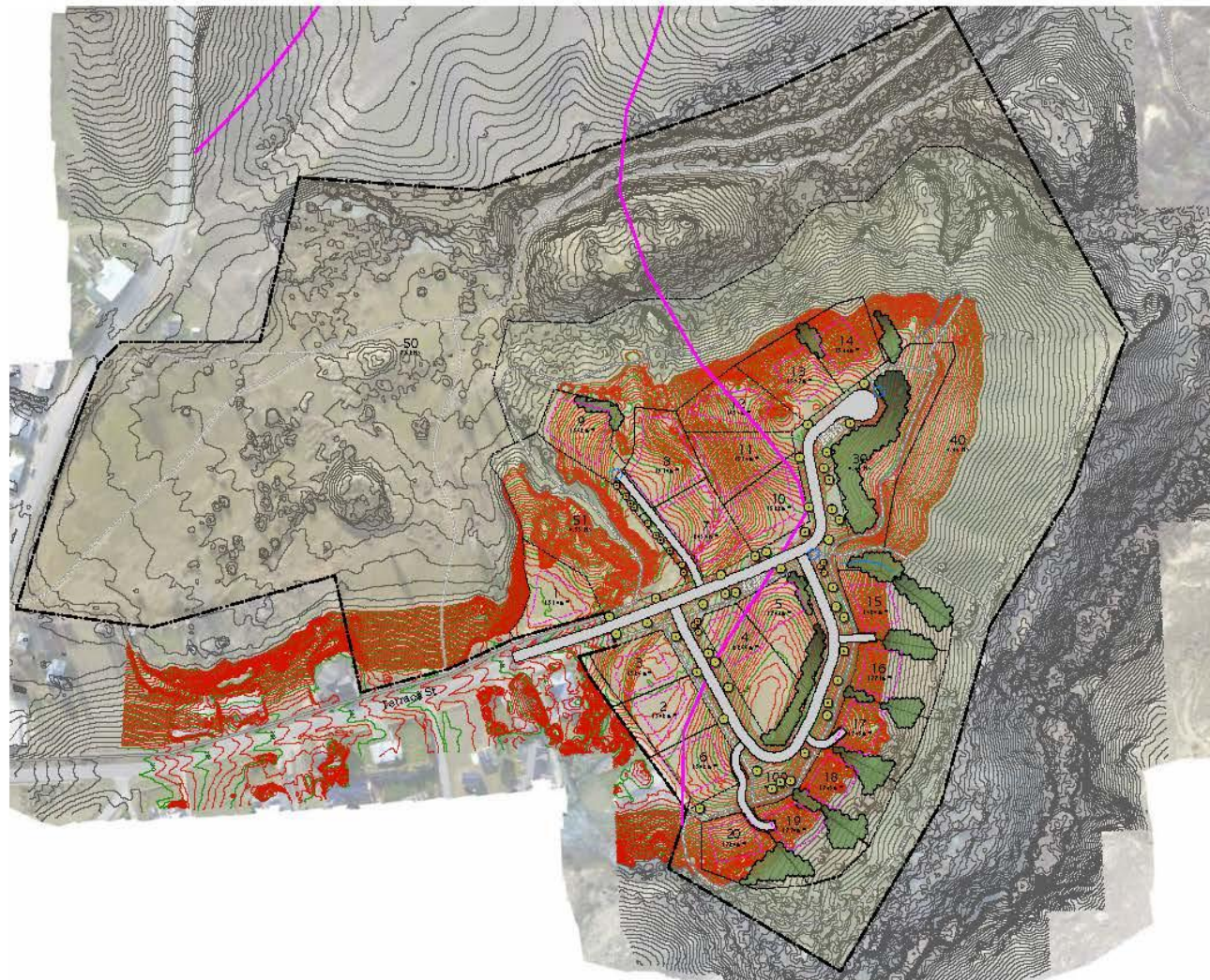


Figure 9 Spatial plan over 2014 LINZ aerial of Heritage Landscape features across Lot 4 & Part Sec 103 & surrounds with Water Race Hill RC2 01 REV C 2023 subdivision layer

Proposed Subdivision Landscape Mitigation Plan - 11th April 2025



Legend	
	Overall Property Boundary
	Building Line Restriction
	Residential Lot
	Building Platform
	Road Reserve
	Private Reserve
	Balance Lot
	Easement
	Road
	Indicative proposed walkways
	Existing informal walkways
	Car Parking
	Proposed Mitigation Planting
	Street Trees Type 1
	Street Trees Type 2
	Potential Soakpit and Secondary/ Tertiary Over Land Flow Path Locations



