



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

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	<b>INDERLEE LTD</b>
<b>RM reference:</b>	<b>RM150361</b>
<b>Location:</b>	Wanaka – Luggate Highway (State Highway 6), Wanaka.
<b>Proposal:</b>	Consent is sought to subdivide an existing site into two allotments, to establish and operate a commercial salmon fishing and recreation centre, identify a residential building platform and undertake associated earthworks and landscaping, and cancel an amalgamation condition under Section 241 of the RMA.
<b>Legal Description:</b>	Lot 1 Deposited Plan 340274 and Lot 2 Deposited Plan 424902 as contained in Computer Freehold Register 501024.
<b>Zoning:</b>	Rural General.
<b>Activity Status:</b>	Non-Complying Activity.
<b>Notification:</b>	9 July 2015
<b>Closing Date of Submissions</b>	6 August 2015
<b>Commissioner:</b>	Commissioners A Henderson and L Overton
<b>Date:</b>	<b>10 November 2015</b> <b>26 November 2015 RE ISSUE</b>
<b>Decision:</b>	<b>Consent is granted subject to conditions</b>
<b>Re-Issue:</b>	Pursuant to section 133A of the RMA this consent is being re-issued due to incorrect reference of two plans and unclear condition relating to noise limits. This is considered a minor mistake or defect and therefore the consent can be re-issued pursuant to section 133A of the RMA. The decision was made and the re-issue authorised by Blair Devlin, Manager of Planning Practice, as delegate for Council on 26 November 2015. This re-issue is made (12) days after the grant of the consent.

## **UNDER THE RESOURCE MANAGEMENT ACT 1991**

**IN THE MATTER OF** an application by Inderlee Ltd to subdivide an existing site into two allotments, to establish and operate a commercial salmon fishing and recreation centre, identify a residential building platform and undertake associated earthworks and landscaping, and cancel an amalgamation condition under Section 241 of the RMA.

Council File: RM150361

### **DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS**

**COMMISSIONERS A. HENDERSON AND L. OVERTON, HEARING COMMISSIONERS APPOINTED**

### **PURSUANT TO SECTION 34A OF THE ACT**

#### **The Proposal**

1. We have been given delegated authority to hear and determine this application by the Queenstown Lakes District Council ("Council") under section 34 of the Resource Management Act 1991 ("the Act") and, if granted, to impose conditions of consent.
2. The application (RM150361) has been made by Inderlee Ltd to subdivide an existing site in Wanaka into two allotments, to establish and operate a commercial salmon fishing and recreation centre on one lot, and to identify a residential building platform and undertake associated earthworks and landscaping on the second lot. Consent is also sought to cancel an amalgamation condition under Section 241 of the RMA.

#### **Site Description**

3. A full description of the environment within which the application sits can be found in sections 2 and 3 of the Assessment of Environmental Effects (AEE) prepared for Inderlee Ltd by C. Hughes and Associates Ltd, as identified in the section 42A report prepared by Mr McIntyre. Additional descriptions have also been provided in the landscape assessments of Dr Read for the Applicant and Mr Denney for the Council. The description of the site was not disputed by any party and we are therefore content to rely upon them, noting that the descriptions accord with our impressions from the site visit.
4. The property is legally described as Lot 1 Deposited Plan 340274 and Lot 2 Deposited Plan 424902 as contained in Computer Freehold Register 501024.

#### **Notification and Submissions**

5. Notification of the application on 9 July 2015 drew 16 submissions in support of the application, nine submissions in opposition and two neutral submissions, all of which were received within the statutory submission period.
6. Two late submissions were also received, one in support, and one neutral.
7. The submissions received were from the following parties:

Name	Location	Date Received	Relief Sought
Karl Hall	2 Sargood Drive, Wanaka	22/7/15	Support
RGB and LL Woodhead	State Highway 6, RD 2, Wanaka	22/7/15	Oppose
David and Mary-Louise Roulston	16 Bevan Place	23/7/15	Support
RGB and LL Woodhead and MJ Pearce	State Highway 6, RD 2, Wanaka	23/7/15	Oppose
MJ Pearce	38 Albert Town-Lake Hawea Road	23/7/15	Oppose
Noel Williams	412 Aubrey Road	29/7/15	Support
Patrick Perkins	PO Box 125, Wanaka	30/7/15	Support
Mike Young and Trudi Pryde	19 Paterson Drive, Wanaka, RD 2, Wanaka	3/8/15	Support
Andrea and Justin Kendrick	PO Box 11, Wanaka	3/8/15	Support
Geoff and Janice Dickey	124 Monteith Road, Wanaka	3/8/15	Oppose
Simon and Vickie Moses	10 Sandy's Lane, Wanaka	4/8/15	Oppose
Brian Lloyd	4 Arklow St, Arrowtown	5/8/15	Support
Paul Hardaker	3360 Luggate-Cromwell Road, RD3, Cromwell	5/8/15	Support
B & L Weedon	15 Kanuka Rise, Albert Town	5/8/15	Support
R Fairbairn and M Beattie	2 Waimana Place, Wanaka	5/8/15	Support
Tracey and Mark Boardley	52 Holyport Close, Fairfield, Dunedin	5/8/15	Oppose
Peter Teal	PO Box 528, Wanaka	5/8/15	Support
4 <sup>th</sup> Paddock Ltd	PO Box 528, Wanaka	5/8/15	Support
Arusha Properties Ltd	PO Box 528, Wanaka	5/8/15	Support
Carole Ayres	17 Rowan Court, Wanaka	6/8/15	Support
Fish & Game NZ		6/8/15	Oppose
Ken and Margaret Cochrane	PO Box 47, Wanaka	6/8/15	Oppose
Heritage NZ	PO Box 5467, Dunedin	6/8/15	Neutral
NZ Transport Agency	PO Box 5245, Dunedin	6/8/15	Neutral
R Warren	PO Box 98, Wanaka	6/8/15	Support

David Varney	539 Aubrey Road, Wanaka	6/8/15	Support
Upper Clutha Environmental Society	PO Box 443, Wanaka	6/8/15	Neutral
FW and AC Keenan (LATE)	112 Albert Town – Lake Hawea Road, RD2	7/8/15	Oppose
E Yeo (LATE)	11 Bodkin Street, Wanaka	13/8/15	Support

8. The matters contained in the submissions were helpfully summarised in detail in the section 42A report. We have reviewed the section 42A report and each submission, and drawing from the section 42A report highlight the key matters raised in the submissions below.

#### **Positive Effects**

- *Provision of a family-based activity to Wanaka, as well as education, tourism and employment opportunities, provided that adverse effects are addressed (including privacy for dwellings on the access road).*
- *Utilisation and enhancement of the natural environment and landscape, and enhancement of a natural feature through removal of invasive weeds, native planting and the formation of secure bird and fish habitat.*
- *Economic benefits.*

#### **Traffic and Parking Effects**

- *The main theme associated with traffic effects is the potential for the increase in vehicle movements (cars and heavy vehicles) along Monteith Road and the subsequent adverse effects on the amenity of this neighbourhood, mostly in terms of visual amenity and noise, as well as a reduction in traffic, pedestrian and cyclist safety on Monteith Road.*
- *No traffic assessment from a suitably qualified professional (including an assessment of the likely volume of traffic/vehicle and pedestrian movements) was provided, and there is no detail regarding the nature and intensity of deliveries to the proposed facility.*
- *The NZTA requests the closing of the existing access from Wanaka – Luggate Highway, whereas one submitter requested that this be the access point for the development.*
- *The NZTA submission also discusses previous consultation advice to the applicant regarding the access arrangement from Albert Town – Lake Hawea Highway and seeks conditions to ensure this. A list of recommended conditions has been provided by NZTA.*
- *Concerns over parking effects, in particular, that a shortfall of parks may cause patrons to park along Monteith Road.*

#### **Noise Effects**

- *There will be adverse effects generated by increased traffic and vehicle movements at night, particularly as the activity is proposed to be open seven days a week until 11pm.*
- *No noise management plan has been provided.*
- *S & V Moses are concerned with noise generally and have commissioned an expert acoustic report by Malcolm Hunt and Associates (MHA). The MHA report notes that the noise report submitted with the application does not provide the required level of technical detail and that a number of important issues are overlooked or absent from the noise review. The MHA report recommends that specific additional information on noise*

*matters is required so potential noise effects can be understood and that a final assessment indicating how worst case noise limits will be managed and mitigated.*

- While the noise assessment talks about 'background music, and voices, it does not mention amplified music from the proposed restaurant, and is silent on whether the use of the site for private functions such as weddings and parties which would usually have amplified music will be restricted.*
- The acoustic report provided does not clarify whether the suggested noise values include buses.*
- The speed humps proposed will increase noise due to vehicles accelerating after speed humps.*

#### **Rural Character and Amenity**

- The application does not provide sufficient detail about hours of operation of the various elements and that proposed hours of operation are excessive and inappropriate within the rural environment. They also have concerns regarding outdoor lighting.*
- The "rural zone" anticipates a level of rural amenity that includes privacy and quietness which may suffer as a result of the proposed activity. There is also concern that pedestrians from Albert Town walking past their properties could create privacy, security and nuisance issues and also that intoxicated patrons may urinate and drop litter on their way home.*
- In terms of landscape effects S & V Moses state that the proposed development will be visible from their house and that the development is inconsistent with the landscape character of the site and the wide margins of the Cardrona River.*
- The subject site and surrounding area is categorised as both Visual Amenity Landscape and Outstanding Natural Landscape (being the Cardrona River Corridor). The proposal will weaken future protection of the natural landscapes in this vicinity, and will conflict with section 7 matters in the RMA. The proposal will not maintain or enhance the quality of the environment nor will it maintain or enhance amenity values in the Rural General Zone.*

#### **Water Quality**

- Submitters are concerned about the potential effect on the water quality of Cameron Creek. While the Mahurangi Institute letter provided with the application notes that water discharge quality will be of a high standard provided certain stocking densities and feeding levels are used there is nothing in the application to ensure these are maintained. Fish and Game also raise concerns over the technical accuracy of the information contained within the Mahurangi Institute letter. Fish and Game also state that the creation of two ponds upstream of springs that feed Camerons Creek may have altered local groundwater flow resulting in reduced flows to the creek which may affect water temperature.*
- there is no water quality monitoring proposed and no management measures in place for substandard water quality.*
- concerns over groundwater quality and the potential for contamination of their drinking water, including questions over the purity of groundwater based on the understanding that the ponds will be built into the water table which could be affected by a high concentration of fish waste products and food in the ponds.*
- F & A Keenan (late) is also concerned that antibiotics in the water (from salmon food) may get into the drinking water supply and cause antibiotic resistance. This submitter*

*states that this could have serious consequences for them as they have low immunity brought about by a transplant.*

- *Potential flooding of the ponds and its effect on both surface and groundwater has also been raised in these submissions.*

### **Ecological Effects**

- *potential effects associated with the habitat of aquatic fauna, particularly in Cameron Creek.*
- *concerns associated with the habitat of the New Zealand longfin eel.*
- *Fish and Game submits that the application is not consistent with District Wide Issues – Objective 1 regarding Nature Conservation Values. This submitter is concerned that there is a lack of assessment into the effects of the proposed activity with regard to the habitat of trout and salmon. They also state there is a risk to biosecurity associated with spread of disease from fish transfers. Fish and Game also note that there is no information in the application regarding the screens that will be utilised to keep salmon within the ponds.*

### **Other Potential Environmental Effects**

- *Water quantity issues within neighbours bores*
- *Ngai Tahu cultural concerns*
- *Air quality reduction through pollution generated by increased vehicles*
- *Waste concerns (although there would be no objection if sewage waste was plumbed into the Wanaka sewage system)*
- *Odour on surrounding residential properties*

### **Heritage**

- *Heritage New Zealand identified an archaeological site within the subject site and request that an advice note be included that alerts the consent holder to this site. The southern face of the terraces that runs along the southern boundary is believed to contain remnants of a historic water race.*

### **Procedural Issues**

- *The Otago Regional Council (ORC) will not be involved while Fish and Game state that the application is lacking in terms of consent from ORC and is therefore incomplete under Section 91 of the RMA.*
- *Fish and Game also note that the applicant has not obtained a license from the Ministry for Primary Industries (MPI) to operate a commercial fish farming operation under the Freshwater Fish Farming Regulations 1983.*
- *Fish and Game seek that the application is treated as incomplete and declined under section 104(6) until such time as all permissions necessary for the activity are obtained (from ORC and MPI). Fish and Game submit that the consent authority does not have sufficient information to make a decision.*

- *Fish and Game also submit that the statement in the application that summarises pre-application consultation as being “generally very positive” are incorrect and that Fish and Game have not supported this application, either verbally or in writing.*
- *The application was incorrectly notified as a discretionary activity based on the fact that it did not reference the breach to District Plan noise rules.*
- *The proposed café/restaurant should be non-complying and that the activity is potentially factory farming located within 2km of the Rural Residential Zone (which is also a non-complying activity).*

9. We address these matters throughout the remainder of this decision.

### **The Hearing**

10. A hearing to consider the application was convened on 6 October 2015. In attendance were the following parties:
- (a) The Applicants, Inderlee Ltd, represented by Ms Jane McDonald (Counsel), Mr Graham Lee (Inderlee Ltd), Mr Matthew Suddaby (Surveyor); Mr Ross Dungey (Biologist), Dr Marion Read (Landscape Architect), Mr Jason Bartlett (Traffic Engineer), Dr Jeremy Trevathan (Noise Expert), and Ms Nicola Scott (Planner).
  - (b) Submitters Mr B Lloyd, Mr P Wilson (Fish and Game); Mr Geoff Dickey; Mrs Woodhead, Mr Pearce, S & V Moses, represented by Mr Scott Edgar (Planner) and Mr Malcolm Hunt (Noise).
  - (c) Council Officers, being Mr Quinn McIntyre (Planner), Ms Jo Fyfe (Planner), Mr Richard Denney (Landscape Architect), and Mr Glenn Davis (Ecologist)..

### **Summary of Evidence Heard**

11. The following is a brief outline of the submissions and evidence presented at the Hearing. This summary does not detail all of the material that was advanced at the hearing, but captures the key elements of what we were told as the material generally reinforced the matters included in the application and submissions. Where relevant, we address specific issues in our assessment.

#### **Introduction by Council Officers**

12. As additional information had been included with the evidence for the Applicant, we invited the Council officers to provide a brief overview of their opinions having reviewed the additional evidence, and to identify what matters were still outstanding.
13. **Mr McIntyre** noted that the Applicant’s revised site plan had not been included in the notification of the application, and that the shed had originally breached the western setback. Mr McIntyre agreed that this aspect no longer required consent. He also noted that he was satisfied that the proposed traffic calming and road upgrading proposed was acceptable. With respect to noise, Mr McIntyre noted that Council has not retained a noise specialist given that both the Applicant and a submitter had acoustic experts. If needed, the Commission could seek advice from an acoustic consultant if it considered it necessary. Mr McIntyre noted that subject to the Applicant confirming compliance with the relevant standards, he did not consider vibration, lighting or natural hazard matters to be of concern. Matters that remained outstanding and to be addressed included:
- Controls on private functions;
  - Traffic movements, and particularly after hours; and

- Management measures for noise, including how bass is to be managed.

14. **Mr Denney** remained of the view that the alpine mound proposed was inconsistent with the landscape character of the site. He agreed that an ecological management plan was not required, and that the planting plan provided was sufficient in terms of the density and planting composition proposed. Mr Denney noted that hornbeams proposed for the parking area, while they could grow to 15 or 20 metres, were deciduous and would not be sufficient in their own right. He also noted that there was little planting proposed between the western boundary and the car parking area, and that there was little detail on the layout of the car park. The layout was important to show in order to understand the level of mitigation that may be required.
15. **Mr Davis** noted the low salmon stocking rates and low feeding rates so as to not encourage rapid growth, and considered that these should keep nutrient inputs low. He noted that the discharge from the ponds will be filtered through the wetland system, and had some reservations about the information provide on inputs regarding waste. He considered an ecological management plan to be necessary to ensure the benefits envisaged are implemented and that the Council has certainty that they will be achieved.

### **Applicant's Evidence**

16. **Mrs MacDonald** introduced the Application and addressed a number of factual and legal matters, including:
- Consent is sought for a Commercial Recreational Activity, with ancillary activities including earthworks and the operation of the restaurant.
  - No additional resource consents are required from the Otago Regional Council. The applicant's advice is that the relevant permitted activity standards from the Regional Plan: Water are satisfied. Matters relating to the quality and quantity of water are regional consent issues and outside the scope of this hearing, although the applicant was prepared to offer a monitoring condition.
  - The Freshwater Fish Farming Regulations 1983 require all necessary consents under the RMA to be obtained prior to seeking a licence under the regulations. Mrs MacDonald also considered that the Fish and Game 'Fish Out Pond Policy' should be afforded no weight, as it is selectively applied, and has no justification under the effects based regime of the Resource Management Act.
  - The proposal is not 'Factory Farming', as none of the primary elements of Factory Farming are present – namely, the activity is not a 'use of land'; the fish are not 'commercial livestock', and the facility is not a production facility.
  - The restaurant is ancillary to the Commercial Recreation Activity. It would not exist without the fishing activity, and a condition is proposed that the restaurant only open when the fishing ponds are open. It is important that it be given the correct activity status because it means that the commercial aspect of the activity is anticipated in the zone and not contrary to the Plan's policy framework.
  - It is fanciful to suggest that buildings could be constructed on the escarpment face, and the suggestion that they could be and therefore be affected by noise from the development is a ploy to manufacture an adverse effect which does not otherwise exist.
  - The actual and potential effects can be appropriately managed by conditions of consent, as identified in the evidence provided for the Applicant.
17. The Applicant's evidence was pre-circulated, and taken as read at the hearing. The applicant's witnesses provided an overview of their evidence and responded to questions. A brief summary of each witness follows.



