



SECTIONS 95A-F NOTIFICATION STATUS REPORT FOR RESOURCE CONSENT APPLICATION RM170150

Applicant:	Blue Lake Investment NZ Ltd
Application Description:	Proposed Lodge Buildings and Land Management at Guide Hill Station.
Application Status:	Non-complying
Property Address:	Guide Hill Station, Hayman Road, Lake Pukaki
Legal Description:	RS 33300 to 33305, 33310 to 33315. 333356, 33363 and Pt RS 33297, 33306, 33307 and 33308 as contain in Certificate of Title CB 281/173. Proposed Section 1 authorized by the boundary adjustment subdivision RM160169. Proposed Section 1 is contracted to be sold from Her Majesty the Queen to Guide Hill Station Ltd; which is then contracted to be sold to Blue Lake Investment NZ Ltd.
Valuation Reference:	2530015600 (Part RS 33297)
District Plan Zone:	Rural – Mackenzie Basin Sub-zone and site of the proposed Lodge buildings is within the Lakeside Protection Area (LPA) overlay.

1.0 INTRODUCTION

This report has been prepared to document the notification assessment of the above resource consent application.

In this case the application was lodged prior to the amendments to the Resource Management Act 1991 (RMA) that come into effect on 18 October 2017, specifically those affecting the notification decision-making process. On that basis the RMA as it existed prior to those amendments has been considered in relation to the notification of the application.

In this instance the Applicant has requested that the application be publicly notified pursuant to section 95A(2)(b) of the RMA. On that basis the report below summarizes the relevant information, but does not go into great detail regarding the proposal description and assessment of all actual and potential adverse effects of the proposal; as it is not a case where the Council is justifying its decision to publicly notify.

2.0 PROPOSAL, SITE & HISTORY DESCRIPTION

2.1 PROPOSAL DESCRIPTION

As described in the application and accompanying Assessment of Environmental Effects prepared by Mr Carey Vivian of Vivian+Espie Ltd, land-use consent is sought for:

- The construction of a lodge for the private purposes of accommodating the owner, invited guests and staff. The proposed development will include the erection of the main lodge building, a gatehouse/energy building towards the front of the site, associated access track off Hayman Road and connection to power.

The proposed lodge building measures 805m² in area. This building will consist of a conservatory, indoor pool, media/bunker room, study, main bed suite, entrance foyer, hallway gallery area, snug, formal room, dining area, kitchen, 4 guest bedrooms, 2 staff rooms, a games room, a services and storage room and a boot room. The indoor pool will be within the conservatory on the eastern wing of the building and measure 4.5m wide x 25m length and will be 1.3m in depth.

The building is made up of three gabled modules. A long, east-west running central module that houses the swimming pool has a steep roof pitch and an apex height of 8.5m above floor level. The southern module has a gentle roof pitch and has an apex height of 4.8m above floor level. The northern module also has a gentle roof pitch and an apex height of 5.5m above floor level.

Formed outdoor areas surrounding the building will include a lakeside terrace, a southern terrace a pool terrace and private courtyard connecting to an entrance courtyard by a covered veranda. On-site parking is provided off the entrance courtyard within a porte cochere area adjoining the building entrance.

Two buried 25,000L concrete bulk water storage tanks will be placed under the southern terrace for bore water and the collection of rain water. Rainwater will be collected from the bed suite wing roof taken to buried rain water collection tank on the south terrace. On the north-western edge of the building a proprietary grass roof system will merge the building into the existing hillside.

- The installation of a diesel generator power base facility within the gatehouse/energy building (including diesel power generators), water supply via bore, water treatment system and wastewater disposal scheme.

The proposed Gatehouse building/energy shed is 293.88m² (15.8m x 18.6m). This accessory building will consist of two built wings on either side of the 6.6m gravel access way enroute to the main lodge building. No roof will extend above the access way to ensure clear access. A double garage, storage, service room and transformer are located on the western side of the building. An entrance courtyard located between each wing of the gatehouse building/energy shed accommodates the proposed access way and turning area for vehicles. The eastern wing of the building will be benched into the landform and accommodate the diesel tank and a fully buried energy shed utility space which will include four thermal buffer tanks, a log burner, dry wood storage, two diesel burners a diesel tank and a diesel generator.

- Earthworks and disturbance of vegetation will be required to construct the above buildings.

The application includes Appendix F, being an Infrastructure Feasibility Report, which addresses the nature, scale and extent of the earthworks required to construct the proposal.