Scale: 1:2,500 @ A3

RMM

Proposed Subdivision

Terrace Street, Bannockburn

RMM

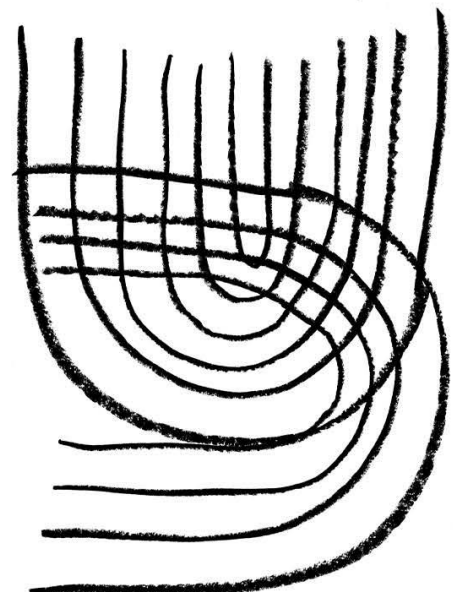
ROUGH MILNE MITCHELL
LANDSCAPE ARCHITECTS

rmmla.co.nz

Landscape Management Plan – RC230398

27 September 2024

Design Control Issue



Contents

A	Planting Maintenance Plan	3
1.	Planting Implementation & Establishment	3
2.	Planting Maintenance Schedule	6
3.	Weed Management Strategy	9
4.	Monthly Planting Establishment Report	10

A Landscape Management Plan

This Landscape Management Plan (**LMP**) outlines the applicant's approach to managing the mitigation planting as shown on the subdivision landscape plan. The purpose of the LMP is to ensure the mitigation planting effectively establishes. The LMP covers planting implementation, establishment, and maintenance.

1. Planting Implementation & Establishment

1.1 Cultivation and Final Preparation

Cultivate planting areas to a depth of 250mm to form a firm and friable tilth suitable for pit planting by hand.

During cultivations remove all weed including weed root off site.

Grade to smoothly flowing or even contours to the finished levels by hand or machine as necessary.

1.2 Stone/Debris Picking

After cultivating remove all stones, grass sods and other debris larger than 75mm in any dimension and all roots in excess of 15mm diameter or 200mm length.

1.3 Topsoil

Supply and install topsoil to planting areas to achieve finished surface levels, and to ensure specified topsoil depths are achieved. Remove existing earth where necessary to accommodate topsoil and soil conditioner in planters to achieve finished surface levels.

1.4 Soil Cultivation and Conditioner

Supply and incorporate soil conditioner to all planting areas at the rate of 0.075m³ per m² (75mm depth) worked into the top 150mm of existing soil.

1.5 Plant Materials

Plant materials shall be first class specimens of nursery stock, true to type with well-developed and well-shaped trunk or stem and head. They shall be hardened-off to cope with the climatic conditions of the site.

The roots shall have a high percentage of fibrous roots that have grown to the edge of their containers. Plants with roots that are wound round their containers in circular fashion or otherwise obviously root bound shall be rejected. Plants shall be consistent in quality and size for the same species.

1.6 Planting Season

No planting or transplanting shall take place in exceptionally hot dry weather or in exceptionally wet or frosty soil or weather conditions.

1.7 Plant Material

Containerised plants shall be thoroughly watered the day before they are to be removed from containers. If plants are dry, they are to be submerged in water for five minutes until all air bubbles stop rising. Allow time to drain before planting.

Balled and container plants, shall have cloth cordage or container removed immediately prior to planting. Care shall be taken to ensure that the root ball is not disturbed during container removal or planting. Any wire containment and hessian shall be removed.

Plants shall be set in their final positions with main stem vertical and at such a depth that the soil, when firmed down is at the same height as the nursery earth marks on the stem or the container soil level. Loose roots shall be spread out in a natural fashion; the soil being carefully placed under and amongst them to fill all voids and firmed in. Any major roots which become accidentally broken off or frayed shall be cleanly cut off from the plant.

If plants are slightly pot bound the roots shall be loosened, trimmed and spread out to ensure healthy growth. Roots shall not be exposed to the sun or wind. The planting hole shall be a third larger than the root ball and the soil at the bottom of the hole loosened.

Each plant shall be watered thoroughly after planting, ensuring that the moisture has penetrated to the full depth of the root ball (initial watering is also important to settle the soil around the roots).