18. **Mr Graham Lee** (Applicant Director) spoke to the history of the site and the applicant's plans. Inderlee Ltd considers that the proposed freshwater salmon fishing and recreational centre is an ideal use of the site, making the best use of the location whilst providing an interesting recreational opportunity currently not provided for in Wanaka. The development was intended to be an easily accessible and affordable family friendly activity, inspired by Anatoki Salmon in Takaka, which offers activities similar to those for which consent is sought. In turn the development will have environmental benefits through the upgrade and maintenance of Camerons' Creek and the wetland development
19. **Mr Matthew Suddaby** (Surveyor) confirmed that the cancellation of the amalgamation between Lot 1 DP 340274 and Lot 2 DP 424902 was not a subdivision as defined by the Act, and that no section 223 or 224 approvals would be required. The process is purely administrative, as confirmed by Mrs MacDonald in her closing, and we rely on that advice. Mr Suddaby noted that planning for the proposal has been undertaken over a number of years, with careful attention to detail to ensure that it can be established and operated on a long term basis. He confirmed that the engineering conditions in the Council's engineering assessment were feasible and workable.
20. **Mr Ross Dungey** (Biologist) provided evidence on ecological values and water quality. He considered that the proposal is a non-consumptive use of water, and that no additional consents were required from the Otago Regional Council. He noted that the Ministry of Primary Industries had strict controls on fish farming that covered sourcing of fish, transport between salmon farms and disease prevention and control, and a permit would be required from MPI once resource consents had been issued. Based on the stocking densities proposed, he considered there would be minimal risk of adverse effects on either existing fish habitat or water quality. He considered that overall the habitat of trout, salmon and long fin eel would be enhanced by the proposal, and that native fish (particularly galaxiids) will not be exposed to significant additional risks other than the existing risks from resident brown trout.
21. **Dr Marion Read** (Landscape Architect) assessed the landscape effects of the proposal and responded to the matters contained in Mr Denney's assessment as part of the section 42A report. Dr Read considered the site be a visual amenity landscape, and did not agree that the Cardrona River corridor within the site was an outstanding natural landscape. Dr Read largely relied upon the conclusions in the landscape assessment prepared as part of the application, where it was noted that:
- *The proposed development will result in some alteration to the character of the subject site, enclosing a portion of it to a degree. There will be some loss of openness and the construction of buildings, but both of these activities will be largely restricted to an area of land surrounded on three sides by land zoned for Rural Residential development. This future development will contain the development on the subject site and reduce the impact of the development on the overarching landscape character of the vicinity.*
  - *Overall the proposed development will have only a very small effect on the character of the broader landscape, and no adverse effect on its quality.*
  - *The proposed development would have a slight adverse effect on the visual amenity of some neighbouring sites, but no neighbouring dwellings. These adverse effects can be adequately mitigated by the planning proposed.*
  - *In terms of the assessment matters of the QLDC District Plan, the retention of the eastern portion of the site as open and pastoral will assist in ensuring that the pastoral character of the landscape in the vicinity will be maintained. Effects on visual amenity are adequately mitigated. The development is restricted to the portion of the site most able to absorb development. Cumulative effects relate mostly to the increase in tree planting across the north western portion of the site. These are not considered to be adverse. It is not anticipated that the proposal would have any adverse effect on the rural amenity of the vicinity.*

22. Dr Read considered that the earthworks associated with the alpine mound would not adversely affect the landscape values of the site and surrounding area.
23. **Mr Jason Bartlett** (Traffic Engineer) confirmed the conclusions in his written brief, noting that the conditions proposed are appropriate to manage the actual and potential effects of the proposal, and noted that in his view the transportation effects of the proposal will be minor. He confirmed that he had considered the traffic movements relied upon by the applicant, and that he was satisfied based on his experience that they were conservative and appropriate. He noted that peak vehicle movements would be unlikely to occur in the evening or at night, and instead would be concentrated largely around the middle of the day. He did not consider that traffic noise would give rise to adverse effects on residents adjacent to the road, given that peak traffic would not occur in the evenings, and that it would taper off over the evening as patrons left and staff wound the operation down.
24. **Dr Jeremy Trevathan** (Acoustic Engineer) spoke to his evidence, and stood by the conclusion in his written evidence that noise effect associated with the proposal will not be significant. Based upon the noise limits applicable to the site and surrounding zones, the existing noise environment, and guidance from WHO and NZS6802:2008, the noise limits of 50 dB LAeq (daytime) and 40 dB LAeq (night time), with a 70 dB LAFmax are appropriate. He confirmed that subject to appropriate management of the activity, activities on the site can comply with these provisions. He noted that private functions are not proposed, and that limitations on music types would be covered in the conditions of consent. Bass beat was not considered to be present, and he agreed a noise management plan would be appropriate.
25. **Ms Nicola Scott** (Planner) confirmed that the earthworks required for the alpine mound required a restricted discretionary activity consent, but the planting itself was permitted. Ms Scott's evidence relied upon that provided by the various experts for the applicant. She also considered that the activity was not 'factory farming', and that the proposed restaurant was ancillary to the proposed use, thereby attracting a discretionary activity consent as opposed to non-complying, as stated in the planner's report. She accepted that overall consent was required for a non-complying activity on the basis that the noise standards (Zone Standards) were breached. Having considered the evidence provided for the Applicant, Ms Scott concluded that the potential adverse effects of the proposal were no more than minor, and that the proposal was consistent with the provisions of the relevant planning instruments.
26. Written evidence was also provided for the Applicant by **Mr Michael Lee** (Engineer). Mr Lee was not present at the hearing, but for completeness we note that we had read his evidence, and had no questions.

#### **Submitters**

27. **Mr Brian Lloyd** supported the application, and spoke to his submission. He considered there would be benefits from the application, and that it complemented what Wanaka already has. He operates a Bed and breakfast and considers that activities such as this are important for the community. Entrepreneurs deserve support, subject to appropriate conditions being imposed on activities.
28. **Mr Peter Wilson** (Fish and Game) spoke to the submission of Fish and Game, and the statement of evidence he had provided. He acknowledged that some issues had been addressed in the evidence of the Applicant. Mr Wilson raised a number of water quality matters, and considered there may be a need for additional consents from the Otago Regional Council. He placed considerable reliance upon Fish and Game's national policy on 'Fish Out Ponds', which opposes fish out ponds except where such ponds are small (less than 0.5ha) and occur as part of a commercial salmon farming operation. He noted the reasons for the policy were to prevent the exclusive capture or commercialisation of the wild sports fish and game resource, and to guard against the potential for future trout farming (which he acknowledged was not relevant to this application). Overall Mr Wilson considered the application incomplete,

and that the Applicant had not proven that the application would have minor or less than minor effects, and that overall it should be refused.

29. **Mr Geoff Dickey** spoke to his submission and noted that noise from the operation, particularly traffic noise, could affect his sleep and therefore his employment. He queried what would happen to the restaurant if the farm failed, and whether the restaurant would continue on its own. He disagreed with Mr Dungey's hydrological assessment, and queried how material could be presented from entering the water bodies during the annual clean out. He noted that many other family activities around Wanaka had early closing times, and questioned why there was a need to be open until 11pm if there was no function facility proposed as part of the operation.
30. **Mrs Woodhead** spoke to her opposing submission, and noted that the contracting yard on her site had been there since 1990. Mrs Woodhead maintained her opposition to the proposal.
31. **Mr Pearce** noted that it was not unusual for Cameron's Creek to flood, and was concerned that high rain and pond overflows would result in fish escaping. . He was concerned with water quality issues and that the unlined pond would leach contaminants over time into the aquifer. He also considered that 400 – 500 people per day, plus play equipment that was potentially available all day, was not passive entertainment with minimal noise. He wondered how sensible it was to have a playground within metres of seven ponds. He considered that the application was downplaying the adverse effects.
32. **Mr Malcolm Hunt** presented acoustic evidence on behalf of **Mr and Mrs Moses**. He remained of the view that the adverse effects of the proposal would be significant. He did not accept the view of Dr Trevathan, and queried whether the effects of noise on potential activities on the terrace face had been considered. He noted that overall his view had not changed from that expressed in his evidence, but that some matters had been addressed. He considered that a Noise Management Plan could deal with the management of sound systems. He considered the best option to avoid vehicle noise was to not allow vehicle movements beyond 10pm, although he noted that the non-compliance with the noise standard occurred after 8pm. He also considered that a noise management plan needed to be certified by the Council.
33. **Mr Simon Moses** spoke to his submission, and reiterated that a large scale commercial development on their boundary will have significant adverse effects, including night time noise, visual effects, and traffic safety effects.
34. **Mr Scott Edgar** presented planning evidence on behalf of **Mr and Mrs Moses**. He considered the proposal should be considered 'factory farming', as the keeping of fish is part of the 'production' process. However, he agreed that this was not a matter upon which the application would turn. He also considered that the restaurant was not an ancillary activity due to the hours of operation, the scale, and the fact that there was no intention stated to limit to patrons of the fishing activity only. Mr Edgar agreed with Ms Scott that the Moses property had a rural outlook, but that inserting a busy activity into the foreground would affect the amenity of the property. Mr Edgar noted that while the effects of the proposal may be less intense than effects associated with normal rural activities, they will be more constant. The alpine mound will be inconsistent with the landform, and the overall manicured appearance of the site will affect rural amenity. Overall, Mr Edgar remained of the view that the adverse effects would be more than minor and that the proposal was contrary to the provisions of the Plan. He also considered that if granted, a condition should be included that prevented weddings and other functions.

#### **Officers**

35. **Mr Glenn Davis** spoke to matters relating to water quality, and considered that modelling would have been useful to determine nutrient loads. He considered there was a risk to bores in the area given that the source of the aquifer was undefined. He supported the intent of the monitoring component of the consent conditions, although there was a lack of detail on the monitoring points. He considered that the wetland restoration could be a positive feature of the proposal, but needs to be well thought out and designed to maximise the ability to cleanse

discharges from the pond. Additional detail was required around plant types, density and the like.

36. **Mr Richard Denney** addressed the proposed alpine mound, and referred us to Assessment Matter 5.4.2.3. The area is a visual amenity landscape, but has high values. He considered that the character of the area is a floodplain, and a 6m high earthworks bund was inconsistent with this character. He also noted that the species proposed are not found in this location. In relation to the car parking area, Mr Denney agreed with Dr Read that any visual effects could be mitigated from the state highway. There was a lack of detail around the proposed planting. He considered that from the Moses property there would be glimpses of the development, which detract from rural views to a degree. Mr Denney considered that locating the car parks close to the toe of the terrace had merit and they could be screened. He considered overall that in a visual sense the car parks could be mitigated but that was not evident in the application. Mr Denney also commented on the draft conditions. He did not consider a 5 metre height on trees to be necessary, as large trees would give scale to the buildings. He considered that the landscaping should be designed so that planting took precedence over parks.
37. **Mr Quinn McIntyre** commented on a number of matters that arose throughout the evidence, as follows:
- Traffic effects would not be significant, and Mr Bartlett's evidence on vehicle movements was accepted. He considered that there would not be significant noise effects from traffic on Monteith's Road.
  - Noise mitigation can be achieved to appropriately mitigate noise effects, and there were no concerns outstanding in relation to vibration effects;
  - A restriction on hours of operation, along with seasonal variations in activity, would be a key factor in mitigating effects.
  - Natural hazards matters had been appropriately addressed, and the structural integrity of the mounds/ponds could be sought through conditions of consent. Issues of flood conveyance would have been considered in the Regional Council consents.
  - Water quality issues were relevant to the degree that they were addressed on the Objectives and Policies of the Plan, although it was accepted that water quality is primarily a regional council matter.
  - Mr McIntyre agreed with Mr Denney that the alpine mound was out of character with the landscape. He agreed that landscaping effects can be mitigated with an appropriate landscaping plan with strong objectives to protect neighbours.
  - Mr McIntyre agreed with Mr Edgar that the activity fell within the definition of 'factory farming'.
38. Overall Mr McIntyre considered that mitigation measures were achievable and could ensure that the objectives and policies of the Plan could be met, and that Part 2 of the Act could be satisfied.

### **Applicant's Right of Reply**

39. As agreed, the Applicant's reply was provided in writing following the hearing, and addressed matters including:
- Odour associated with the fish smoking is a Regional Council matter, as is water quality. The applicant's evidence that the Regional Plan water quality standards can be complied with was not challenged evidentially. The Applicant volunteered a condition requiring water quality monitoring, with the results provided annually to the Council, and available to the Otago Regional Council on request.

- Any development of the escarpment face for buildings to contain noise sensitive activities is fanciful, and any suggestion of such development is a ploy to manufacture an adverse effect which would not otherwise exist.
- Noise is a central issue for the application. Mr Hunt's evidence took a dogmatic and inflexible approach, stating that no non-compliance with the Plan's noise standards should be tolerated. His approach, in Ms MacDonald's submission, ignores the fact that the Act allows for consents for non-complying activities if the effects can be shown to be no more than minor. He remained of the view that the escarpment should not receive noise in excess of the Plan's limits, despite the limitations on its use for noise sensitive activities. Mrs MacDonald considered that we should prefer the evidence of Dr Trevathan. We return to this matter later in this decision.
- The alpine mound is an important component of the application and is to simulate the real-world experience of a mountain experience on a smaller scale. Any effects of the mound are internal to the site.
- Dr Read's amended landscape plan was sufficient to address landscape effects. It is not necessary to require the submission of a further plan prior to the issuing of consent. The applicant agrees an ecological management plan is appropriate.
- The Building Act 2004 does not require consent for dams with a maximum embankment height up to 4m with a maximum storage of 20,000m<sup>3</sup>. The ponds fall within these limits, and the applicant volunteered a condition that the embankments be required to meet the requirements in NZS4431: Code of Practice for Earthfill for Residential Development.
- The applicant confirmed that the restaurant kitchen will be required to close at 9.30 pm, and that guests are required to vacate the restaurant by 11pm. A condition is also proposed prohibiting the exclusive hire of the restaurant for weddings or functions so as to not exclude birthday events or events such as staff Christmas parties. It was also confirmed that the restaurant and fishing activity shall be run as one entity, and that the restaurant shall only open on days when the ponds are open to the public. These limitations were sufficient to qualify the restaurant as an 'ancillary' activity.
- The use of a pond for the storage of fish does not constitute factory farming. The fish are not livestock within the common meaning of the term, and the production aspect is also absent.
- Fish and Game's Fish Out Policy should be disregarded. It has no justification under the Act's effects based regime, and there is an element of commercial competition in the policy in that such ponds as sought by the applicant mean that Fish and Game 'miss out' on revenue it may have otherwise gathered through fishing licences. Such competition has no place in the Act and would ordinarily be dismissed as trade competition.
- Ms MacDonald confirmed there was no need to amend consent notice 6611653.1, as the evidence it requires had been provided to demonstrate the site was not at risk from a 1% probability storm/rainfall event.
- Removal of the coach parking does not introduce the need for an additional consent. Similarly, no new consent is needed for the sale of fish by products, as the application sought consent for commercial activities ancillary to and located on the same site as the recreational activity.

40. The applicant provided an amended set of conditions, and anticipated that the Commission may wish to prepare an interim decision making primary findings on matters such as hours of operation, and inviting collaboration on potential noise conditions. Having reviewed the evidence and the matters raised in the Applicant's reply, we do not consider an interim decision necessary.

## Procedural Matters

41. As identified in the summary of points raised in the submissions, a number of procedural matters arose. We address these in turn.
42. **Regional Council consent requirements:** We do not accept the Fish and Game submission that the application is lacking in terms of consent from the regional council and is therefore incomplete under Section 91 of the Act. The applicant's evidence was that no further consents are required from the Regional Council, and that their experts had confirmed they complied with the relevant Regional Plan standards. We have no jurisdiction over water quality consenting issues and we accept the Applicant's evidence. We also note that the monitoring the applicant proposes will identify whether there are any future breaches of the standards and that if necessary, the appropriate consents sought at that time.
43. **Commercial fish farming operation under the Freshwater Fish Farming Regulations 1983:** We accept the Applicant's evidence that such a permit can only be sought upon the granting of the necessary resource consents. The applicant cannot be criticised for failing to provide a permit it cannot obtain until this consent is granted.
44. We therefore do not accept the argument of Fish and Game that there is insufficient information upon which to make a decision. No additional Regional Council consents are required, and the MPI process will be subsequent to this process. We are satisfied, based upon the evidence we were provided, that there is sufficient information to enable us to complete an assessment.
45. **The application was incorrectly notified as a discretionary activity based on the fact that it did not reference the breach to District Plan noise rules.** We note that the Form 12 (public notice) did not specify the activity status of the proposal. The application itself considered the application as a discretionary activity, despite it being (later) determined that there was in fact a breach of the noise standards. We do not consider this to be a jurisdictional bar to considering or granting consent, as section 104(5) of the Act states
- A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.*
46. We therefore consider the Act contemplates that activities may ultimately attract a different activity status than first applied for due to further investigations, evidence or refining of an application. The notification, in our opinion, served its purpose to alert the community to the proposal, and invited public submissions, of which a number were made on all aspects of the proposal (including noise).
47. **The proposed café/restaurant should be non-complying and the activity is potentially factory farming located within 2km of the Rural Residential Zone (which is also a non-complying activity).** We accept the submissions of Ms MacDonald that the restaurant can be considered ancillary to the recreational activity on the site. Based upon the conditions of consent offered that limit the restaurant's opening hours to those the ponds are open, as well as the other limitations imposed through the proposed conditions of consent, we accept the applicant's view that the restaurant is an ancillary activity and therefore a discretionary activity.
48. Likewise, we accept the evidence of Ms Scott and the submissions of Ms Macdonald that the activity is not factory farming, for reasons including the fish are not livestock within the common meaning of the term, and the production aspect is also absent. In the event that our interpretation of the relevant definition is incorrect, we note that all parties were in agreement that even if the activity were considered factory farming, it was not a matter upon which the application would turn. Were the activity considered factory farming, the activity status of the

proposal would not change. We have assessed the proposal overall as a non-complying activity and as a result as we have applied the relevant gateway tests.