This report confirms that earthworks proposed for the site consists of the driveway to the site and the earthworks necessary for the buildings and landscaping around the buildings.

The topsoil from the driveway will be stripped to stockpile and re-spread on batters alongside the roads following road construction. The application also confirms that earthworks will be required to undercut any soft silts under the topsoil layer where necessary and allow for the construction and installation of underground services.

The earthworks plan provided details a total of 318m³ of fill and 6,503m³ of cut will be excavated, with a maximum area of 810m². Cuts will be a maximum of 6.16m in depth, with maximum fill of 1.35m in height.

Required earthworks will be subject of a site management plan, which seeks to ensure the minimum level of disturbance, and that all exposed earth worked areas are re-grassed upon completion.

- Land Management for two areas – the Mary Burn valley and the Lakeside Area (Drylands Conservation Covenants).

The proposal involves a covenant to be entered into between the landholder and the Mackenzie District Council (referred to the Drylands Conservation Covenant) with the objective of managing, protecting and enhancing a large part of Guide Hill Station (the Mary Burn area of approximately 1400 hectares) so as to bring about ecological conservation and enhancement. This area exhibits outstanding ecological characteristics relating to endemic dryland ecosystems. It is noted that 1140ha of this area is already protected by way of conditions of an Overseas Investment Offices (OIO) approval, so effectively the current proposal represents a 23% increase in the area of ecosystem protection/enhancement.

The proposal also includes a vegetation management regime for all of the 47.8ha of the lakeside land (being the land on the Lake Pukaki side of Haymans Road). The proposed vegetation management regime has the objective of incrementally removing all wilding-prone exotic trees from the lakeside land and replacing them with native ecosystems over the course of 10 years. In order to bring about this outcome the application states that a detailed Vegetation Management Plan will be submitted to the Mackenzie District Council (MDC) for consideration and approval.

The proposed landscape treatment of the immediate vicinity of the lodge building involves the immediate removal of some trees to enable the construction of the building and its associated outdoor spaces. The majority of all existing trees are to be retained so as to maintain the forested setting. Considerable tree planting is also proposed in the immediate vicinity of the buildings. This consists of native species in the spaces further away from the building that will be visible from outside the site (mountain beech and mountain totara), and exotic species in the outdoor spaces immediately beside the building (including Himalayan birch, Chinese tupelo and prunus mume).

2.2 SITE & SURROUNDING ENVIRONMENT DESCRIPTION

Guide Hill Station is some 3669ha in area currently used for mixed use farming and lies on the eastern side of Lake Pukaki within the Mackenzie Basin, approximately 1/2 way between the Tasman River and State Highway 8 (refer Figure 1 below).

The application sets out that Blue Lake Investment NZ Limited (the applicant) purchased Guide Hill Station (GHS) in March 2016. GHS station are contracted to buy back some land from the Crown on the western side of Hayman Road which was taken in 1976 for the Generation of Electricity. This land is best described as Section 1 of RM160169, and is that land upon which the proposed Lodge and gatehouse buildings are to be established. A detailed history of this transaction is recorded in a previous boundary adjustment application to the MDC (RM160619). For the purpose of this application the “site” includes GHS on both the eastern and western side of Hayman Road as they are to be amalgamated together under as authorised by RM160169. The location of the site is illustrated in Figure 1, while an aerial photograph of the site is provided as Figure 2.