1.8 Fertiliser for Planting

Well-balanced six-month slow-release fertiliser including available nitrogen, phosphorus and potassium plus magnesium and trace elements. Fertiliser in granular form to allow distribution through the backfill mix.

All plants shall be planted with controlled, slow release fertiliser such as 'Nutricote' or 'Osmocote Plus' or 'Grotabs' of composition 6:15:3 (N:P:K). Fertiliser shall be applied to the backfill of each tree, shrub, and groundcover in accordance with the following application rates. In all cases, the fertiliser shall be mixed with the soil in the base of the prepared hole prior to placement of the root ball. Care shall be taken to avoid the roots having direct contact with the fertiliser.

Plant size: Application rate per plant: (gms or tab)

1.5L 12g or 1x tab

3L 12g or 1x tab

5L 20g or 2x tab

Fertiliser shall be applied prior to mulching.

1.9 Mulching of Plants – Wool Mulch Matting

Biomac-Wool Mulch R500 (Ex Geofabrics NZ Ltd) or an approved equivalent shall be installed underneath all mitigation planting areas.

The existing grass cover (including weeds) shall be sprayed with a suitable herbicide and allowed to completely die off prior to installation of the wool mulch.

The wool mulch shall be rolled down the slope rather than across the slope. The top of the wool mulch matting shall be trenched in 200mm, except on the existing trees side. The top of the wool mulch on this side shall be pegged to the ground within the dripline of the trees.

The joins between the rolled wool mulch shall have a minimum overlap of 200mm. Secure all joins at the overlap (through both layers of wool mulch) with 230mm long U staples. The staples shall be placed every 0.5m to 1.0m. Any minor depressions should also be pinned to ensure soil contact is achieved for 90% of the matting area.

The completion of the wool mulch matting shall be inspected by the Contract Administrator prior to planting. This is a hold point.

Following inspection, the Contractor shall plant into the wool mulch by cutting a slit and planting into a planting hole as per the relevant planting specification.

After planting, the Contractor shall close the wool mulch around the base of the plant and pin down to fix the wool mulch in place.

1.10 Rabbit Proof Guards

Install rabbit proof guards as per the 'Fiber Guard Assembly and Installation Guide' provided by Advanced Landscape System Ltd.

Ensure all punched inlets are removed to maximise light and airflow through installed guard.

For sloping sites make use of the guards angled top, which allows the guard to be installed upright on sloping ground.

Water Generally

A suitable water supply shall be installed for watering plants (or water carts if necessary). Water carts, hoses and sprinklers sufficient to provide an adequate water supply to the plant material shall be brought to the site.

Prior to Planting:

All plants shall be thoroughly watered a few hours prior to planting to ensure successful establishment, preferably by standing the plants in their pots in a trough of water and soaking until saturated prior to planting. All shrubs are to be copiously watered in such a way that the entire shrub station is moistened to field capacity to encourage settlement.

After Planting:

All plants shall be watered as required to ensure their survival. In the interests of good horticultural practice watering shall be sufficient to give 300mm minimum depth penetration and not just surface dampening. Attention must be paid to watering during and after planting to ensure successful establishment. Notwithstanding any prevailing restrictions by the local authority on the use of water for watering any plants, it is expected special arrangements may be necessary to ensure regular and adequate watering of trees and shrubs to ensure successful establishment.

Drought Conditions:

If during a drought some planting has not been carried out, planting may be delayed by agreement. If water supply is likely to be restricted, water from other approved sources will need to be used.

2. Planting Maintenance Schedule

Ref	Item	Minimum Frequency	Action
2.2	Watering	To maintain moisture content as specified. (Refer 3.3) Minimum recommendation once per month. Once per week over the first summer growing season. As required thereafter to maintain growth.	Water all plants
2.3	Pests and diseases	Check at 1-month intervals first 12 months, 3-month interval for the following two years.	Check for pests and diseases and apply appropriate treatment to ensure plants are pest and disease free.
2.4	Rabbit Proof Guards	As per above.	Ensure that rabbit proof guards are well maintained and remain in place.
2.5	Pruning	As per above.	All dead and weak branches to be removed.
2.6	Plant maintenance, vandalism, losses, and replacement	As per above.	Replace any plant losses as per approved landscape plans. Refer to specification 2.6 and follow.
1.8	Fertilisation	Implement at 6-month intervals or at the recommended rate depending on type and period of slow release. A schedule of fertilisation must be supplied at quotation as variation to this specification.	Fertilise each plant (not wetland areas, if applicable) to the recommended slow release period of manufacturers specification.
3.0	Weed Control	Check at 1-month intervals first 12 months, then check at 3-month intervals through growing seasons and less over winter for the following two years.	Refer Section 3.0 for specific species treatments.