### District Plan Provisions

49. The subject site is zoned Rural General.
50. The key Objectives and Policies relevant to the application which require determination under Section 104(1) of the Resource Management Act 1991 are contained within Part 4 (District Wide Issues), Part 5 (Rural Areas), Part 14 (Transport) and Part 15 (Subdivision) of the District Plan. We address these in Paragraph 104 of this Decision.
51. We agree with Mr McIntyre that the proposal requires the following consents:

#### Land use

- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposal breaches site standard 5.3.5.1(iii)(b) in regard to the nature and scale of activities. Site Standard 5.3.5.1(iii)(a) requires that the maximum gross floor area of all buildings on the site, which may be used for the activities shall be 100m<sup>2</sup>. A total gross floor area of 687m<sup>2</sup> is proposed which includes the restaurant building, the fish shed and the storage shed. Council's discretion is restricted to the effects arising from the larger gross floor area.
- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposed earthworks breach the maximum area of bare soil exposed provided for by site standard 5.3.5.1(viii)(1)(a). A total area of 16,900m<sup>2</sup> is proposed whereas a maximum of 2500m<sup>2</sup> per site within any one consecutive 12 month period is provided for. Council's discretion is restricted to the effects arising from the greater area of exposed soil.
- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposal breaches site standard 5.3.5.1(viii)(1)(b) for the maximum volume of earthworks. A total volume of 41,000m<sup>3</sup> is proposed whereas a maximum of 1000 m<sup>3</sup> per site within any one consecutive 12 month period is provided for. Council's discretion is restricted to the effects of the greater volume of earthworks to be undertaken.
- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposal breaches site standard 5.3.5.1(viii)(1)(c), as earthworks with a volume exceeding 20m<sup>3</sup> will be undertaken within 7m of a water body. Earthworks will be required within the bed of Cameron Creek to construct the inlet and outlet structures for the proposed ponds. Council's discretion is restricted to this matter.
- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposal breaches site standard 5.3.5.1(ix)(b), which prevents commercial recreation activity except where the activity is undertaken outdoors and the scale of the recreation activity is limited to five people in any one group. More than five people will be involved in the activity at a time. Council's discretion is restricted to the effects of the greater scale of the activity.
- A **restricted discretionary** activity pursuant to Rule 14.2.2.3(ii) as the proposal breaches site standard 14.2.4.1(i) which requires activities to provide onsite parking spaces in accordance with Table 1. The application as notified provides for 28 car parks and 1 disabled park whereas it is calculated that 45 parking spaces are required. Council's discretion is restricted to the effects of the parking shortfall.
- A **non-complying** activity resource consent pursuant to Rule 5.3.5.2(v)(b) where sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards of that zone. In this case the adjacent zone is the Rural Residential Zone which requires that sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS

6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- (i) daytime (0800 to 2000 hrs) 50 dB  $L_{Aeq(15\text{ min})}$
- (ii) night-time (2000 to 0800 hrs) 40 dB  $L_{Aeq(15\text{ min})}$
- (iii) night-time (2000 to 0800 hrs) 70 dB  $L_{AFmax}$

Noise will breach the night time limit of 40 dB  $L_{Aeq}$  at adjacent properties.

Subdivision consent:

- A **controlled** subdivision activity pursuant to Rule 15.2.6.1 (lot sizes and dimensions), Rule 15.2.7.1 (subdivision design), Rule 15.2.8.1 (property access) Rule 15.2.10.1 (natural and other hazards), Rule 15.2.11.1 water supply, Rule 15.2.12.1 (storm water disposal), Rule 15.2.13.1 (sewerage treatment and disposal), Rule 15.2.14.1 (trade waste disposal), Rule 15.2.15.1 (energy supply and telecommunications), Rule 15.2.16.1 (open space and recreation), Rule 15.2.17.1 (vegetation and landscaping), Rule 15.2.18.1 (easements). Council's control is respect to these matters.
- A **discretionary** subdivision activity pursuant to Rule 15.2.3.3(vi) for subdivision in the Rural General Zone and location of residential building platforms.

52. The section 42A report also indicated that the proposal required resource consent for a non-complying activity pursuant to Rule 5.3.3.4(a)(iii) relating to factory farming and Rule 5.3.3.4(a)(i) relating to commercial activities (a restaurant) not located in a winery complex within a vineyard. As stated above we have reached the view that the proposal is not 'factory farming' and Rule 5.3.3.4(a)(iii) does not apply, and that the restaurant is ancillary to the commercial recreational activity, thereby requiring a discretionary activity consent pursuant to Rule 5.3.3.3(ii)(a) for commercial activities ancillary to and located on the same site as recreational activities. We note that this rule was included within the application.

53. Overall, we agree that the application is to be assessed as a **non-complying** activity.

**Relevant Statutory Provisions**

54. This application must be considered in terms of Section 104 of the RMA. Subject to Part 2 of the RMA, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- Actual and potential effects on the environment
- Queenstown Lakes District Plan
- Regional Policy Statement and proposed Regional Policy Statement

55. In addition, we note that Section 104D (Particular Restrictions on non-complying activity) states that a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either the adverse effects of the activity on the environment will be minor or the application is for an activity that will not be contrary to the objectives and policies of both the relevant plan and the relevant proposed plan as is the case in this situation.

56. The application must also be assessed with respect to the purpose of the RMA which is to promote the sustainable management of natural and physical resources. Section 9 of this report outlines Part 2 of the RMA in more detail.

57. Section 104B provides for the consent authority to grant or refuse consent and in granting consent may impose conditions under Section 108 on a land use consent, and under section 220 for a subdivision consent.



58. Section 123(d) provides for the duration of consent to be specified, with a maximum duration of 35 years.
59. Section 104(3)(b) requires that we have no regard to effects on people who have given written approvals of the application. This is particularly relevant in this application as written approval has been obtained from the following parties:

Person (owner/occupier)	Address (location in respect of subject site)
P Dorrington & S George	128A Albert Town – Lake Hawea Highway
Cameron Creek Properties Limited (Paul Croft)	Albert Town – Lake Hawea Highway
M & N Garrick	Albert Town – Lake Hawea Highway
F Taylor	86 Halliday Road
K & H McLeod	23 Clan Mac Road
J & A Titterton	22 Clan Mac Road

60. Pursuant to section 104(3)(b) of the Act, any effects on these properties have not been considered.
61. In reaching this decision we note that we have taken into account all of the information provided with the application, the section 42A report and appended assessments, and the evidence presented at the hearing. We undertook a site visit on 6 October 2015. We have also considered the provisions of the relevant plans, and Part 2 of the Act.

#### **Permitted baseline, existing environment and receiving environment**

62. We note that the section 42A report indicates that the permitted baseline test “*calls for a comparison of the potential adverse effects of the proposal against two classes of activity; first, what is lawfully being undertaken on the land; secondly, what is permitted as of right under the District Plan (provided it is not a fanciful use). Any activities authorised by a current but unimplemented resource consent form part of the receiving environment*”.
63. We consider that the permitted baseline is narrower than the above description. The permitted baseline is codified in section 104(2) of the Act, which expressly states that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. What is being lawfully undertaken (other than a permitted activity) and any activities authorised by a current but unimplemented resource consent form part of the receiving environment. We do not intend to labour this point but given that there was some discussion on the permitted baseline and what it may enable at the hearing, we consider it appropriate to make this distinction.
64. The section 42A report states that permitted activities in the Rural Area are restricted to activities such as:
- Farming activities;
  - Viticulture and wine-making activities;
  - Horticulture activities;
  - A fence slightly less than 2 metres high anywhere within the site;
  - Earthworks which do not breach Site Standard 5.7.5.1[iv], including less than 1000m<sup>3</sup> of earth being moved, over an area of less than 2500m<sup>2</sup> (within any one consecutive 12 month period), cuts of 65° and fill of up to 2m in height; and.

- Temporary storage or stacking of material under 50m<sup>2</sup> for no longer than 3 months.

65. Notably, any buildings or alterations to buildings in the Rural Area (as well as any physical activity associated with any building such as roading or landscaping) require resource consent under the District Plan, at least for a controlled activity. We agree with Mr McIntyre that the District Plan does not provide a permitted activity status for any building or associated activity, and we agree that overall the permitted baseline offers little by way of comparison to the scale and scope of the activity as proposed. We do not consider there to be a relevant permitted baseline for this proposal.

### **Assessment**

66. The section 42A report presented a comprehensive assessment of the proposal, and we consider the actual and potential effects of the proposal in the order in which they were addressed in the planner's report.

67. We considered that the proposal raises the following actual and potential effects on the environment, and address each in turn in the assessment below:

- Traffic
- Parking
- Noise
- Vibration
- Lighting
- Landscape Effects
- Rural Character and Amenity
- Water Quality
- Ecological Effects
- Earthworks
- Natural Hazards
- Infrastructure
- Heritage
- Positive effects

### **Traffic Effects**

68. Traffic evidence was provided for the applicant by Mr Bartlett, and apart from the engineering assessment of Ms Overton for the Council, no other party provided expert traffic evidence. Having reviewed Mr Bartlett's evidence, we accept it, and note that Mr McIntyre accepted at the hearing that the traffic effects would not be more than minor, a departure from his view as expressed in the section 42A report (as he is entitled to do). We consider the submitters' concerns regarding the effects of traffic at night time are mitigated by limitations imposed on the operation by the applicant, including that the kitchen is to close at 9.30pm and that all guests are to vacate the premises by 11pm. We also note the prohibition of coaches from the site will assist in avoiding safety concerns for other vehicles and pedestrians alike.

69. We note that Ms Overton's report was not challenged, and that she advised that the Council's standards require the design width of the access road to be between 5.5 - 5.7m and the target speed is 40km/hour. Such a road must also have a road pedestrian access of 1.5m in width provided down both sides of the road carriageway, and cyclists are to share the movement lane. The applicants are proposing to widen this road to a sealed 5.5m width and propose to place a footpath on one side of the road only. Due to the rural location and nature of the topography Ms Overton is satisfied the provision of one footpath only is appropriate in this instance, and we accept this evidence. We also note that an appropriate condition is recommended by Ms Overton to ensure that the road is upgraded in accordance with Council's standards, and that in the event that there is insufficient area within the legal road reserve to create a turning head then the applicants will need to create a right of way over Lot 2 DP 424902. We accept the advice note as recommended by Ms Overton in this regard. We

also note that a 40kmph limit is proposed to be achieved through the design of the road, and we consider this is appropriate.

70. We note that the Transport Agency did not oppose the proposal on the basis that the existing access onto the Wanaka-Luggate Highway would be closed. We also accept Ms Overton's condition that the intersection with the Wanaka – Lake Hawea Highway is upgraded in accordance with the NZTA recommendations, including road widening.
71. Overall, we rely upon Mr Bartlett's evidence and find that transport effects associated with safety and efficiency of the adjoining roads can be appropriately managed, and that overall there will be no more than minor traffic effects associated with the proposal.

### **Parking**

72. It was accepted that there is a parking shortfall on the site, and that 45 parking spaces are required rather than the 28 proposed, as identified in the section 42A report. Despite the shortfall, we agree with the applicant and Ms Overton that there is ample area within the site that would meet the District Plan requirements. We agree with Ms Overton that the parking areas do not require sealing or lines for spacing marked out, however it will be necessary that the car park area is properly formed in accordance with Council's standards, and this is specified in the conditions of consent. Overall, we agree with the section 42A report that the shortfall of parking spaces is unlikely to result in effects external to the site, and that any effects associated from a full parking area would be internalised onsite due to the large space available. We agree that any adverse effects associated with parking will be minor.

### **Noise**

73. We have carefully considered the evidence presented by Dr Trevathan (for the applicant) and Mr Hunt (for Mr and Mrs Moses).
74. Dr Trevathan considered, based upon the noise limits currently applying over the site and surrounding zones, the existing noise environment, and the guidance available in the WHO and NZS6802:2008, that a daytime limit of 50 dB LAeq and a night time limit of 40dB LAeq, with a maximum noise of 70 dB LAFmax when received at noise sensitive locations were appropriate. His evidence noted that based upon his conservative predictions, activities on the site can comply with those limits at noise sensitive locations on neighbouring sites. In this respect, Dr Trevathan noted that while the noise limits would be breached on the terrace face, he did not consider this would create any adverse effect given the area is unlikely to be used for any noise sensitive activity. Dr Trevathan also considered that noise from vehicles travelling on public roads will not cause sleep disturbance.
75. Dr Trevathan also considered the various concerns raised by submitters and the planner's report in relation to noise. Overall, Dr Trevathan was satisfied that any noise effects could be appropriately managed through conditions of consent.
76. Mr Hunt's evidence considered that there would be significant adverse effects on existing dwellings in the area as well as on land that could be used for residential purposes. He considered that the noise effects, including at night, cannot be effectively screened or reduced without tight operational controls over activities and hours of use, and that there would be significant issues in adequately managing the noise effects through conditions of consent or a noise management plan.
77. Overall, having considered the evidence of the two experts in the context of the other evidence we have heard, we prefer the evidence of Dr Trevathan, for reasons including:
- the day time and night time limits would be met when received at noise sensitive locations on receiving sites.
  - Mr Hunt made various references to noise effects on activities on the terrace face, and the fact that the noise would adversely affect developments such as residential flat s or

other activities on the terrace face. We have earlier found such development concepts to be fanciful.

- The limitations offered by the applicant, including on the hours of operations and the exclusion of buses, for example, are appropriate to ensure that the noise effects will not be significant.

78. We therefore accept Dr Trevathan's evidence that the noise effects can be appropriately managed such that they will be no more than minor. We agree that a noise management Plan should be prepared for the activity, and we accept that conditions offered by the applicant in relation to the management of noise are appropriate, including:

- A requirement that any music whether indoors or outdoors be at background levels only;
- Ensuring all windows and door are closed after 10pm, except for entry and exit by patrons and staff;
- No deliveries to the be made between 2000 and 0800 the following day;
- The preparation and regular review of a noise management plan.

### **Vibration**

79. There was no evidence that vibration would give rise to adverse effects that were minor or more, and we accept Mr McIntyre's view expressed in his closing comments that vibration was not at issue.

### **Lighting**

80. We note the section 42A report accepted that there is potential for lighting to change the character of the landscape in the evening. We accept the conditions proposed that recommend a standard rural lighting condition, and that any exterior lighting should be placed such that light is directed down.

### **Hours of Operation**

81. We accept that the hours of operation are of concern to submitters, and that they are a key factor in assessing the adverse effects associated with nuisance effects, particularly noise and lighting during more sensitive times of the day. The hours that the restaurant will be open to will determine when patron vehicles will leave the site. Staff vehicles are expected to leave later following clean down and closing of the facility. In her closing statement, Ms MacDonald confirmed that:

- The restaurant would only be open when the ponds were open to the public;
- The ponds can operate from dawn until dusk;
- The kitchen is required to close at 9.30pm; and
- Patrons are required to leave by 11pm.

82. We also accept that noise from the playground will not be an issue after 10pm (and likely earlier) as it is unlikely that children will be about at this time of the day, and the fishing activity will not be undertaken in hours of darkness.

We consider the above restrictions are appropriate, and will ensure that traffic during the evening will not give rise to adverse effects that are more than minor. Closing the kitchen at 9.30pm, and ceasing fishing operations at dusk, will result in little traffic entering the site after 9.30, with departing patrons and staff leaving the site thereafter depending on the patronage on any particular day.

83. Having considered the actual and potential effects the proposal, we are satisfied that the above restrictions on the hours of operation are appropriate and provide the applicant and neighbours with sufficient certainty that adverse effects of traffic movements will be mitigated at night time.

### **Dust**

84. We note that the section 42A report indicated that dust generated during construction activities may cause nuisance effects for neighbours. We are satisfied that the Site Management Plan provided appropriately explains how dust effects will be managed, and we agree that effects associated with dust can be sufficiently mitigated by the imposition of appropriate conditions.

### **Landscape Effects**

85. We note that Dr Read and Mr Denney agreed that the site is within a visual amenity landscape. No party disputed that and we therefore accept that evidence. We also accept, as Mr McIntyre noted, that the submitters in the main were not concerned with the building platform component and are mainly concerned with components of the development that are associated with the commercial activity. We note that by the end of the hearing, the landscape architects were largely in agreement with respect to the landscape effects of the proposal, and we make brief comments on the visual amenity landscape assessment matters below.

### ***Effects on natural and pastoral character***

86. Mr Denney is of the opinion that the earth mounding for the alpine area would result in a highly modified landform of a domestic amenity character. At 6m high above the floodplain Mr Denney is of the opinion that there is no opportunity to appropriately mitigate effects on natural character of the landform particularly when viewed from public viewpoints along the Cardrona River. We are not persuaded as to the significance of these effects. We consider that the greatest visibility of the mound will be from the Wanaka-Luggate highway, and that these views would be fleeting at best given the posted speed limit and oblique views of the site from this perspective. We also consider that the mound will not dominate the rural aspect of the site when viewed from properties at the top of the escarpment, and note the significant vegetation on both sides of the Cardrona River that will assist in mitigating visual effects from public viewpoints along the river. We prefer the evidence of Dr Read on this matter and agree overall that the effects arising from the mound will be internal to the site.
87. The evidence of Mr Denney and Dr Read is generally in agreement that the character of the site will be altered in terms of becoming more domesticated, and that these effects are localised to the adjacent sites. Having visited the site and reviewed the evidence, we agree. The introduction of the built form and ponds will create a more manicured appearance, but we are satisfied that the site will not become over domesticated, and we note that the amended landscape plan prepared by Dr Read will assist in ensuring that built form does not dominate the site. We also consider that the site is located in the foreground of more expansive views from properties at the top of the escarpment, and do not consider that they will detract from the visual amenity of these properties to a more than minor degree.

### ***Visibility and development***

88. Mr Denney's evidence was that the proposed development will be highly visible from the southern end of Monteith Road and the publicly accessible land along the Cardrona River. We accept his view that proposed planting once established will diffuse some views and soften built form and the parking areas. We have earlier noted that we consider the effects of the alpine mound are largely internal to the site, and do not consider them to be more than minor.

### ***Form and density of development***

89. We consider that the majority of the proposed development is located towards the west of the site and relies upon the adjacent terrace escarpment to offer some visual containment for the development from public viewpoints from the south and east. We agree with Mr Denney that the proposal does not introduce densities characteristic of urban areas, and overall we are satisfied that the landscaping proposed is sufficient to provide some sense of scale to the proposed buildings. Overall we are satisfied that the form and density of the development will not detract from the quality of the landscape.