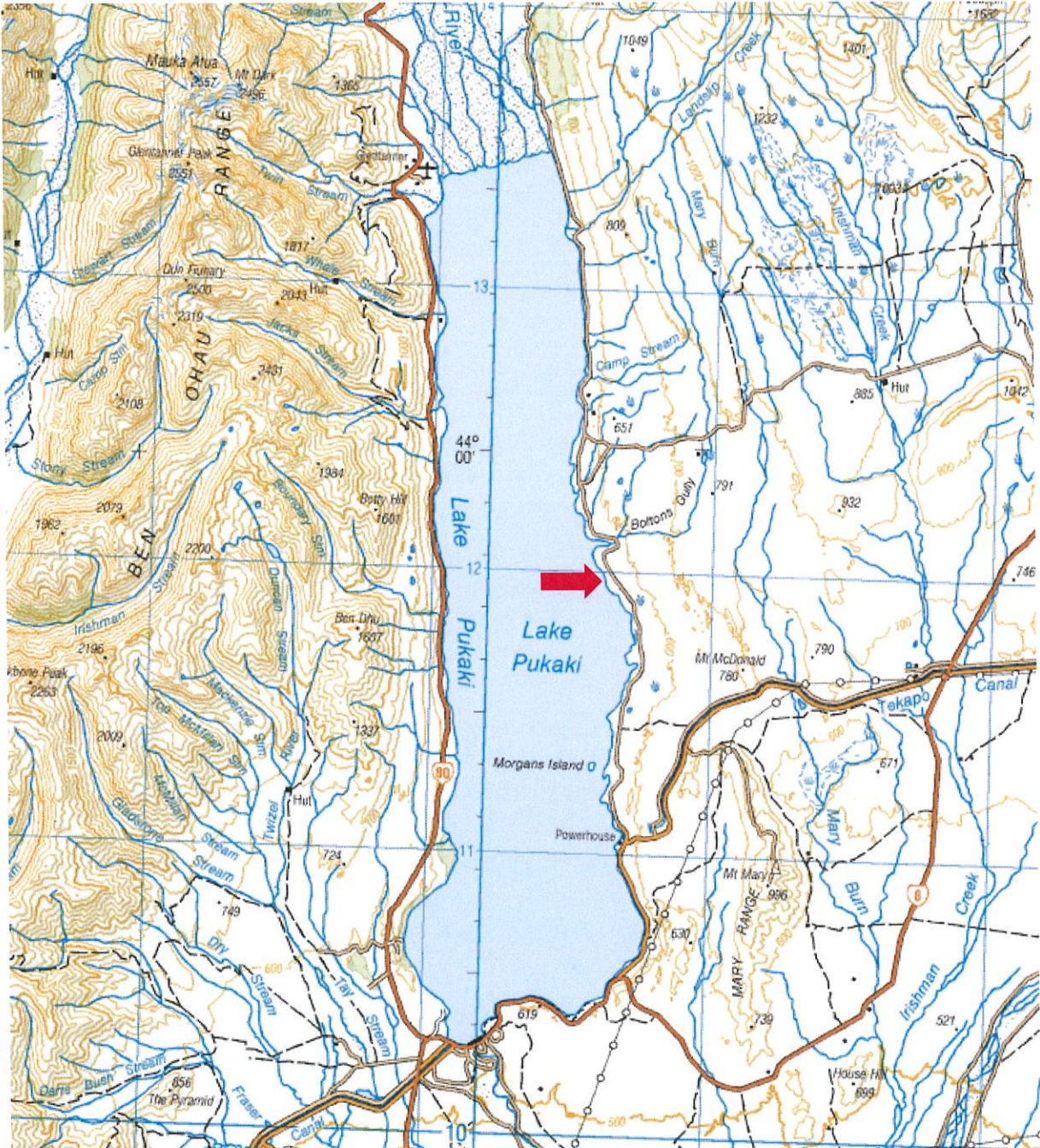


Figure 1 - Site location map. The subject land is indicated by the red arrow.

GHS is located approximately 24kms from Tekapo Village, and approximately 40km to Twizel down the side of the lake via a gravel road (Hayman Road). There are three residential dwellings on the property, with a variety of smaller farm accessory buildings.

GHS lies within the Tekapo Ecological District (ED which is characterized by extensive moraines and lakes. Tekapo ED is part of the Mackenzie Ecological Region which was surveyed as part of the Protected Natural Areas Programme in 1982/83. No recommended areas for protection were identified on GHS.



Figure 2 - Site location map – Guide Hill Station (Source – application document).

A site visit has not been undertaken at this time; as the applicant has requested public notification.