2.1

Scope

Maintenance shall include watering, weed removal, plant trimming, cultivation, insect, and disease control, checking stakes and ties, pruning and other accepted horticultural operations to ensure normal and healthy plant establishment and growth.

Ensure that the plants installed will survive and grow. Water the plants installed as frequently as necessary, taking into consideration Cromwell's low annual precipitation and hot dry summers. Inspect the landscaping works as necessary to confirm the health of the plants, existence of pests, diseases, or vandalism. At the end of the maintenance period, re-position mulch where required and replacement of plant losses will be required.

Maintenance **shall not include** replacement of plants stolen, and/or those damaged by vandalism, spillage of fuels and chemicals, extreme / unforeseen weather events or by vehicle damage.

2.2

Watering

The Contractor shall provide sufficient water to all lawn areas, trees and planting to maintain plants in a healthy condition. For trees, soil moisture shall contain an average volumetric water content of between 20 and 30%. This value shall be determined through taking four readings corresponding approximately to

the four points of the compass. The readings shall be at 500mm below the topsoil surface and 300mm from the trunk for trees up to PB95 grade and 500mm from the trunk for PB150 grade and above trees.

For trees, this moisture content relates approximately to 40 litres of water per application in order to saturate the root ball. For trees larger than PB150 grade, each application should be approximately 80 litres of water. As a guide, shrubs and groundcover should receive 5 litres of water each per application in order to saturate the root ball. Applications should occur at least once a week during Summer (October – March), fortnightly during Spring/ Autumn (April - May and September - October) and monthly during Winter (June to August).

Water shall be applied evenly and radially around the root ball to a distance of 600mm from the base of the trunk or to the extremity of the tree's drip line, whichever is the greater. Water shall be applied at low pressure from a height of less than 500mm. Care shall be taken to avoid the displacement of soil or mulch whilst undertaking watering.

Installation of a portable irrigation system (i.e. K-line sprinklers and drippers) is acceptable. Additional to irrigation systems, carry out watering by handheld hoses at regular intervals as necessary during dry conditions to ensure successful plant establishment and growth. Water shall be applied until the top 200mm of topsoil around each plant is saturated. Do not water during the hot part of the day. Watering nozzles shall be fine rose or sprinkler heads to prevent damage to growth areas of the plants.

2.3 Noxious Pests and Diseases

Monitor the works for insect and plant disease problems. If present, identify the problem and apply appropriate remedy by accepted horticultural practices including chemical or biological methods.

Take all suitable precautions for the safe handling and application of herbicides, fungicides and insecticides and use these strictly in accordance with the manufacturer's specifications. In all cases, apply sprays on windless days. If the site is in a public area, the public shall be advised by signage that spraying is occurring and shall be directed away from the spray area.

Avoid damage to neighbouring properties caused by spraying.

2.4 Rabbit Proof Guards

Make good any rabbit proof guards that have been disturbed by rabbits or strong winds. Ensure bamboo stakes securing guards are firmly in the ground and guards are upright.

Remove rabbit proof guard when plants become too big for the guard and before the guard damages the plant.

2.5 Pruning

The Contractor shall remove all weak, dead, diseased or damaged growth, including spent flower heads. Sight lines at intersections and driveways shall be maintained and signs shall not be obscured. Pruning shall not be carried out during leaf burst or leaf fall.

Pruning shall be carried out on shrubs and groundcover by an appropriately qualified horticulturalist to maintain a high standard of presentation, display and plant vigour and to maintain the desired shape and size. An arborist qualified to international arboriculture standards shall undertake all tree pruning.

The following pruning techniques shall be employed where appropriate:

- Tips shall be pinched or purged, as appropriate for species, to give desired shape and size.
- Form pruning of young plants to ensure compact form and shape.
- Undercutting of groundcovers at border edges.
- Plants shall be pruned so that they do not smother neighbouring plants.

2.6

Plant vandalism, loss, and replacement

All losses of plants during the 12 month establishment period must be replaced in the first available planting season (between May and October). Replacements shall be the same as those specified, unless otherwise agreed. Any defective stakes, ties, etc. shall be replaced as soon as possible.