### ***Cumulative effects***

90. We consider that the landscape does have capacity to absorb some change in this vicinity. We agree with Mr Denney that this is a result of the building constraints of the floodplain, including a consent notice restricting development to agricultural use only that has resulted in a lack of existing built form. While this proposal will introduce built form into the landscape, we rely upon the evidence of the landscape architects that these effects can be appropriately mitigated.

### ***Rural Amenity***

91. As identified above, the area is presently rural in character, due largely to the presence of the restriction on built form imposed through the existing consent notice imposed on the relevant title. While the character of the site will change with the introduction of the ponds, alpine mound and other elements of the proposal, the site will not be dominated by built form. The remainder of the area will remain rural, and the overall area will not be dominated by non-rural elements. We note that the conditions of consent proposed by the Applicant included a condition that planting as shown on the landscape mitigation plan achieve a closed tree and shrub canopy within 5 -0 10 years. We accept this condition. However, we do not consider it necessary to require a closed canopy be achieved over the wetland, as was suggested by officers.

### **Rural Character and Amenity**

92. As noted in the section 42A report, there are several assessment matters in the Rural Areas chapter of the District Plan that provide specific direction regarding rural character and amenity in addition to the visual amenity landscape assessment matters. Overall, we are satisfied that rural character and amenity will not be affected significantly. While the character of the site will change and have a more manicured appearance, overall the development of wetlands, ponds and the alpine mound retain elements of rural character and amenity.

### **Water Quality**

93. We have earlier noted that water quality issues are a matter for the Otago Regional Council. The applicant's advice is that its development can achieve the standards in the relevant regional plan, and no further consents are required from the Otago Regional Council. We note that the regional authority did not submit on the application.

### **Ecological Effects**

94. We accept that there is some overlap between the territorial and regional functions in terms of water quality insofar as they relate to ecological effects. Ecological effects are a key issue raised by submitters in opposition, and we note that assessment matter 5.4.2.3(i) of the District Plan sets out the nature conservation values to which we must have regard. To the extent that they are relevant, we accept the evidence of Mr Dungey that:
- the combination of the high water quality in Cameron's Creek and the low stocking density proposed provides a very low risk of water contamination and/or fish disease;
  - the wetland development will assist in reducing nutrient concentrations and enhance the amenity of the site and the quality of aquatic habitat; and
  - the habitat of trout, salmon and long fin eel will be enhanced, and there is a low risk of adverse effects on other species in the (unlikely) event of fish escaping the ponds.

### **Earthworks**

95. The earthworks required to create a level area for construction of the restaurant/café building, car parking area, manager's residence, alpine area, landscaping, and for the construction of the ponds could result in adverse effects in terms of dust, silt run-off and sedimentation if they are inappropriately managed. We agree with the planner's report that although the earthworks are within close proximity to waterways, the site is relatively flat, and the earthworks will be

completed within a short period. We are satisfied that these factors will help limit adverse effects associated with erosion and sedimentation.

96. We also note that a 'Site Management Plan' has been submitted by C Hughes & Associates Ltd detailing site management measures to mitigate dust nuisance and water discharge and sediment, and that Ms Overton is satisfied that these measures will appropriately prevent sediment from entering the waterways within or adjacent the site. We accept Ms Overton's views, and agree that subject to appropriate condition, there will be no more than minor effects associated with the earthworks proposed as part of the development. For completeness we note that the earthworks required within the bed of Cameron Creek to construct the inlet and outlet structures for the proposed ponds will require consent from the regional council.

### **Natural Hazards**

97. We note that Assessment Matter 5.4.2.3(ii)(a) directs that we have regard to the extent that the activity will exacerbate any natural hazards. Council's hazards maps indicate the site is subject to liquefaction and is within the Cardrona River floodplain. The proposed building platforms are located out of the 1 in 500 year floodplain, and no submitters raised concerns in relation to liquefaction. Flooding was raised by some submitters.
98. We note that Ms Overton accepts the findings and recommendations of the GeoSolve Ltd and has recommended that the earthworks and fill operation within the building footprints/platforms be supervised and that a schedule 2A certificate be provided at completion. We agree this is appropriate.
99. We note that a restrictive consent notice (CONO 6611653.1) requires that any application for development shall submit evidence to Council that it will not be inundated in a 1% probability storm/rainfall event (otherwise known as a 1 in 100 event). The GeoSolve Ltd report confirms that the existing ground levels at the site is above the 1 in 500 year flood event (and by virtue of this will be outside the 1 in 100 year event). Further to this, the building platforms will be lifted 1m above the existing ground levels, and we accept this evidence that the risk to the development as a result of flooding will not be significant.

### **Infrastructure**

100. The applicant's evidence confirmed that the requisite services can be made available to the site, and this was confirmed in Ms Overton's engineering assessment. The conditions of consent will ensure that these services are provided in accordance with the Council's standards, and we note that there was no evidence provided from any party that caused us to question whether this was achievable. We are satisfied that the infrastructure required to service the proposed development can be made available.

### **Heritage**

101. The submission by Heritage New Zealand (HNZ) notes that the site was once part of a mining reserve with historic survey plans depicting structures close to or where the proposed development is to take place, and we accept Mr McIntyre's recommendation that the imposition of an accidental discovery protocol condition would ensure that sufficient care is taken in the event that any archaeological material is found so that any adverse effects associated with heritage is avoided or appropriately mitigated.

### **Positive Effects**

102. We agree with the section 42A report and the submissions that there will be positive effects arising from this proposal, including:
- An innovative recreational attraction provides a tourism opportunity for Wanaka and the District which is easily accessible and open all seasons.

- Such an activity will help to make the outdoors more accessible for families.
- The fishing component of the activity will also provide educational opportunities. The alpine and wetland areas may also provide education opportunities about botany and ecosystems.
- Economic benefits, including direct financial benefits for suppliers to the activity and indirect economic benefits to Wanaka and the region. The proposed activity could provide employment for up to 17 people.
- The activity will enhance the natural environment through restoring the wetlands, increased native planting, which is positive for providing habitat for fauna such as birds and invertebrates, and although small would contribute towards increased indigenous biodiversity.

### **Summary of Effects**

103. Overall, having considered the evidence presented at the hearing, the application and supporting reports, the submissions and the amended plans provided subsequent to the hearing, we are satisfied that the adverse effects of the proposal will not be more than minor, and that the conditions of consent will ensure that any effects are appropriately managed. We accept that the conditions proposed are sufficient to avoid, remedy or mitigate any adverse effects of the proposal.

### **Objectives and Policies of the District Plan**

104. We have considered the detailed assessments of the objectives and policies of the Plan as set out in the Application, the section 42A report and the evidence of the planning experts. We note that Mr McIntyre's view was that as notified, the proposal did not align with the majority of the plan's provisions.
105. Subsequent to the circulation of the section 42A report, the applicant made changes to the application that ultimately satisfied the concerns held by Mr McIntyre. We agree that the changes to the proposal, including the amended landscape plan and limitations of the various components of the activity, are sufficient to address the actual and potential effects and ensure that the proposal will not exceed the landscape's ability to absorb the development.
106. The objectives and policies of concern to Mr McIntyre principally related to landscape and rural character/amenity issues. Having reviewed these provisions in light of the amendments to the application, and Mr McIntyre's revised recommendation, we are satisfied that the proposal is consistent with the objectives and policies of the Plan.
107. We have earlier found that the adverse effects of the proposal are not significant and can appropriately be managed through conditions of consent.

### **Other Matters**

108. The submission of Fish and Game, and the evidence of Mr Wilson, placed considerable reliance upon Fish and Game's national policy on 'Fish Out Ponds', which opposes fish out ponds except where such ponds are small (less than 0.5ha) and occur as part of a commercial salmon farming operation in order to prevent the exclusive capture or commercialisation of the wild sports fish and game resource, and to guard against the potential for future trout farming (which were acknowledged was not relevant to this application). We are not satisfied that this policy has any effects based justification under the Act and agree with Ms MacDonald's view that it should be afforded no weight.



## Part 2 Matters

109. Section 5 states that the purpose of the Resource Management Act is “to promote the sustainable management of natural and physical resources”. “Sustainable management” means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while —
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*
110. The following matters of national importance from section 6 of the Act are relevant to the application:
- Section 6(a), relating to the preservation of the natural character of wetlands and rivers and their margins from inappropriate subdivision and development. We consider that the proposal will enhance the character of the wetlands on the site, and that there will be no effects on the Cardrona River or its margins from the proposed development.
  - Section 6(c), which relates to the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. While Cameron’s Creek is not necessarily a ‘significant habitat’, the evidence of Mr Dungey was that the habitat of indigenous species such as the long fin eel would be enhanced, and we accept this view.
  - Section 6(d) relating to maintaining public access to and along rivers. The proposal will not have adverse effects on the ability of the public to access the Cardrona River.
  - Section 6(e) relating to tangata whenua values. There was no evidence to suggest there would be any adverse effects on tangata whenua values, and we therefore conclude that this part of section 6 is satisfied.
111. Overall, we consider that the proposal appropriately recognises and provides for the relevant matters of national importance, insofar as they are relevant to the proposal.
112. Section 7 requires that we have particular regard to a range of matters, including the maintenance and enhancement of amenity values (s7(c)), intrinsic values of ecosystems (s7(d)), maintenance and enhancement of the quality of the environment (s7(f)), and the protection of the habitat of trout and salmon (s7(h)). We are satisfied that the evidence presented on behalf of the Applicant, and that of the Council reporting officers, has demonstrated that these matters are appropriately addressed.
113. There are no particular Treaty of Waitangi issues (Section 8) that need to be taken into account in relation to this application.
114. For the reasons set out in this decision, we consider the application to be consistent with relevant matters in Part 2 of the Act.

## Determination

115. Consent is sought to subdivide an existing site into two allotments, to establish and operate a commercial salmon fishing and recreation centre, identify a residential building platform and undertake associated earthworks and landscaping, and cancel an amalgamation condition under Section 241 of the RMA.

116. Overall, the activity was assessed as a non-complying activity under sections 104, 104B and 104D of the Act.
117. The Act seeks to avoid, remedy and mitigate adverse effects associated with developments. We consider that the adverse effects of this application can be appropriately avoided, remedied or mitigated such that the threshold beyond which the landscape's ability to absorb the development is not breached.
118. We further find that the proposal is consistent with the relevant objectives and policies of the District Plan.
119. Accordingly, we determine that Consent be **GRANTED** pursuant to section 104D of the Act subject to the attached conditions which are imposed under sections 108 and 220 of the Act.

Dated at Queenstown this 26<sup>th</sup> day of November 2015

A handwritten signature in blue ink, appearing to read 'A Henderson', is written over a faint, circular official stamp.

**Andrew Henderson**  
**Hearings Commissioner**  
**(on behalf of the Commission)**

**RM150361: Inderlee Ltd**

**Conditions of Consent**

**General Conditions**

1. That the development must be undertaken/carried out in accordance with the following plans:
  - (a) "Landscape Mitigation Plan for Graham Lee: Waireka Springs" prepared by Read Landscapes dated 15 September 2015, Reference 14019/3 (the "Landscape Mitigation Plan")
  - (b) Earthworks Plan prepared by C Hughes and Associates, dated June 2015 Ref W815
  - (c) Black Peak Design Plans
    - Ground Floor Foundation (restaurant), Layout ID 103, dated 27 June 2014
    - Elevations (restaurant), Layout ID 301, dated 17 April 2015
    - Fish Shop Elevations, Layout ID 302, dated 17 April 2015
    - Fishing Shop, Layout ID 108, dated 17 April 2015
  - (d) "Waireka Springs Recreation Centre, Wanaka" site plan ("the Site Plan") prepared by C Hughes & Associates, dated 29 May 2015 Issue B Sept 15 Ref W749.
  - (e) "Waireka Springs Salmon Fishing and Recreation Centre, Albert Town, Wanaka", overall scheme plan, prepared by C Hughes and Associates, dated 26 November 2014 Ref W804
  - (f) Car parking plan prepared by C Hughes and Associates Revision, dated October 2015 Ref W813
  - (g) Proposed Storage Shed, Elevations and floor plan, dated 17 April 2015.
  - (h) Noise Condition Plan, dated 16 October 2015

stamped as approved on 25 November 2015, and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$240. This initial fee has been set under section 36(1) of the Act.

## **Engineering Conditions**

### ***General***

4. All engineering works, including the construction of any retaining walls within the site, shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being NZS 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

### ***To be completed prior to the commencement of any works on-site***

5. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 "Land Development and Subdivision Engineering".
6. At least 7 working days prior to work commencing remedial work on the vehicle crossing or undertaking any work within the State Highway road reserve, the consent holder shall complete the following:
  - (a) A Traffic Management Plan is to be completed and submitted by the consent holder to the NZ Transport Agency's network management consultant (Opus International Consultants of Alexandra).
  - (b) An agreement to work on the State Highway must be completed and submitted by the consent holder to the NZ Transport Agency's network management consultants (Opus International Consultants of Alexandra) at least seven working days before the work commences.
7. Prior to commencing works within the Council road reserve, the consent holder shall obtain and implement a traffic management plan approved by Council if any parking, traffic or safe movement of pedestrians will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed within or adjacent to Council's road reserve.
8. At least 7 days prior to commencing excavations on site, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who is familiar with the GeoSolve Ltd report and who shall supervise the excavation procedure and fill procedure within the construction platforms and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for

ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

9. At least 5 working days prior to commencing work on site associated with the construction of any buildings the consent holder shall advise the Principal Resource Management Engineer at Council of the scheduled start date of physical works. Compliance with conditions 7, 10 and 11 shall be demonstrated.
10. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council and in accordance with the site management plan submitted with the consent application by C Hughes & Associates Ltd. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
11. Prior to the commencement of any works on the site associated with the construction of any buildings the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition 4, to detail the following engineering works required:
  - (a) Provision of a minimum supply of 2,100 litres per day of potable water to Lot 2 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).

OR

The provision of a water supply to Lot 2 DP 424902 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve. The costs of the connections shall be borne by the consent holder.
  - (b) In the event that the water supply is from a private source the consent holder shall submit to the Principal Resource Management Engineer at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
  - (c) In the event that the test results required in Condition 11(b) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Principal Resource Management Engineer at Council for review and

certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following. The consent holder shall install a treatment system that will treat the water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the separation of amalgamated parcels.

- (d) The provision of a foul sewer connection to Lot 2 DP 424902 to Council's reticulated sewerage system in accordance with Council's standards and connection policy. The costs of the connections shall be borne by the consent holder.
- (e) A copy of the written agreement and approved traffic management plan detailed in Conditions 6 and 7 above shall be provided to Council prior to any works commencing on the Council road reserve or the State Highway road reserve.
- (f) The formation of the access within Council's legal road, in accordance with NZS 4404:2010, with a 5.5m sealed carriageway width. This shall include the provision for stormwater disposal and a single footpath on one side of the road. This shall also include the provision of a turning head.
- (g) The detailed design of the Monteith Road upgrades also shall incorporate methodology to achieve the target operating speed of 40km/hr through road alignment. This should not include speed humps or bollards.
- (h) The provision of a firefighting connection to service the commercial and residential activity in accordance with NZS PAS 4509:2008.
- (i) The construction of all vehicle manoeuvring and car parking areas to Council's standards. Signage shall be provided to clearly identify parking and loading spaces. Provision shall be made for stormwater disposal.
- (j) The provision of Design Certificates for all engineering works associated with this development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water and Wastewater reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.

***To be monitored throughout earthworks***

- 12. The earthworks, construction platforms and batter slopes shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd '*Geotechnical Report – Lot 2 DP 424902, Wanaka – Luggate Highway*' (dated March 2014, GeoSolve Ref: 140027).
- 13. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at its expense, to clean

the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.

14. No earthworks, temporary or permanent, are to breach the boundaries of the site, with the exception of works required for the road upgrade.

***At completion of earthworks and prior to the construction of any buildings***

15. On completion of earthworks within the building footprints and prior to the construction of a building, the consent holder shall provide a geotechnical completion report and a Schedule 2A “Statement of professional opinion as to suitability of land for building construction” in accordance with Section 2.11.1 of NZS 4404:2004 that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms are suitable for building development. In the event that the site conditions within the building platforms are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.

***To be completed when works finish and prior to the operation of the commercial activity***

16. Prior to the operation of the commercial activity, the consent holder shall complete the following:
  - (a) The consent holder shall provide written confirmation from the Road Controlling Authority (New Zealand Transport Agency) that the following requirements have been met:
    - (i) Crossing Point 1 (Access to Lot 2 DP 424902 from SH6) shall be permanently and physically closed, with the gates removed and the fence line reinstated in accordance with New Zealand Transport Agency standards.
    - (ii) The intersection with SH6 (Albert Town – Lake Hawea Road) shall be upgraded to a New Zealand Transport Agency ‘Full Side Road’ standard including the necessary widening to allow for a right-turn bay to be constructed in the future.
  - (b) The completion and implementation of all certified works detailed in Condition 11 above.
  - (c) The consent holder shall provide “as-built” plans and information required to detail all engineering works completed in relation to or in association with this development to the Principal Resource Management Engineer at Council. This information shall be

formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).

- (d) All newly constructed gravity foul sewer mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual, if required. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- (e) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition 5 for all engineering works completed in relation to or in association with this development (for clarification this shall include all Water and Wastewater reticulation). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- (f) The submission of Practical Completion Certificates from the Contractor for all assets to be vested in the Council.
- (g) Any power supply and telecommunication connections to the building shall be underground from existing reticulation and in accordance with any requirements and standards of the network provider.
- (h) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads if any), created by this development.
- (i) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- (j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

#### Noise and Waste Management Conditions

17. The consent holder shall ensure that activities on the site shall be so conducted that the following noise limits are not exceeded at any point at the boundary of any other site in the adjoining Rural Residential zone, or notional boundary in the Rural General zone and in respect of those properties shown on the plan attached, at any point to the west of the lip of the escarpment indicatively depicted by the line marked in red.