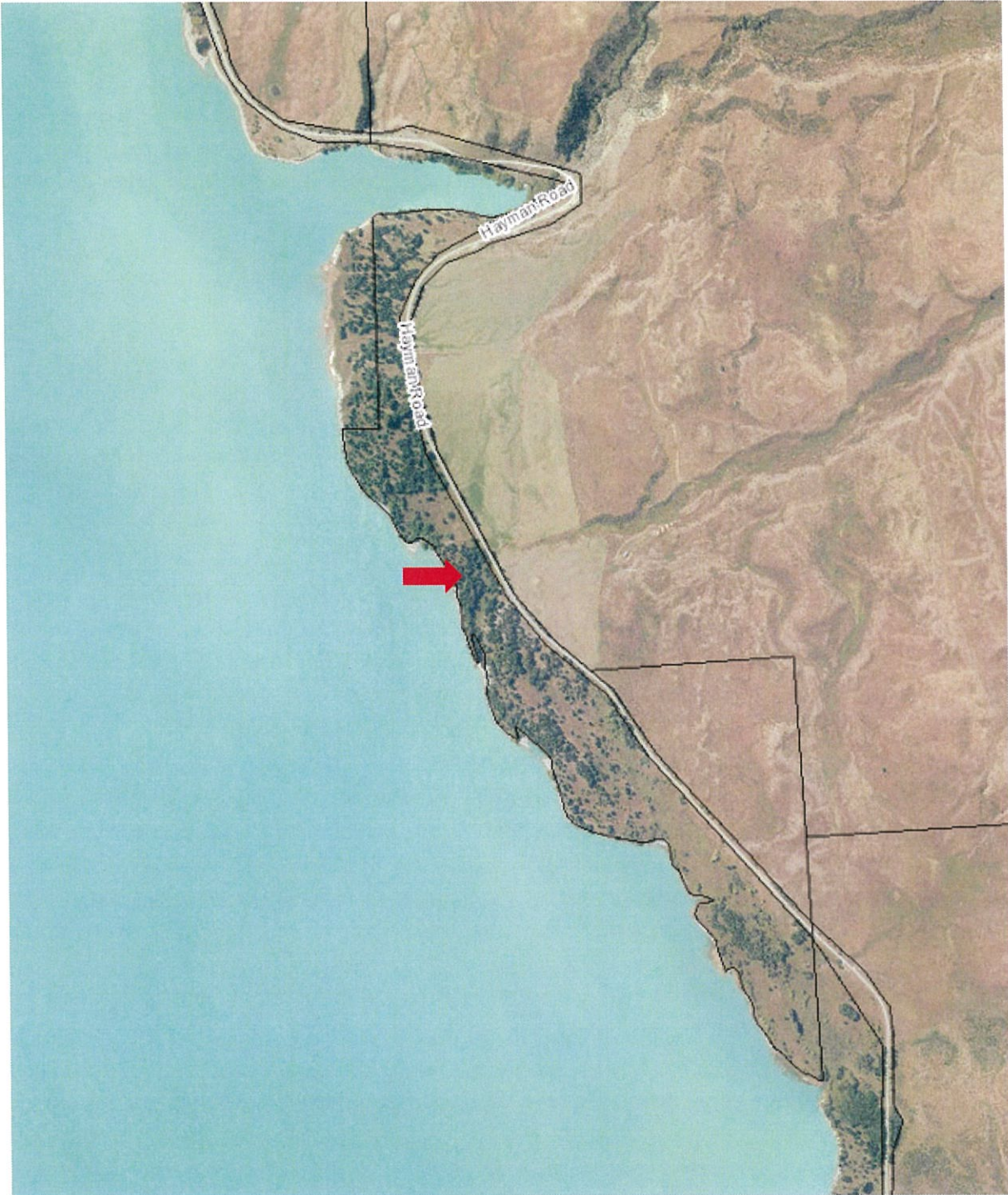


Figure 2 - Aerial photograph. The approximate site of the proposed Lodge building is indicated by a red arrow (Source: Canterbury Maps).

2.3 SITE HISTORY

The following is a summary of the relevant site history pertaining to the subject site:

Resource Consents:

The application sets out that the wider Guide Hill Station property is subject to the following resource consents:

Reference	Consent Type	Granted Date	Date of Expiry	Authorised Activity
RM120078	Land Use	22/01/2013	N/A	New farm building within the Mackenzie Basin Subzone on Lot Pt RS3329.
CRC140048	Wastewater discharge	17/07/2013	17/07/2028	Discharge of domestic wastewater originating from a three-bedroom single property located on Lot Pt RS 3329.
CRC001407	Water take	19/04/2000	14/04/2020	To take surface water from Bolton's Gully and an unnamed tributary, for spray irrigation of up to 25 hectares.
RM160169	Subdivision - Boundary Adjustment	22/11/2016	N/A (Not yet exercised)	Boundary Adjustment – Subdivision of 47.8ha of Crown Land from Section 1 SO 380606 to repatriate it to Guide Hill Station Ltd

Building Consents:

It is assumed that various building consents apply to the various farm accommodation and accessory buildings existing on the site. None of these have direct relevance to the subject proposal.