3. Weed Management Strategy

3.1 Scope

Weed control is required to maximize the survivability of plants in their first 12 months of growth. Weeds and pasture grasses are key competitors for new plantings. The weed management program should be undertaken in a proactive as opposed to a reactive manner. It will ensure that weeds do not compete with the new plantings. To this end weeds and grasses shall always be controlled before they flower, set seed or get to half the height of the new plantings.

3.2 Weed Control Method

Weeds and grasses will not be allowed to grow over the top of new plantings. If this does occur, weeds must be pulled back from each plant prior to any spraying being undertaken. In some cases, this may require hand pulling of weeds as opposed to spraying. Note that all weed removal shall be undertaken by hand-pulling in the first instance, with spraying to be used if this is not applicable/suitable. (refer section 3.4). Regular maintenance visits shall be undertaken. They are required to:

- a) Review work done in the month(s) prior to that visit.
- b) Assess the condition of plantings and identify any issues.
- c) Undertake weed control work to be done.
- d) Identify and confirm work for upcoming months.
- e) Review weed control species lists and identify any new threats.

3.3 Release Spraying

Release spraying shall be undertaken, only if explicitly required. It is anticipated that not less than two release sprays will be undertaken over the period of 12 months. If it determined that more sprays are necessary to control weeds and/or disease/infection, then these will be performed with confirmation from the Applicant.

Those undertaking spraying shall adhere to the spraying specifications as set out under the Growsafe manual. All chemicals used shall be approved. Detailed spray diaries shall be kept and progressively forwarded to CODC as work is done. Marker dye is to be used every time spraying is undertaken.

3.4 Manual Weed Control

Releasing of plants shall not be solely limited to the use of herbicides. It is preferred that plants are to be hand pulled or dug out wherever practical. Care needs to be taken to ensure the whole plant is removed and that it is disposed of in such a manner that it does not regrow. Crews will be experienced in weed identification and knowledge of which weeds can be hand pulled as opposed to those that cannot.

4. Monthly Planting Establishment Report

Contract No:						
Project Area:						
Job Name:						
Contractor:						
Establishment Period:				From:		To:
Inspection Date	Watering	Weed control	Litter Removal	Landscape Maintenance - List	Plant/Lawn Vandalism, Losses and Damage – likely causes	Signed
I confirm that the above inspections and work were carried out during this period.						
Signed:				Date:		
Name:						
Company:						

Revised Proposed Plant List 11 April 2025

- A plant palette of appropriate plant and specimen tree species for the road reserve, recreation reserve and private lots has been prepared, refer to the below list.
- Mitigation planting is proposed within Lot 30 to provide visual screening of built form on lots 5, 10-14 from viewpoints east of the site.
- Mitigation planting will consist of 10% *Coprosma propinqua*, 10% *Cordyline australis*, 10% *Kunzea serotina*, 10% *Leptospermum scoparium*, 15% *Myrsine divaricate*, 5% *Olearia odorata*, 10% *Plagianthus regius*, 15% *Pseudopanax crassifolius*, 10% *Sophora microphylla*, 10% *Griselinia littoralis*.
 - Plants will be supplied at PB3 size or larger, and planted at a spacing of 3m centres to achieve sufficient coverage.
 - All plants shall have a slow-release fertiliser, wool mulch collar, and plant guard installed to deter rabbit and hare browsing.
 - A temporary irrigation system shall be installed and operation for the first three years from the date of planting. All planting shall have been installed and healthy for a period of no less than three months from the date of planting prior to Council certification inspection.
 - When implementing all planting refer to the Fire Emergency New Zealand (**FENZ**) Guidelines regarding plant flammability, and planting in proximity to structures. Please refer to the following website pages ;
<https://www.checkitsalright.nz/reduce-your-risk/low-flammability-plants>
<https://www.checkitsalright.nz/reduce-your-risk/protecting-your-property>

Street Trees

<i>Liquidambar styraciflua</i> 'Worplesdon'	Sweet Gum
<i>Quercus robur</i> 'Fastigiata'	Upright Oak
<i>Liriodendron tulipifera</i> 'Fastigiata'	Upright Tulip Tree

Reserve Trees

<i>Cordyline australis</i>	Cabbage Tree
<i>Plagianthus regius</i>	Ribbonwood
<i>Populus</i> 'Crow's Nest'	Lombardy Poplar
<i>Quercus rubra</i>	Red Oak
<i>Sophora microphylla</i>	Kowhai