- Day time (0800 – 2000 hrs) 50 dB  $L_{Aeq(15 \text{ min})}$
- Night time (2000 – 0800 hrs) 40 dB  $L_{Aeq(15 \text{ min})}$  and  $L_{AFmax}$  70dB



Noise levels shall be measured and assessed in accordance with NZS 6801: 2008 and NZS 6802: 2008 and shall take into account special audible characteristics. Within 12 months of the commencement of operation of the Restaurant, noise monitoring shall be undertaken on no fewer than two occasions to ensure compliance with the noise levels specified in this condition. The consent holder shall be liable for the costs associated with this monitoring.

18. Noise from all mechanical plant associated with the activity shall comply with 40 dB  $L_{Aeq}$  (15 min), at any point on, or beyond, the boundaries of the site when measured in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound, and assessed in accordance with the provisions of NZS 6802:2008 Acoustics – Environmental noise.
19. The consent holder shall ensure that music played indoors and outdoors is at background levels only. A background level is defined as that which a conversation can be held one metre from the source, or 65dB  $L_{Aeq}$  one metre from the source, whichever is lower. No loudspeakers are to be located outdoors and there shall be no amplified music outdoors.
20. The consent holder shall ensure that doors and windows must be kept closed after 2200 hours, other than for entry and exit of patrons and staff.
21. There shall be no goods deliveries/collections or rubbish handling outside the restaurant between 2000 hours and 0800 hours.
22. An appropriately qualified Acoustic Engineer shall review the restaurant building design and layout as part of the Building Consent process, and provide an acoustic design certificate confirming that break out noise will comply with the noise limits specified in condition 17.
23. The consent holder shall prepare and comply with a Noise Management Plan (“NMP”). A copy of the NMP must be provided to Council prior to the opening of the premises, and a copy of any subsequent revisions must be provided to the Council within two weeks of the revision being made. The NMP must detail methods that will be adopted to ensure compliance with conditions of this consent. The NMP shall include the following methods, measures and techniques to achieve this objective:
  - Discussion of each of the noise generating activities associated with the site (traffic, recreation activities, patrons) and best practice for minimising each source.
  - Management procedures including provisions for the use of doors, windows and the outdoor area, smokers in the outdoor area and timely and orderly departure of patrons.
  - A complaints procedure that specifies actions to be taken following receipt of a complaint, including records to be kept and responses to any complaints including remedial action taken;

- The process for the regular review and update of the NMP.

24. Within ten working days of each anniversary of the date of this decision the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
  - (a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
  - (b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
  - (c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
25. As part of the review clause stated in condition 24 of this consent, the Council may have the NMP audited at the consent holder's expense.
26. The consent holder must prepare and comply with a Waste Management Plan. A copy of the Waste Management Plan must be provided to Council prior to the opening of the premises, and a copy of any subsequent revisions must be provided to the Council within two weeks of them being made. The Waste Management Plan must detail methods that will be adopted to ensure waste material from processing salmon shall not be disposed of on-site.
27. The fish processing building shall be constructed to meet the health and sanitation standards prescribed for the processing of fish, or fish products.
28. Any discharge of contaminants from the operation of the fish smoking facility on the site shall comply with the Regional Plan: Air.

#### Water Quality Monitoring

29. (a) A suitably qualified biologist will monitor the water take and discharge quarterly for the first year following first stocking of the pond and there after every six months (summer and winter) at a point upstream and downstream. The upstream survey point will be located within 100 metres of the take from Cameron's Creek to the main pond. The downstream survey point will be in Cameron's Creek within 100 metres of the discharge from the Wetlands to Cameron's Creek. The monitoring shall include:

- (i) sample invertebrates and compare population characteristics above and below the discharge point;
  - (ii) assess fish and macrophytes for comparison upstream and downstream of the discharge point
  - (iii) collect water samples and have them analysed for N, DRP, Ammonia, Ecoli, TDS by a certified laboratory
  - (iv) based on these measurements assess the impact of the salmon farm on receiving waters and compliance with schedule 16 water quality standards.
- (b) The sampling required in condition 29(a)(iii) shall also be undertaken every six months (summer and winter) with respect to groundwater in the bore on the site which provides potable water to the dwelling and the Restaurant.
- (c) The results of the monitoring in (a) and (b) shall be provided to the Queenstown Lakes District Council annually upon each anniversary of the date of this consent and otherwise be made available to Otago Regional Council upon request.
- (d) Once a pattern of water and ecological characteristics and facility operation have been established the monitoring shall be annually or such other period as may be required by Otago Regional Council, subject to the agreement of the Queenstown Lakes District Council.
30. All sampling referred to in this consent shall be carried out by a suitably qualified person, using standard sampling methodologies and equipment and shall be transported to the laboratory under chain of custody. Where temperature and pH are required, these shall be measured in the field using standard methods and calibrated meters. The detection limits specified in Appendix 2 (Applicable Detection Limits, attached) shall apply to analyses that are undertaken by the laboratory. The samples shall be analysed using standard methodology by an IANZ accredited laboratory. The analytical results shall be forwarded to the Council's Co-ordinator Compliance Monitoring within 10 working days of the results being received from the laboratory.

#### Natural Hazards Conditions

31. The consent holder shall ensure the fish ponds are constructed with a crest at a minimum RL290.5, or that a compacted bund is constructed around the perimeter of the ponds that provides a crest at a minimum RL290.5 to remove potential risk of flooding of the ponds. Any bund constructed around the perimeter of the ponds shall meet the requirements of NZS 4431: Code of Practice for Earthfill for Residential Developments.

#### Operating Conditions – Commercial Salmon Fishing Activity and Restaurant

32. The Restaurant and the fishing activity shall be run as one business entity and will be managed by one operator.
33. The hours of operation of the activities on site shall be as follows:
  - (a) Salmon Fishing Activity:  
10 am to dusk
  - (b) Restaurant: 10 am until 11 pm provided that the kitchen shall close by 9.30 pm and all customers shall vacate the Restaurant by 11 pm.
34. The Restaurant shall only open on those days that the fish ponds are open to the public.
35. The Restaurant shall not be available for exclusive hire for weddings or functions.
36. All salmon sold in the Restaurant shall be sourced from the on-site ponds.
37. Prior to activities commencing on site the consent holder shall take action to ensure there is no access to the site by coaches. This shall include:
  - provision of a sign prohibiting coach access at the site entrance
  - provision of evidence to Council of correspondence with appropriate coach operators to ensure transport providers are aware of the site restrictions and on its promotional material and website publish the prohibition on coach access.

#### Landscaping Conditions

##### 38. Ecological Management Plan – Wetland Areas

An ecological management plan shall be prepared by a suitably qualified person and submitted to Council for certification to ensure the following objectives are achieved:

- (a) details of a wetland that is designed and constructed to a standard that improves water quality before it discharges into Cameron's Creek and the Cardona River. Specific water quality objectives shall be stated in the plan; and
- (b) Positive ecological benefits are achieved from the project in terms of creating and maintaining a self-sustaining indigenous habitat for aquatic-based flora and fauna throughout the wetland site.
- (c) The management plan shall include, but not be limited to, the following information:

- constructed wetland design based on the design principles set out in the Onsite Stormwater Management Guideline (NZWERF, 2004), Waterways, Wetlands and Drainage Guide (Christchurch City Council, 2003) and Technical publication 10 Stormwater Management Devices Guidelines Manual (Auckland Regional Council, 2003)
- Timeline for wetland construction to ensure it is operational prior to fish being transported to the ponds
- Planting plan showing the indigenous species proposed consistent with the local ecology, plant numbers, plant grades and plant densities, and identification of irrigation, mulching and plant fertiliser methodology.
- Provide a detailed methodology for weed control of the wetland including the removal of willow trees and other weed species to achieve a weed free habitat within five years.
- performance objectives and measurement criteria
- implementation strategy incorporating water quality sampling to be undertaken in accordance with condition 29.
- the ecological management plan shall be submitted to the Council for certification prior to construction of the wetlands. The wetlands shall be constructed prior to stocking fish ponds.

39. A detailed landscape and planting plan, prepared by an appropriately qualified person, shall be submitted to council for certification prior to works beginning on site based on the Landscape Mitigation Plan. The landscape plan shall achieve the following objectives:

- Provide a typical design standard for the proposed walk and cycle ways. The cycle ways shall be constructed in accordance with the specifications for a Grade 2 trail as set out in the 'Cycle Trail Design Guide' prepared for the Ministry of Economic Development in 2011.
- Extend the tree and shrub planting around the car park to provide year round visual screening to the car park from adjacent properties to the west of the site. Trees to be evergreen and exclude domestic brightly coloured ornamental species, wilding species (*Pinus contorta*, *P.nigra*, *P.sylvestris*, *P. pinaster*, *P. radiata*, *Larix decidua*, *Psuedotsuga menziesii*, *Acer pseudoplatanus*, *Crataegus monogyna*) or problematic species such as birch.
- The carparking area shall be designed to be in keeping with the rural character and avoid urban style parking areas. Car park areas shall be shown as broken up spaces as to avoid large open areas of pavement, shall exclude the use of concrete curbing and channelling, and painted vehicle bays and include tree planting within the car park to soften areas of pavement and parked vehicles. The surface should be finished in

crushed 20mm gravel to a depth of 40mm to prevent dust. Any external lighting within the car park area to be no higher than 1m above ground level, and be down lighting only with light levels to not exceed 50 lux.

- The planting plan shall identify the number, planting density, botanical names and size at planting of all planting. In the case of the areas of mixed indigenous planting the species shall be a mix of the following with no less than 25% of plant numbers being of a tree species (mature height no less than 8m) within each planting area:
  - *Pittosporum tenuifolium* 'Stephens Island', *Nothofagus solandri var cliffortioides* Mountain Beech, *Plagianthus regius* Ribbonwood, *Sophora microphylla* Kowhai, *Cordyline australis* Cabbage tree, *Chionocloa flavicans* Dwarf toetoe, *Oleria species*, *Coprosma propinqua*, *Kunzea ericoides* Kanuka, and any other indigenous species endemic to the Cardona River floodplains.
  - The planting density within these areas shall be sufficient to provide a shrub and tree canopy closure within five to ten years of planting. Once the landscape and planting plan is certified the planting shall be implemented within one year following the completion of construction. All plants shall be irrigated and maintained as necessary to ensure healthy growth. Should any tree or plant die or become diseased it shall be replaced in the next available planting season.
- Clearly define a curtilage area around the proposed building platform and restaurant/ car park area to contain areas of amenity planting and domestic structures and activities including but not limited to manicured lawns, ornamental gardens, lighting, pools, etc.
- Clearly identify the location of the protected walnut tree on the site (District Plan Appendix 3 – Inventory of Protected Features No.578).

40. The earthworks shown on the Earthworks Plan shall be formed to blend seamlessly into the adjacent landform, and shall have smooth transitions between changes in slope. All areas of exposed soil created by the works, excluding the alpine area, shall be reseeded in grass within 3 months from completion of earthworks and shall be maintained thereafter so as to provide a healthy and continuous sward of grass to visually soften earthworks and avoid excessive dust, or planted as required by the certified landscape plan. Prior to any earthworks associated with construction of the alpine area being undertaken, a planting plan for the alpine area shall be submitted to Council. This planting plan shall be executed within three month of the completion of the alpine area earthworks and all plants maintained and irrigated as necessary. Should any plant die or become diseased it shall be replaced within the first available planting season.

41. Prior to any excavation or construction works on the site temporary protective fencing shall be erected around the protected walnut tree (District Plan Appendix 3 – Inventory of Protected Features No.578). Fencing shall be a plastic or metal mesh or solid, and to a height of no less than 1.4m and no closer to the tree than the drip line of the tree canopy. Confirmation is to be provided to council to confirm that fencing has been completed prior to any excavation or construction works on the site. Temporary fencing must be maintained throughout the construction works. No works, including any earthworks, storage of machinery or materials, or parking of vehicles shall be permitted within the fenced areas. All efforts shall be made by the consent holder to protect the health of the tree including avoiding any damage or exposing of any tree roots beyond the canopy drip line.
42. The open pastoral area fronting onto State Highway 6 identified on the Landscape Mitigation Plan shall be managed as an open pastoral area to maintain open views across the field. The area shall be kept free of buildings, planting or earthworks that may obstruct such views except for those trees identified on the Landscape Mitigation Plan or trees required for shelter of stock and placed to the edges of the area so as not to compromise the openness of the area.
43. Exterior lighting attached to any building shall be no higher than 3m above ground level and all other exterior lighting shall be no higher than 1m above ground level and shall only be located within the curtilage areas as shown on the Landscape Mitigation Plan. Exterior lighting shall be directed downwards and away from the curtilage area boundary, and shall not be used as highlighting or accent lighting of any buildings or landscape features including but not limited to trees, retaining walls or fences. All exterior lighting to be down lighting only.
44. Polycarbonate panels or similar shall not be installed on shed roofs unless these are 100% clear or of a dark tint so to avoid pale colouring roofing materials that highlight built form.
45. Solar panels or solar hot water panels shall be of a dark recessive colour of a light reflectivity value of 20% or less and be of a matt finish to reduce the potential for glare.

***Residential Building Platform to be registered***

46. At the time the consent is given effect to, the consent holder shall provide a “Land Transfer Covenant Plan” showing the location of the approved building platform (as the Site Plan). The consent holder shall register this “Land Transfer Covenant Plan” on the Computer Freehold Register issued Lot 2 DP 42490 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

***Conditions attaching to development within the Residential Building Platform***

47. The following conditions apply to future development within the Residential Building Platform:
- (i) all buildings related, including the dwelling, garaging and sheds, shall be located within the approved building platform;
  - (ii) the combined footprint of all buildings shall not exceed 350m<sup>2</sup>;
  - (iii) there shall be only one residential unit located on the building platform;
  - (iv) the dwelling shall not exceed 4.8m in height above finished ground level (note that ground will be raised 1.2m above natural ground level (Airey Consultants Ltd Report).
  - (v) roofing shall be steel with a corrugated or eurotray profile and shall be coloured 'Ironsand', 'Karaka' or similar dark colour in the range of natural browns, greens and greys with a light reflectivity value (LRV) of between 7% and 20%;
  - (vi) guttering and downpipes shall match the roof colour;
  - (vii) joinery, if timber, may be left to weather. If coloured (either timber or aluminium) it shall be a similar hue to that of the roof.
  - (viii) Exterior cladding shall be one or more of timber, linea weatherboard, plaster over concrete block or corrugated steel. The exterior shall be coloured in the range of natural browns, greens or greys with an LRV of less than 36%. Cedar weatherboard may be left to age naturally.
  - (ix) All exterior lighting shall be confined to within the curtilage area and shall be down lighting only. Lighting shall be directed as to not to create light spill from beyond the curtilage area boundary, and shall not be used to highlight buildings or landscape features such as pergolas, trees or walls.
  - (x) All domestic activities and structures to be contained within the curtilage area as identified on the approved landscape plan including but not limited to, amenity gardens, fencing, vehicle parking, children's play equipment, and washing lines.
48. At the time a dwelling is to be constructed on the site a landscape plan shall be submitted to Council for certification. This plan shall incorporate with the following requirements:
- (i) provide screening and separation between the proposed dwelling and the walking track;
  - (ii) contain all curtilage activities, including but not limited to, gardens, fencing, vehicle

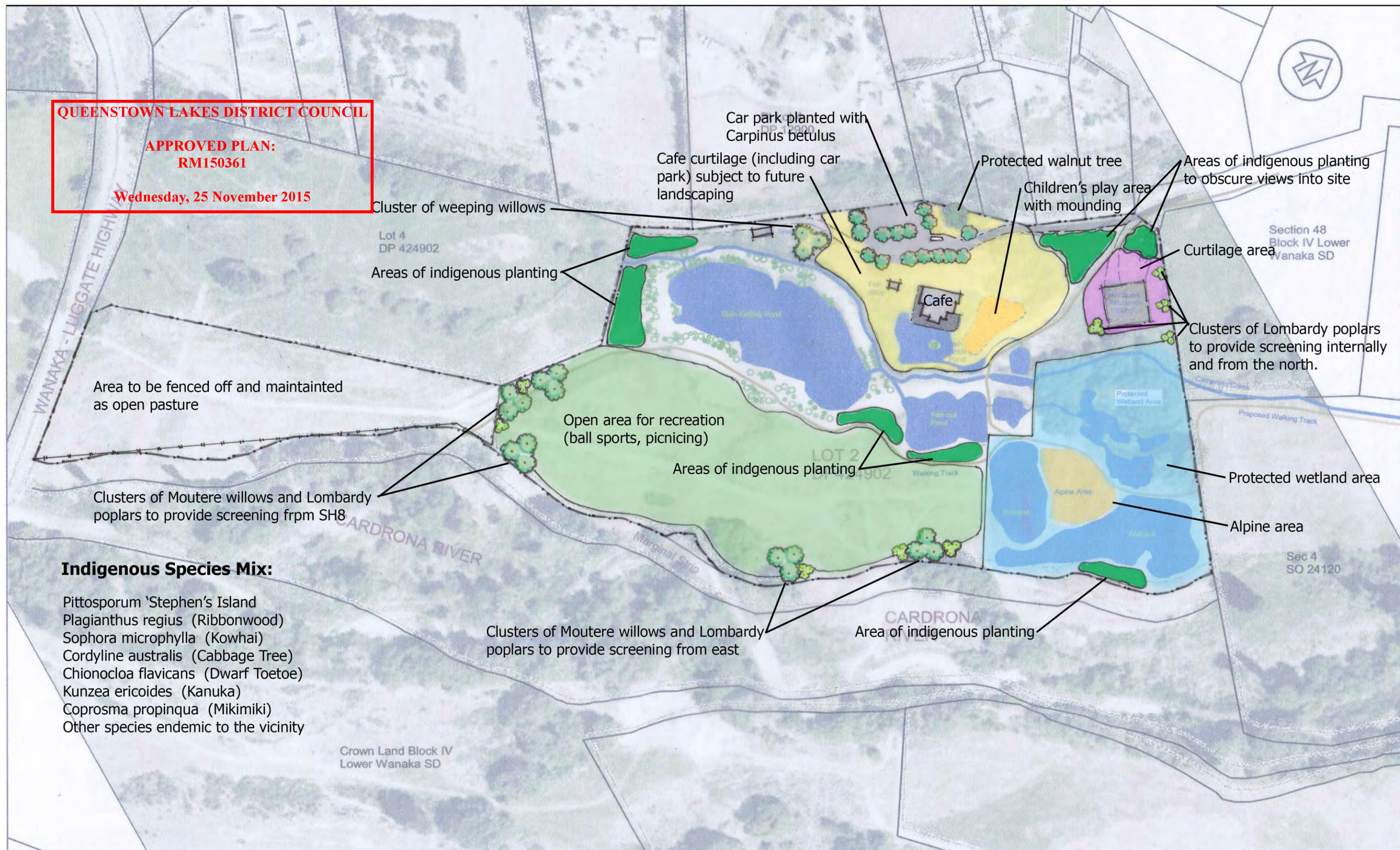


parking, childrens' play equipment, washing lines and other structures, within the curtilage area identified on the Landscape Mitigation Plan.