3.0 ACTIVITY STATUS

The subject site is zoned Rural and within the Mackenzie Basin Subzone under the Operative Mackenzie District Plan 2004 (the District Plan).

The proposed lodge is to be located within the Lakeside Protection Area (LPA) as identified on the planning maps. There are no heritage objects, or trees designated on the site.

The recently released decision on Plan Change 13 also identifies the site as being within the area identified as Outstanding Natural Landscape as shown on planning map 61.

A Farm Base Area (FBA) has been identified off Braemar Road (approximately four kilometres from the intersection with Hayman Road) which contains several dwellings, a number of farm worker quarters and several farm accessory buildings. This FBA was introduced as part of Plan Change 13 to the ODP. The proposal is not located within this identified FBA.

A Geopreservation Site (#G15) is also identified Planning Map 23 on GHS. The proposal includes a covenant over part of this moraine to protect its values. The Mackenzie District Plan describes this site as:

Site	Name	Map Reference	Data Source/ Description
G15	Lake Pukaki Lateral Moraine	H37 22899 56843	A classic example because of the scale of moraine. Classified as an extremely well defined landform of scientific/educational value.

The rules of the Mackenzie District Plan (as amended by the 11th decision on Plan Change 13) that the proposal fails to comply with are set out in the Table below:

Rule	Standard	Proposal	Activity Status
Rule 3 Buildings			
Rule 3.1.1.f Riparian Areas	No building shall be erected in a river, wetland or lake or within: <ul style="list-style-type: none"> • 20 metres of a bank of a river, or • 50 metres of a wetland; • 100 metres of a lake 	The proposed lodge is located 40m from Lake Pukaki.	Discretionary
Rule 3.1.1.h Lakeside Protection Areas	No building or extensions to buildings, other than stock fencing, shall be erected in Lakeside Protection Areas identified on the Planning Maps (refer Non-Complying Activities - Rule 3.4.4).	The proposed buildings (lodge and gatehouse energy shed) are located within the Lakeside Protection Area	Non-complying
Rule 3.4 Non-complying Activities - Buildings			
Rule 3.4.4	All farm and non-farm buildings and extensions of these buildings within the Mackenzie Basin Subzone within the following areas	The proposal is located within the Mackenzie Basin Subzone and a Lakeside Protection Area identified	Non-complying

	<p>identified on the Planning Maps:</p> <ul style="list-style-type: none"> • Sites of Natural Significance • Scenic Viewing Areas • Scenic Grasslands • Lakeside Protection Areas • Land above 900m in altitude, other than mustering huts less than 50m² in area 	on planning map 23 of the Mackenzie District Plan.	
Rule 3.4.5	Non-farm buildings and extensions of these buildings outside of a defined Farm Base Area (refer Appendix R) within the Mackenzie Basin Subzone High Visual Vulnerability area.	The proposed buildings are located outside the identified Farm Base Area on Guide Hill Station and are within the High Visual Vulnerability area identified on the map included in Appendix V to the Mackenzie District Plan.	Non-complying
Rule 4 Earthworks and Tracking			
4.1 Permitted Activities – Earthworks and Tracking			
Rule 4.1.1	Any earthworks or tracking involving excavation and/or fill 300m ³ or less, or bare exposed soil 1000m ² or less which complies with all the following standards:		
Rule 4.1.1.c Riparian Areas	<p>On any land in a lake, river or wetland or within:</p> <ul style="list-style-type: none"> – 20m of the bank of the main stem of any river listed in Schedule B to the Rural Zone, or – 10m of the bank of any other river, or – 75m of any lake listed in Schedule B to the Rural Zone, or – 50m of a wetland or any other lake <p>earthworks shall not exceed:</p> <ul style="list-style-type: none"> • 20m³ (volume) per hectare in any continuous 5 year period, or • 50m² (area) per hectare in any continuous 5 year period. 	<p>The proposed lodge location is within 75m of Lake Pukaki.</p> <p>The proposal involves approximately 6,820m³ of earthworks.</p>	
Rule 4.1.1.d Geopreservation Sites and High Altitude Areas	No earthworks (excluding excavations for permitted buildings) within Geopreservation Sites identified on the Planning Maps, or on land over	Geopreservation site G15 'Lake Pukaki Lateral Moraine' includes the application site.	