Plant Mix 1: Mitigation Planting & Screening

<i>Coprosma propinqua</i>	Mingimingi
<i>Cordyline australis</i>	Cabbage Tree
<i>Kunzea serotina</i>	Kanuka
<i>Leptospermum scoparium</i>	Manuka
<i>Myrsine divaricate</i>	Weeping matipo
<i>Olearia odorata</i>	Scented Tree Daisy
<i>Plagianthus regius</i>	Ribbonwood

<i>Pseudopanax crassifolius</i>	Lancewood
<i>Sophora microphylla</i>	Kowhai
<i>Griselinia littoralis</i>	New Zealand Broadleaf

Plant Mix 2: Amenity Planting within Road Reserves

<i>Chionochloa rubra</i>	Red Tussock
<i>Coprosma acerosa</i> 'Hawera'	Groundcover Coprosma
<i>Festuca novae-zelandiae</i>	Hard Tussock
<i>Hebe cupressoides</i> 'Nana'	Dwarf Evergreen Hebe
<i>Lavandula</i> spp.	Lavender
<i>Libertia</i> spp.	NZ Iris
<i>Muehlenbeckia axillaris</i>	Creeping Wire Vine
<i>Phormium cookianum</i>	Mountain Flax
<i>Poa cita</i>	Silver Tussock
<i>Thymus serpyllum</i>	Wild Thyme

Plant Mix 3: Private Lot Amenity Planting within Building Platforms*

<i>Chionochloa flavicans</i>	Dwarf Toe
<i>Chionochloa rubra</i>	Red Tussock
<i>Coprosma acerosa</i> 'Hawera'	Groundcover Coprosma
<i>Coprosma propinqua</i>	Mingimingi
<i>Cordyline australis</i>	Cabbage Tree
<i>Corokia</i> 'Geenty's Green'	Green Corokia
<i>Corokia</i> 'Bronze King'	Bronze Corokia
<i>Festuca novae-zelandiae</i>	Hard Tussock
<i>Hebe cupressoides</i> 'Nana'	Dwarf Evergreen Hebe
<i>Kunzea serotina</i>	Kanuka
<i>Leptospermum scoparium</i>	Manuka
<i>Lavandula</i> spp.	Lavender
<i>Libertia</i> spp.	NZ Iris
<i>Muehlenbeckia astonii</i>	Shrubby Tororaro
<i>Muehlenbeckia axillaris</i>	Creeping Wire Vine
<i>Olearia odorata</i>	Scented Tree Daisy
<i>Pachystegia</i> spp.	Marlborough Rock Daisy
<i>Phormium cookianum</i>	Mountain Flax
<i>Pittosporum</i> 'Stephens Island'	NZ Pittosporum
<i>Plagianthus regius</i>	Ribbonwood
<i>Poa cita</i>	Silver Tussock
<i>Pseudopanax crassifolius</i>	Lancewood
<i>Rudbeckia</i> spp.	Coneflower
<i>Sedum</i> spp.	Sedum
<i>Sophora microphylla</i>	Kowhai
<i>Thymus serpyllum</i>	Wild Thyme

*In addition to the above list, fruiting orchard trees and olive trees are also permitted.

Plant Mix 4: Private Lot Revegetation Planting outside Building Platforms

<i>Coprosma virescens</i>	
<i>Corokia cotoneaster</i>	Korokio
<i>Festuca novae-zelandiae</i>	Hard Tussock
<i>Kunzea serotina</i>	Kanuka
<i>Melicetytus alpinus</i>	Porcupine Shrub

<i>Poa cita</i>	Silver Tussock
<i>Thymus serpyllum</i>	Wild Thyme

Plant Mix 5: Open Space Reserve Revegetation Planting

<i>Aciphylla aurea</i>	Golden Spaniard
<i>Carmichaelia australis</i>	Native Broom
<i>Coprosma propinqua</i>	Minigmingi
<i>Coprosma virescens</i>	Mikimiki
<i>Corokia cotoneaster</i>	Korokio
<i>Festuca novae-zelandiae</i>	Hard Tussock
<i>Kunzea serotina</i>	Kanuka
<i>Melicytus alpinus</i>	Porcupine Shrub
<i>Olearia odorata</i>	Scented Tree Daisy
<i>Ozothamnus leptophylla</i>	Mountain Cottonwood
<i>Pimelea aridula</i>	New Zealand Daphne
<i>Poa cita</i>	Silver Tussock
<i>Thymus serpyllum</i>	Wild Thyme