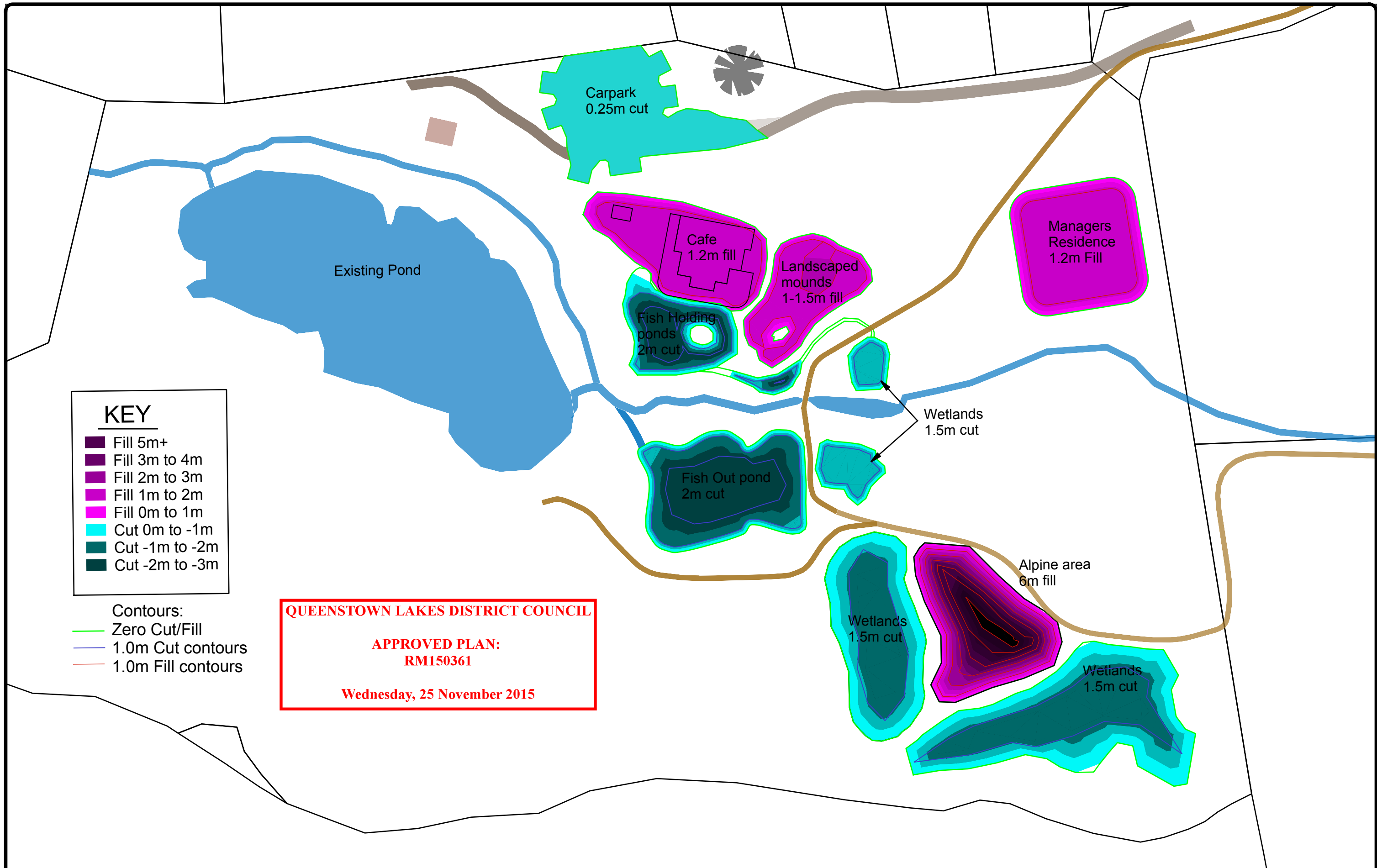
**Advice Notes:**

1. This consent triggers a requirement for Development Contributions. Please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
2. The consent holder is advised to obtain any necessary consents from the Otago Regional Council.
3. The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the lot owner, and the results forwarded to the Principal: Environmental Health at Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the lot owner shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.
4. In the event a turning head cannot be constructed within the legal road reserve a section 348 of the Local Government Act will be required to create a right of way in favour of Council over Lot 2 DP 424902.
5. The consent holder is required to obtain all necessary consents required by the Otago Regional Council in connection with the fishing activity and operation of the ponds and thereafter comply with all conditions of any such consents including but not limited to the monitoring of groundwater and any wastewater discharged from the site.
6. The consent holder is required to obtain a licence for the operation of the fishing activity from the Ministry of Primary Industry pursuant to the Freshwater Fish Farming Regulations 1983.









ISSUE	AMMENDMENTS	DATE
A		
B		
C		
D		
E		

Scale:	1:1250
Datum:	

Job No:	4299
Plan No:	W815
Drawn:	JDL
Date:	JUNE 2015

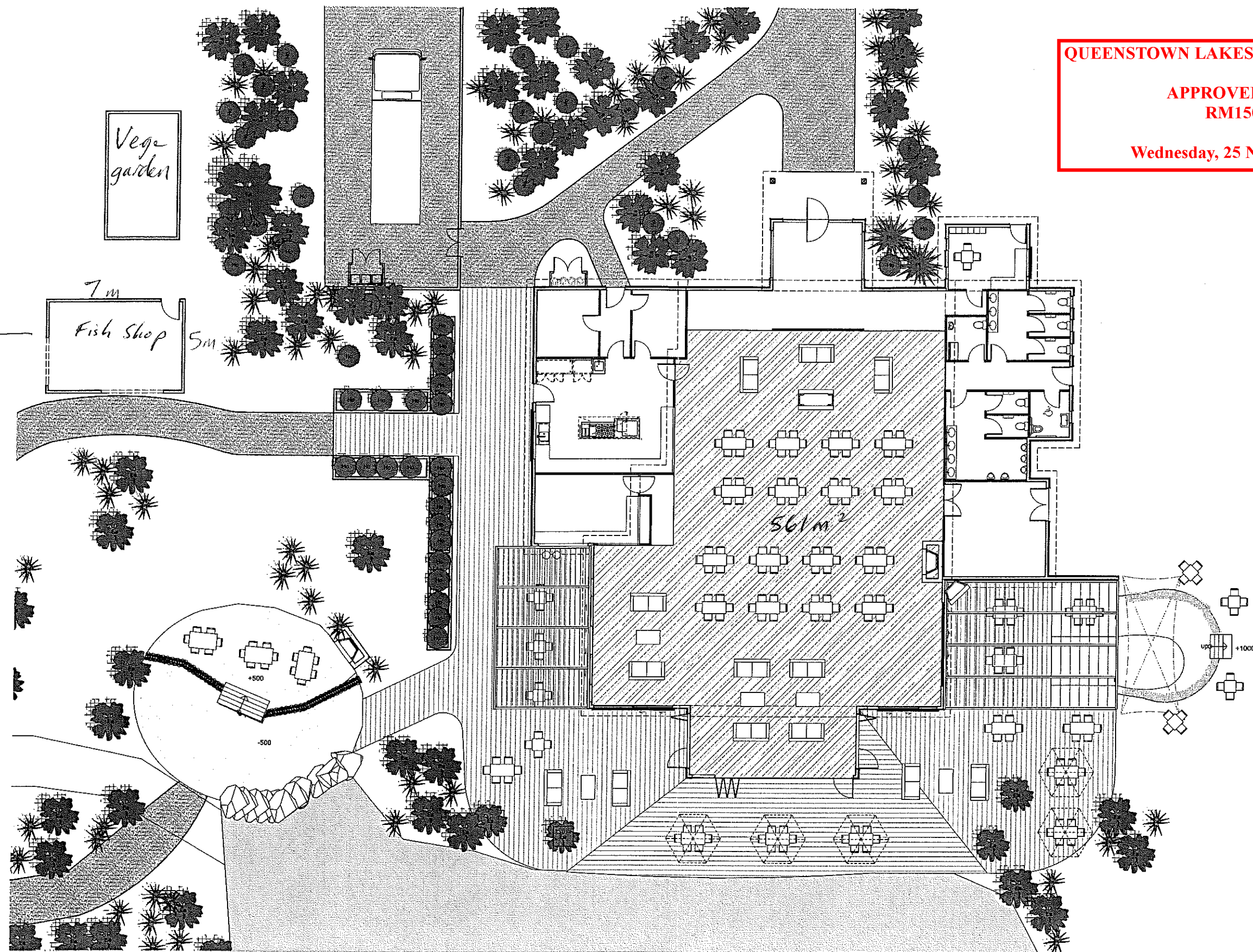


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150361

Wednesday, 25 November 2015

- Smokeshop
- Catch equipment
- Process fish



LAYOUT ID	Waireki Springs	DESIGNER	Jason Kerr
1-101	Graham Lee	7 Old Racecourse Road, Wairakei	
Pre-1.1m concept		CAD TECH	Jason Kerr
	Lot 2, DP424902, Wairakei, 9305 NZ	PROJECT	
		DATE OF ISSUE	27/6/14

**BLACK PEAK**  
DESIGN • ORGANISING SERVICES • CO-ORDINATORS

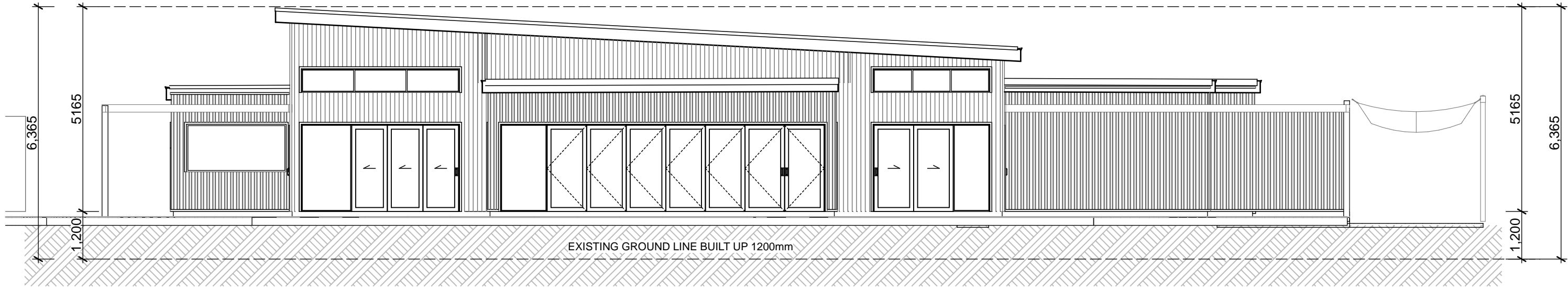
Jason Kerr  
278 Sutherland Road  
Wairakei, 9305  
021 771 1111  
www.blackpeak.co.nz



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150361

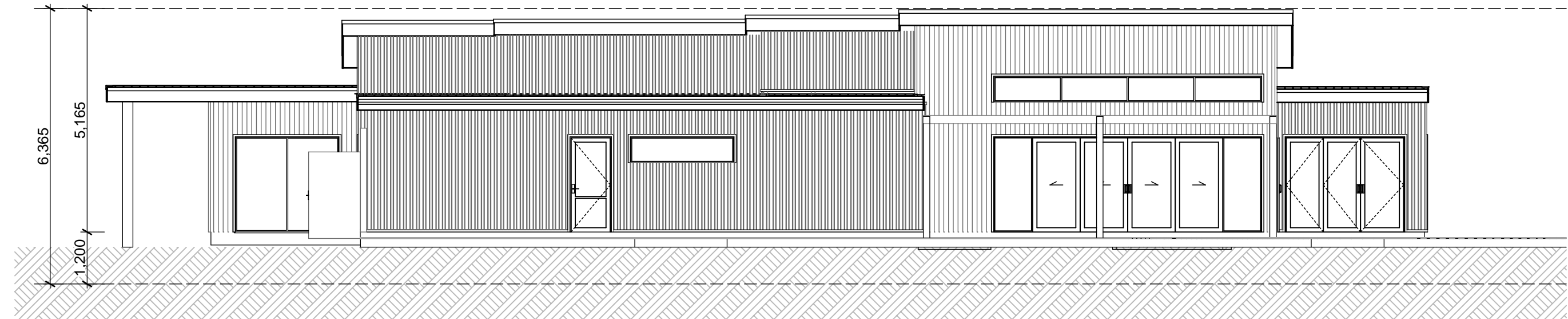
Wednesday, 25 November 2015



1

East Elevation

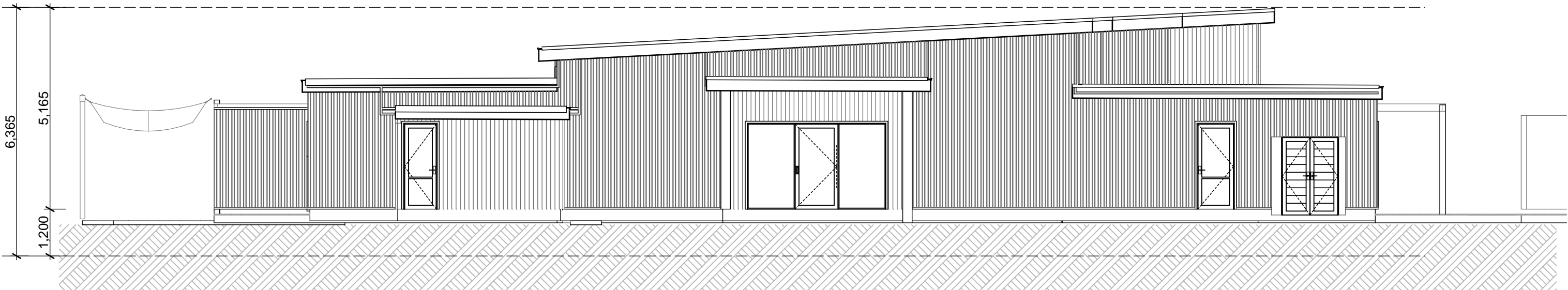
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2

South Elevation

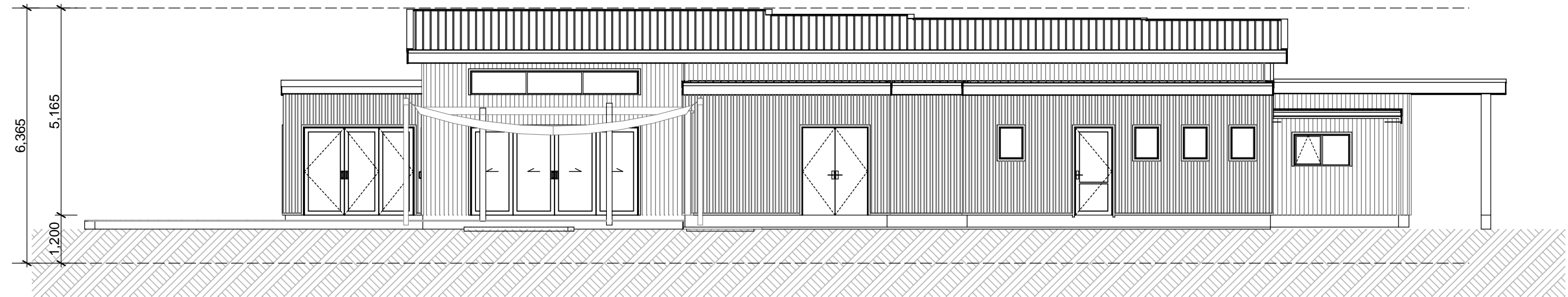
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3