	<p>900metres in altitude shall exceed:</p> <ul style="list-style-type: none"> • 20m³ (volume) per hectare in any continuous 5 year period, or • 50m² (area) per hectare in any continuous 5 year period. 	The proposal involves approximately 6,820m ³ of earthworks.	
4.2 Controlled Activities – Earthworks and Tracking			
Rule 4.2.1	<p>Other than in the areas listed below, any earthworks (both excavation and fill) greater than 300m³ and less than 1000m³ per site or bare soil exposed greater than 1000m² and less than 2500m² per site, will be a controlled activity:</p> <ul style="list-style-type: none"> • areas containing Geopreservation Sites identified on the Planning Maps and listed in Appendix I; • Sites of Natural Significance identified on the Planning Maps and listed in Appendix I; • Areas containing Scenic Viewing Areas or Scenic Grasslands identified on the Planning Maps and listed in Appendix J • areas above 900m in altitude or on land with a slope angle greater than 25°; • areas within 10m of a river; • areas within 50m of a wetland or lake. • areas within 20m of a river listed in Schedule B to the Rural Zone. 	The proposal involves approximately 6,820m ³ of earthworks, and is also located within areas containing a geopreservation site and within 50m of a wetland or lake.	
Rule 4.3 Discretionary Activities – Earthworks and Tracking			
Rule 4.3.1	Any Earthworks or Tracking which are not provided for as a Permitted or Controlled Activity.	The proposal does not meet the standards set out in the Rules above.	Discretionary Activity
Rule 6 Tree Planting			
Rule 6.1 Permitted Activities	The following tree planting (6.1.1 to 6.1.7) is a Permitted Activity provided it complies with all of the general standards listed in 6.1.8 below and the specific		

	standards listed for each Permitted Activity.		
Rule 6.18a Setback from Neighbours	No tree planting shall be located on, or within 15 metres of the boundary of any site under separate Certificate of Title without prior written permission from the landowner of that site. Where written permission is not obtained, the planting of trees within this zone shall be a discretionary activity.	The proposal involves landscape planting within 15m of an adjoining site without the written approval of that land owner	Discretionary Activity
Rule 12 Vegetation Clearance			
Rule 12.1.1 Permitted Activities	Clearance of vegetation is permitted where it complies with the following standards:		
Rule 12.1.1.a Riparian Areas	Clearance of vegetation shall not exceed 100m ² per hectare in any continuous period of 5 years: <ul style="list-style-type: none"> • within 20m of the bank of the main stem of any river listed in Schedule B to the Rural Zone; or • within 10m of the bank of any other river; or • within 75m of any lake listed in Schedule B to the Rural Zone; or • within 50m of or in any wetland or other lake. 	The proposal involves vegetation clearance to open up views to the Lake that exceed 100m ² per hectare within any continuous 5-year period within 75m of a Lake listed in Schedule B of the Rural Zone	
Rule 12.2.1 Discretionary Activities	Any clearance of vegetation not provided for as a Permitted Activity or Non-Complying Activity.	The proposal does not comply with Rule 12.1.1.a above.	Discretionary Activity

Overall the proposal is assessed as a **non-complying activity** under the provisions of the Mackenzie District Plan.

4.0 PUBLIC NOTIFICATION ASSESSMENT

4.1 PUBLIC NOTIFICATION (SECTIONS 95A and C)

Under the Resource Management Act 1991 (the Act) a consent authority must publicly notify an application if:

- the applicant requests public notification of the application (section 95A(2)(b)); or
- a rule or national environmental standard requires public notification of the application (section 95A(2)(c); or

- the applicant refused/failed to provide further information requested under section 92(1) (section 95C(1)).

In this instance, the applicant has requested public notification and paid the appropriate \$6,000 deposit fee.

On that basis there is no need to assess the adverse effects of the proposed activity in accordance with section 95A and 95D, or consider whether there are any affected parties in relation to the proposed activity in accordance with section 95B.

6.0 NOTIFICATION RECOMMENDATION

For the above reasons, this application should be processed publicly notified as requested by the applicant.



Reported on and Recommended by:

Nick Boyes - Consultant Planner (Planz Consultants Ltd)

Date: 26 October 2017

Peer Reviewed and Approved for Release by:



Karina Morrow – Planning Manager

Date: 31 October 2017

7.0 NOTIFICATION DECISION

Acting under delegated authority from Council, I have considered this application for resource consent and note that pursuant to section 95A(2)(b) the applicant has requested public notification.



Suzette van Aswegen
Planning and Regulations Manager

Date: 3/11/17