West Elevation

1:100



4

North Elevation

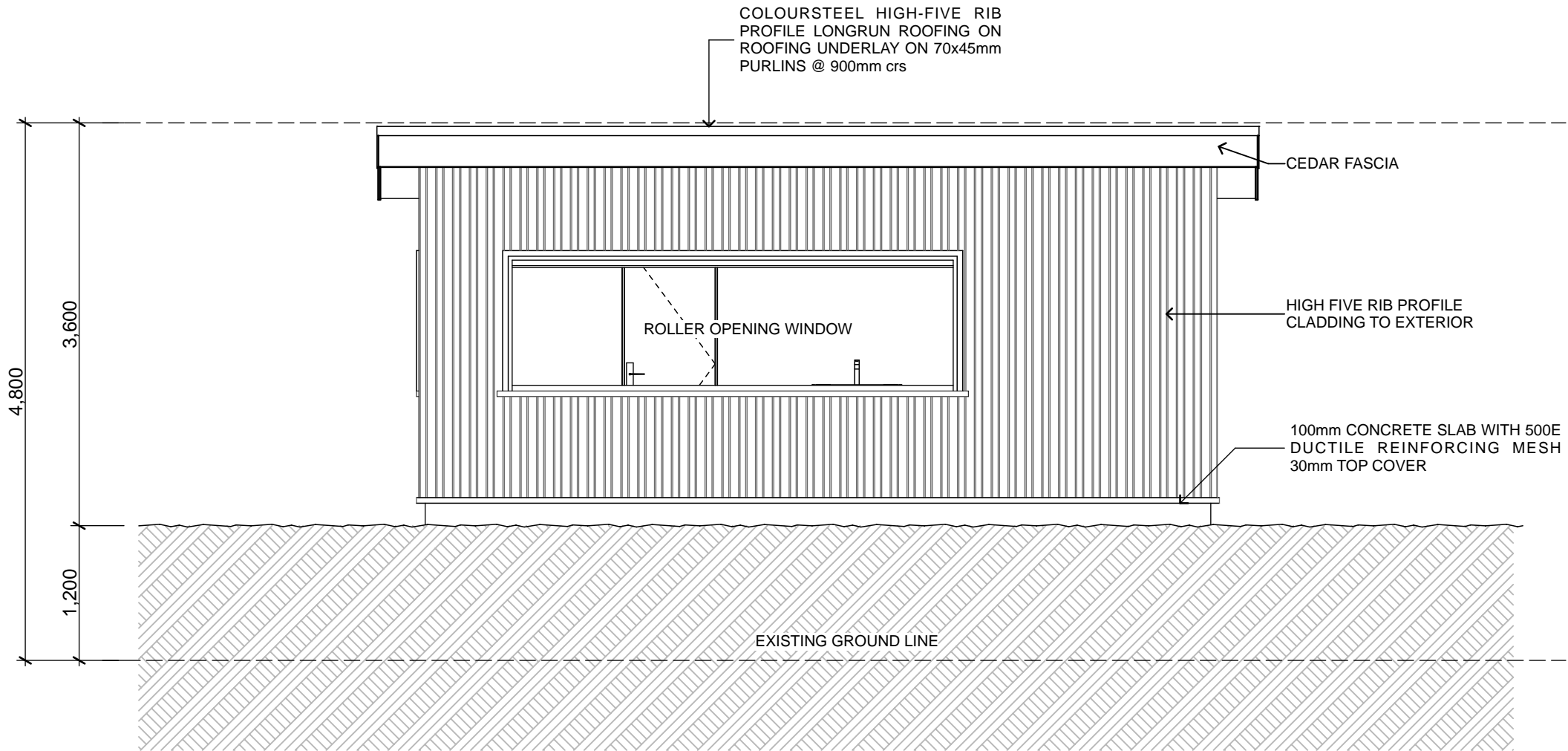
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SHEET TITLE Elevations	LAYOUT ID 301	Waireki Springs Graham Lee Lot 2, DP424902, Wanaka, 9305, NZ	DESIGNER Jason Kerr 7 Old Racecourse Road, Wanaka, 9305, New Zealand E: jason@blackpeak.nz	BLACK PEAK DESIGN • DRAFTING SERVICES • 3D RENDERS Jason Kerr LBP, Carpentry, Site Design 7 Old Racecourse Road Wanaka 9305 New Zealand E: jason@blackpeak.nz
	REVISION Pre-Lim concept		CAD TECH Jason Kerr DATE OF ISSUE 17/04/15	PROJECT NO. 0042

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150361

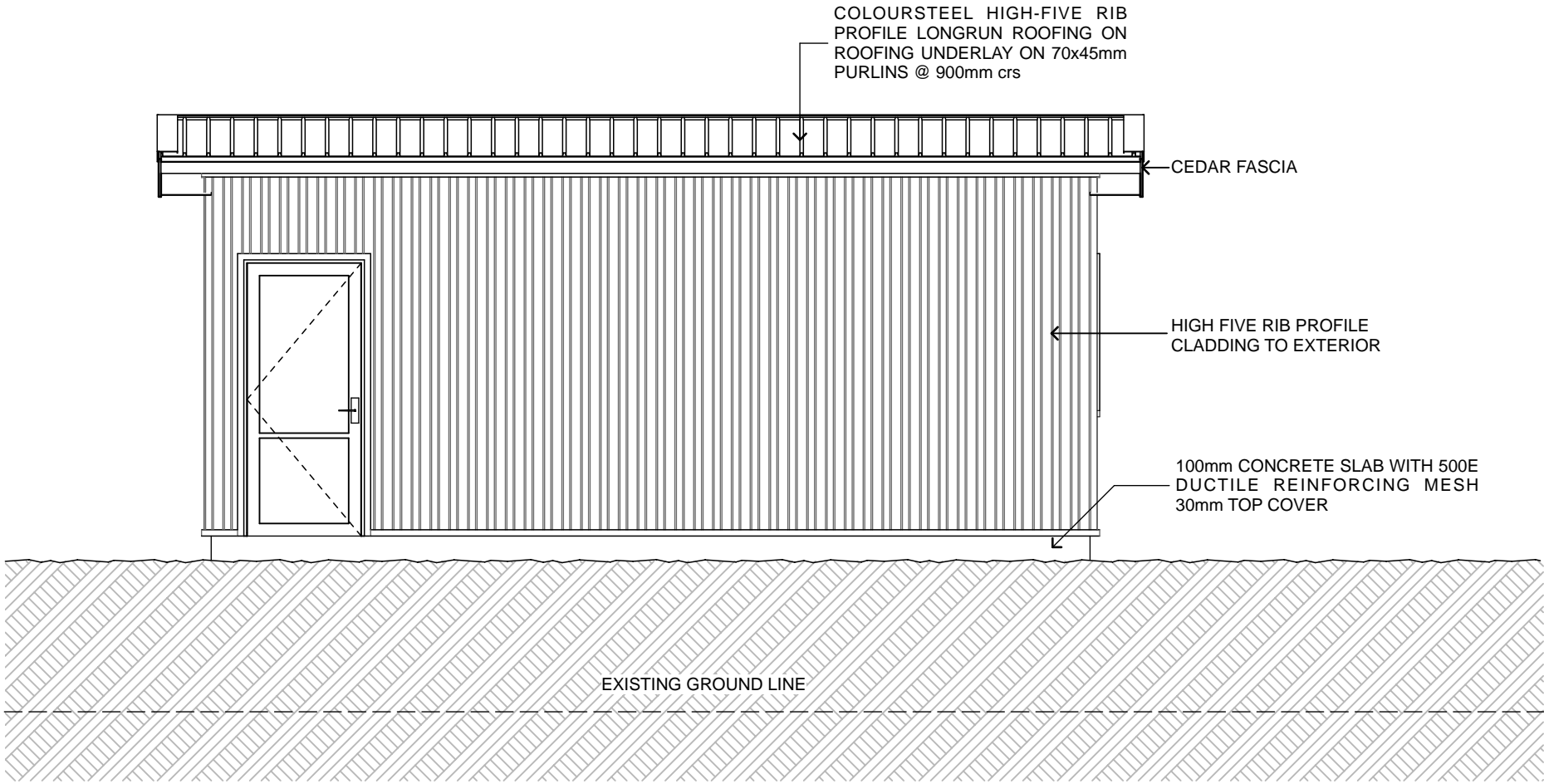
Wednesday, 25 November 2015



1

East Elevation

1:50



2

West Elevation

1:50

SHEET TITLE Fish Shop Elevations	LAYOUT ID 302	Waireki Springs Graham Lee Lot 2, DP424902, Wanaka, 9305, NZ	DESIGNER Jason Kerr 7 Old Racecourse Road, Wanaka, 9305, NZ E: jason@blackpeak.net.nz	CAD TECH Jason Kerr	PROJECT NO. 0042	DATE OF ISSUE 17/04/15
	REVISION Pre-Lim concept					

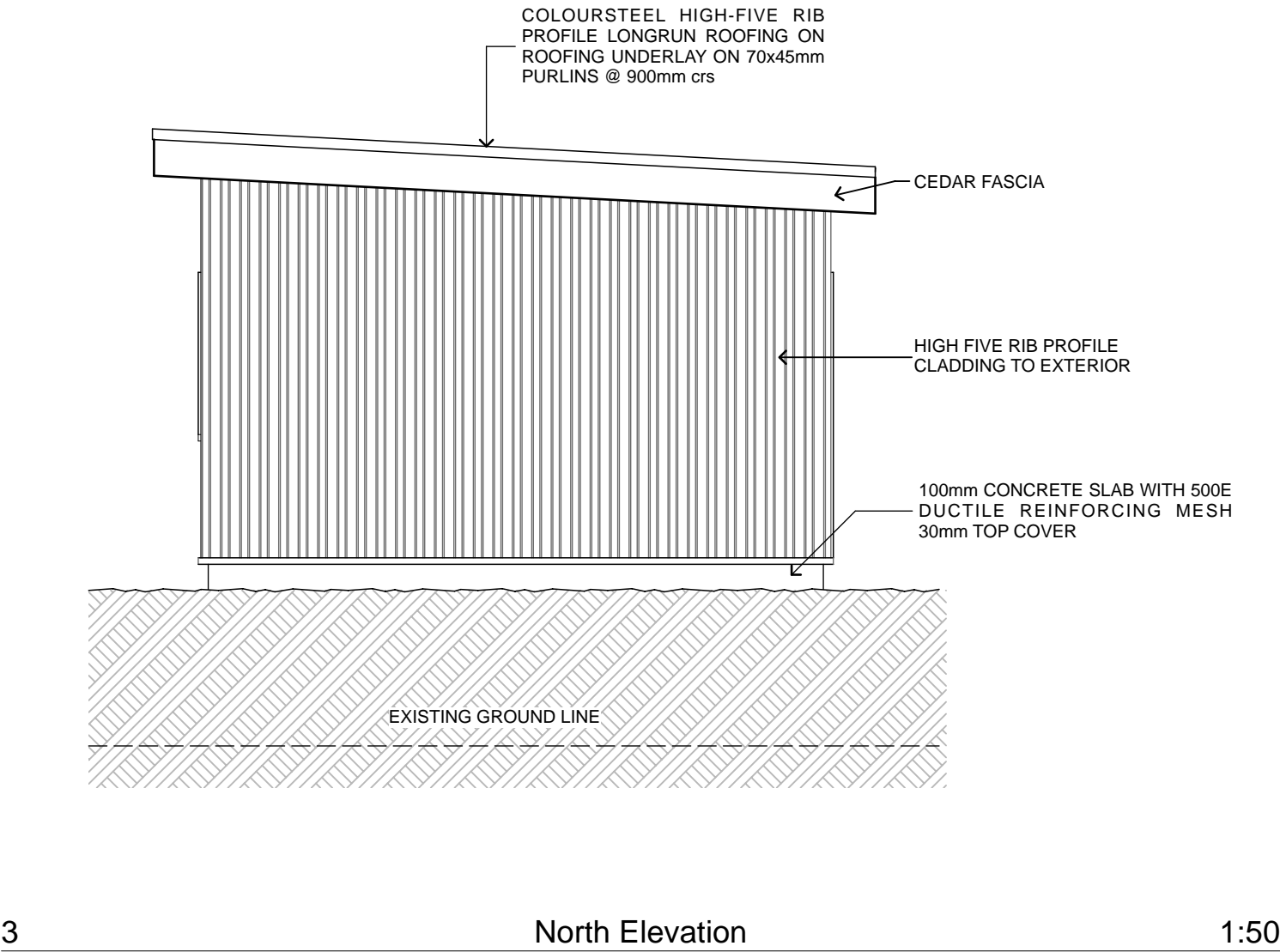
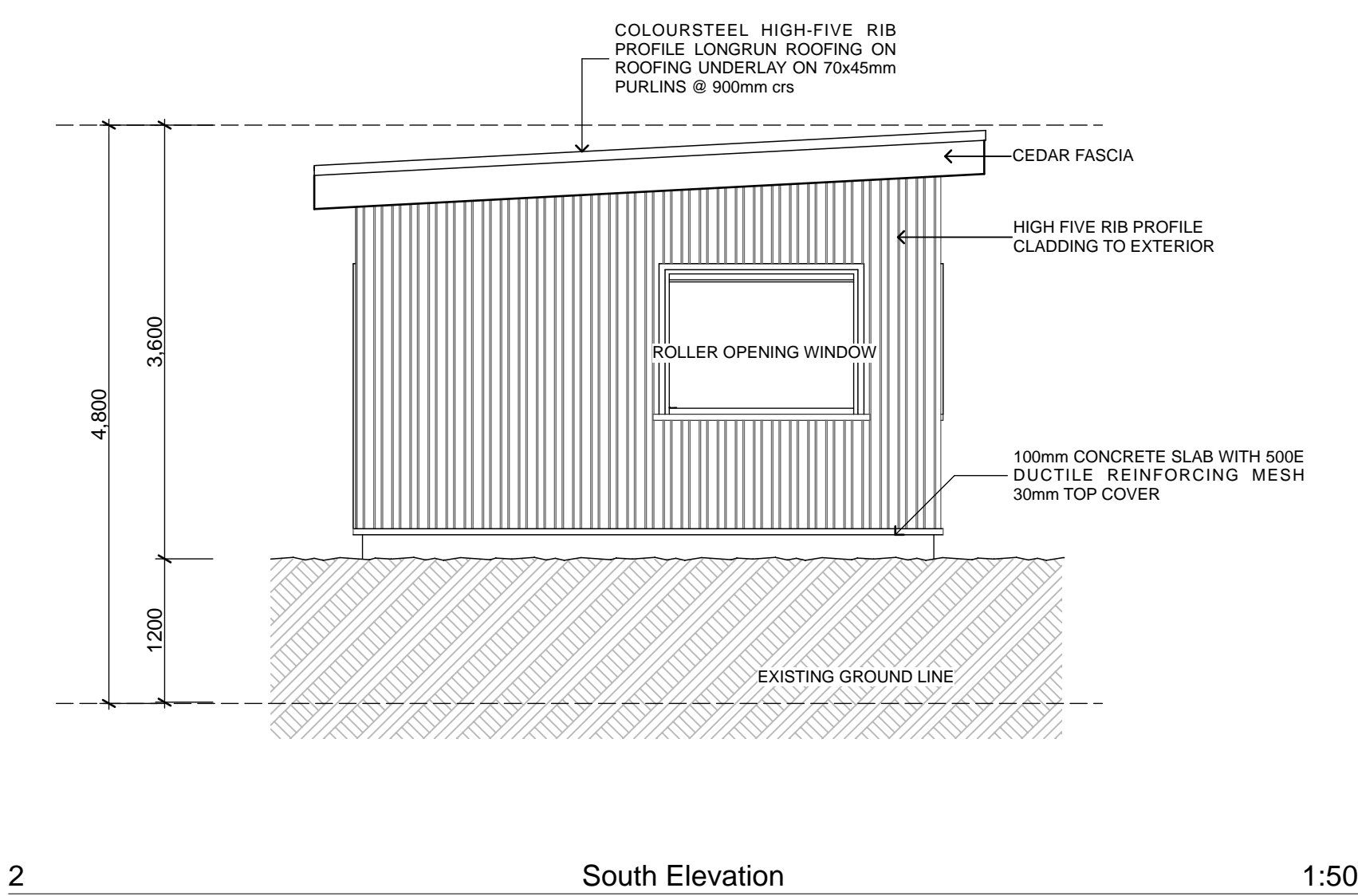
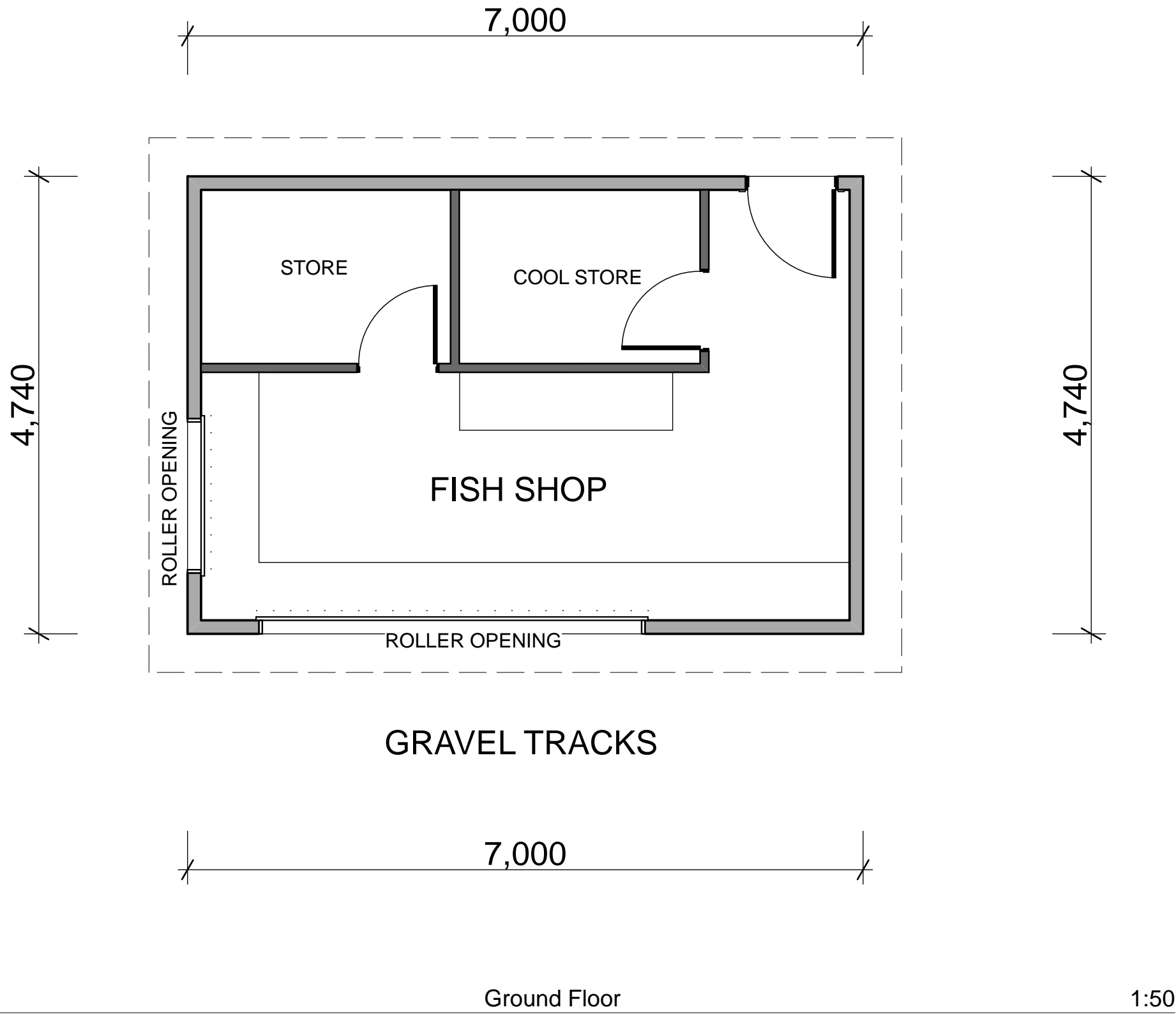
**BLACK PEAK**  
DESIGN • DRAFTING SERVICES • 3D RENDERERS

Jason Kerr  
LBP, Carpentry, Site Design  
7 Old Racecourse Road  
Wanaka 9305  
New Zealand  
E: jason@blackpeak.net.nz  
W: blackpeak.net.nz

QUEENSTOWN LAKES DISTRICT COUNCIL

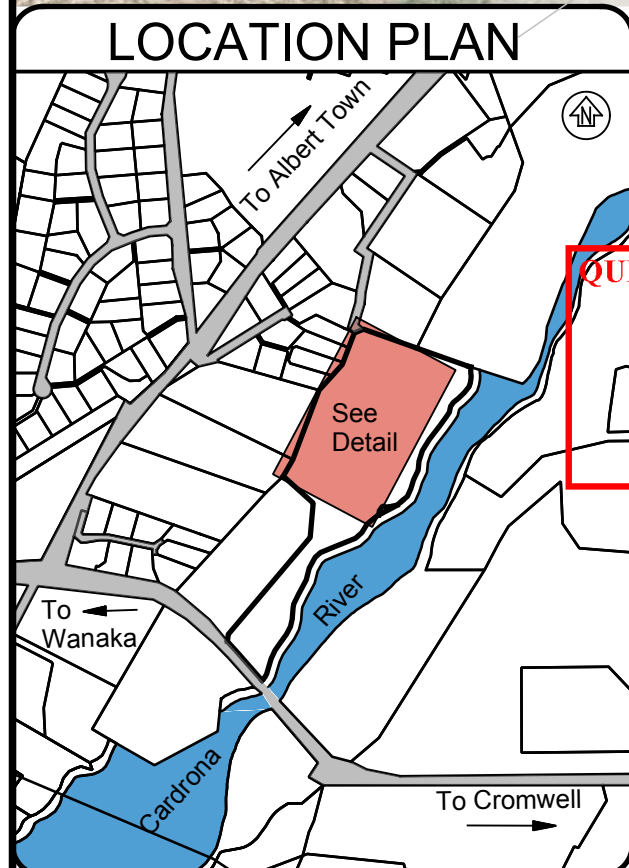
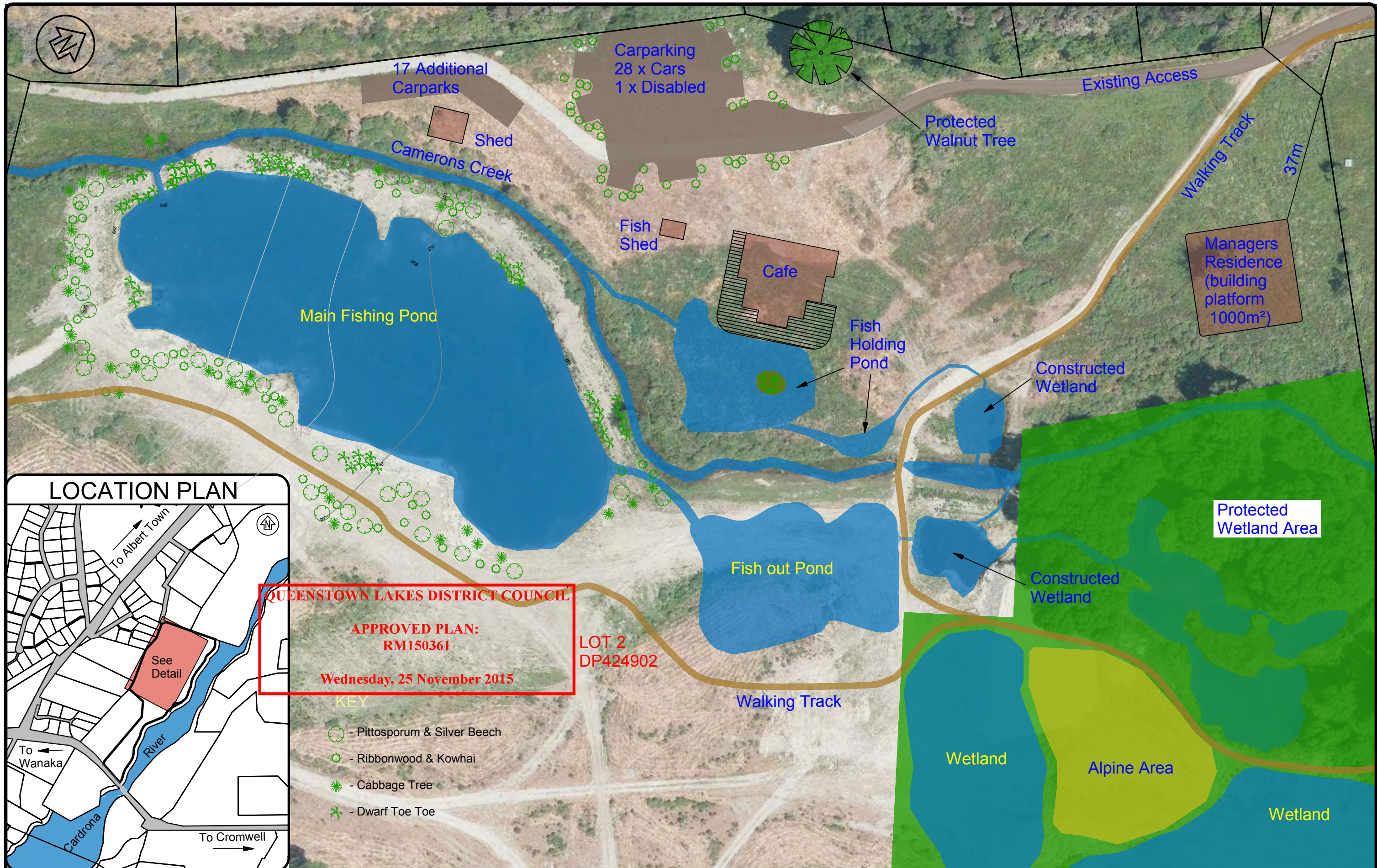
APPROVED PLAN:  
RM150361

Wednesday, 25 November 2015



SHEET TITLE Fishing Shop	LAYOUT ID 108	Waireki Springs Graham Lee	DESIGNER Jason Kerr 7 Old Racecourse Road, Wanaka, 9305, New Zealand E: jason@blackpeak.nz	BLACK PEAK DESIGN • DRAFTING SERVICES • 3D RENDERERS Jason Kerr LBP, Carpentry, Site Design 7 Old Racecourse Road Wanaka 9305 New Zealand E: jason@blackpeak.nz
	REVISION Pre-Lim concept			
		Lot 2, DP424902, Wanaka, 9305, NZ	CAD TECH Jason Kerr	PROJECT NO. 0042 DATE OF ISSUE 17/04/15





**APPROVED PLAN:**  
**RM150361**  
**Wednesday, 25 November 2015**

**KEY**

- Pittosporum & Silver Beech
- Ribbonwood & Kowhai
- Cabbage Tree
- Dwarf Toe Toe



ISSUE	AMMENDMENTS	DATE	Scale:		Job No:	
A	Shed location	May15	1:1000		4299	
B	Pond links & carparking	Sept15				
C			Datum: MSL		Plan No:	Drawn:
D					W749	JDL
E					Date: 29 May 2015	





**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:**  
**RM150361**

**Wednesday, 25 November 2015**

- Proposal
1. Construction and operation of a freshwater salmon farm as a fishing and recreation centre, including an on-site restaurant, children's play areas, a fish shed (for catch equipment and processing fish), storage shed and parking;
  2. Identify a building platform for a manager's residence;
  3. Undertake earthworks and landscaping;
  4. Subdivision of two lots currently held in one amalgamated title

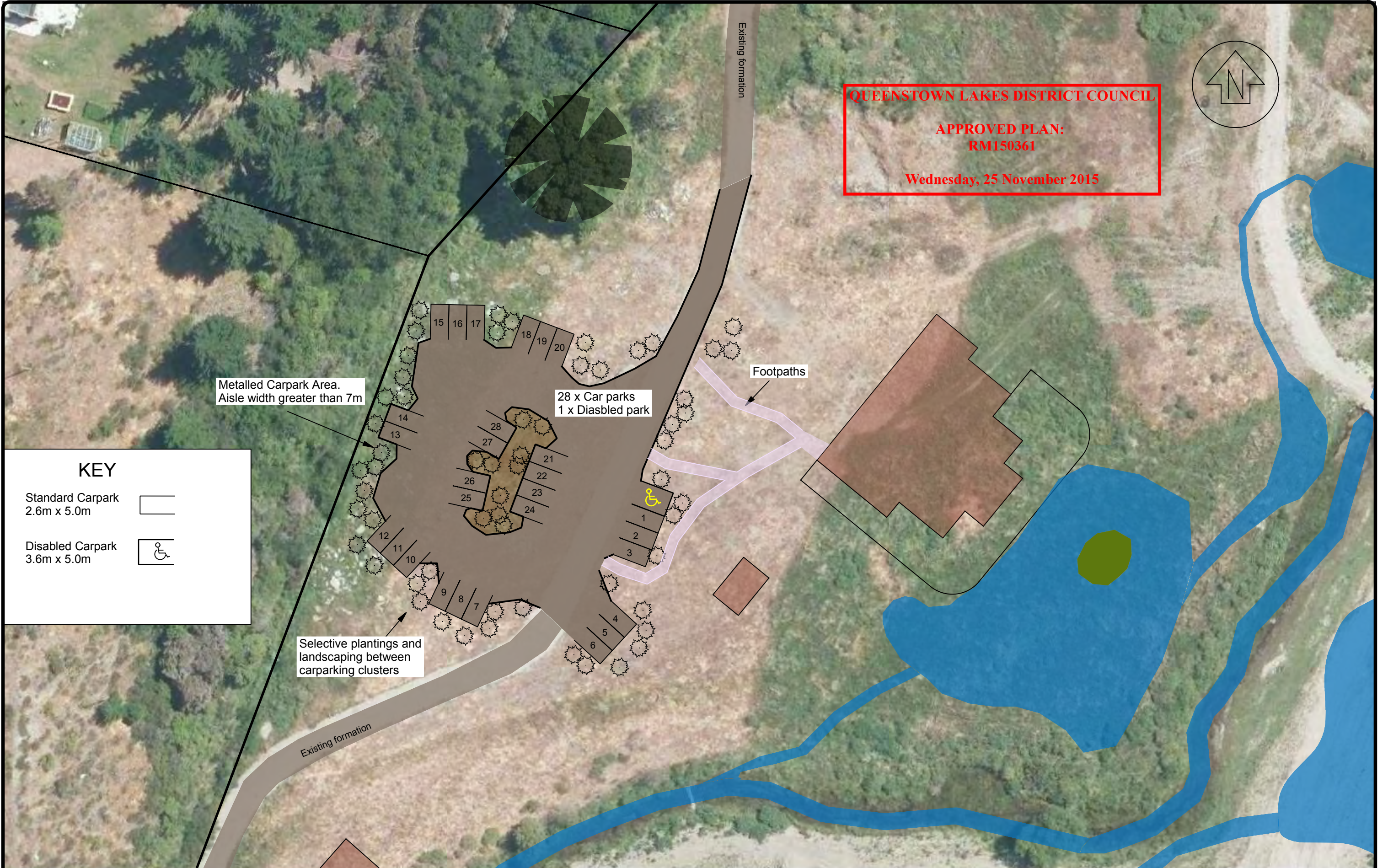


ISSUE	AMMENDMENTS	DATE
A		
B		
C		
D		
E		

Scale:	1:6000
Datum:	

Job No:	4299
Plan No:	W804
Drawn:	MJS
Date:	26 Nov 2014





QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150361

Wednesday, 25 November 2015

**KEY**

Standard Carpark  
2.6m x 5.0m

Disabled Carpark  
3.6m x 5.0m



Carparking Plan  
Waireka Springs  
Wanaka

ISSUE	AMMENDMENTS	DATE
A		
B		
C		
D		
E		

Scale:	1:500
Datum:	

Job No:		4299	
Plan No:		Drawn:	
W813		JDL	
Date:		OCT 2015	

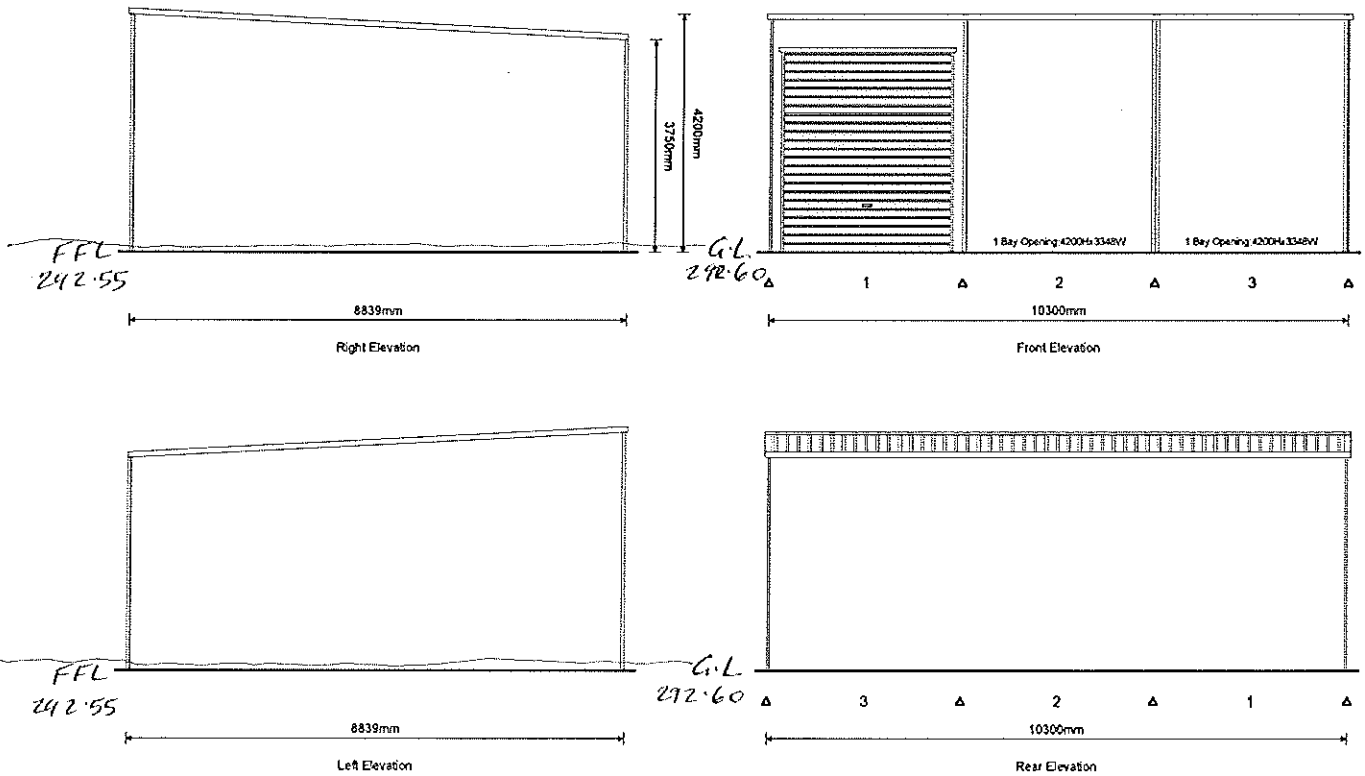
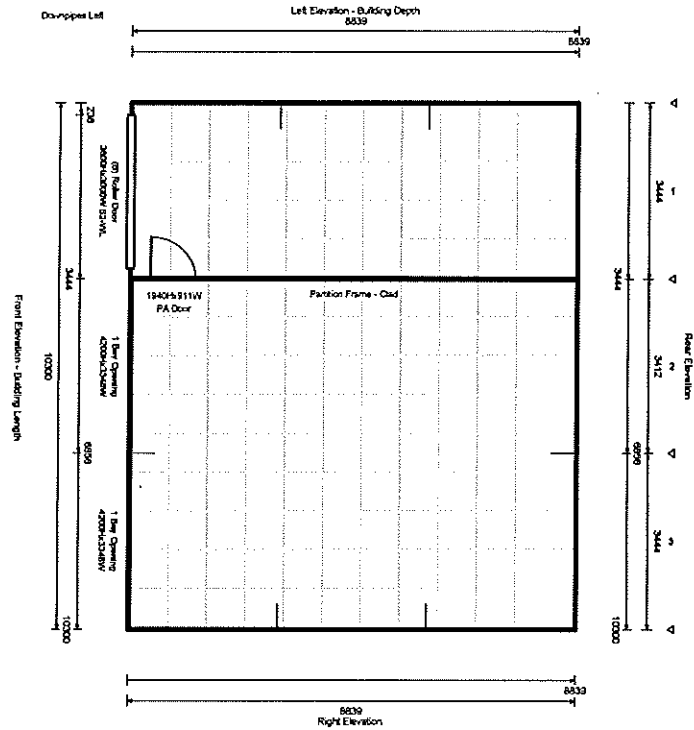


# QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150361

Wednesday, 25 November 2015

Consent Version: 2



Proposed Storage Shed 17/4/15



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM150361

Wednesday, 25 November 2015

Red line follows top of escarpment  
(Refer Condition 17 RM150361)

Building platform for  
managers residence  
Wetlands

Lot 4  
DP 408

Visitor centre

parking

Salmon ponds

Lot 2  
DP 424902  
13.6761 Ha

Noise Condition Plan

Lot  
DP 300274  
9.7290 Ha

Noise Condition Plan 16 October 2015

Lot 1 DP 25895

ALBERT TOWN - LAKE HAWEA ROAD

Clan Mac Rd

To Haw

Legal Road

RIVER

CARLINA

Vanaka