



DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	BEECH COTTAGE TRUSTEES LIMITED
RM Reference:	RM 160835
Location:	Wanaka-Mt Aspiring Road, west of Wanaka
Proposal:	Land use consent to construct a dwelling with associated structures and to relocate an historic woolshed to within the site.
Type of Consent:	Land use consent.
Legal Description:	Sections 1 and 2 SO 24934 held in CFR OT 19C/174
Valuation Number:	2906121700
Zoning:	Rural General
Activity Status:	Discretionary activity
Notification:	24 November 2016
Commissioner:	W D Whitney
Date of Decision:	5 April 2017
Decision:	Consent is granted subject to conditions.

A. INTRODUCTION

A.1 Background

1. Beech Cottage Trustees Limited has applied to the Queenstown Lakes District Council for land use consent to construct a dwelling with associated structures (including a swimming pool) and to relocate an historic woolshed to the property that has frontage to the Wanaka-Mt Aspiring Road west of Wanaka. The subject site has an area of 35.1260 hectares more or less and is described as Sections 1 and 2 SO 24934 as held in Computer Freehold Register Identifier OT 19C/174 in the Otago Land Registration District.
2. The site is irregular in shape and has frontage to the Wanaka-Mt Aspiring Road at the south-west boundary. The site has frontage at the eastern boundary to Ruby Island Road which provides access to the margin of Lake Wanaka in the vicinity of the Waterfall Creek outlet and boat ramp. The site is separated from the margins of Lake Wanaka and the adjacent Waterfall Creek Recreation Reserve by a strip of land, part of which is subject to a "Nohoanga Entitlement" as shown on SO 24934. The north-western boundary of the site is shared with the George property being Section 2 Block XIII Lower Wanaka Survey District.
3. The site is described in the application as being a rolling pastoral piece of land. The site is bisected by Waterfall Creek which exits the site at its eastern boundary. The site contains relatively flat land adjacent to the Wanaka-Mt Aspiring Road and gently rolling hummocky terrain on the northern portion of the site. At the high point of the site there is a depression within an area of approximately 8000m² which is rabbit fenced. Native vegetation has been planted in this part of the site.
4. Much of the site is in pasture albeit that there are patches of remnant native scrubland. The southern portion of the site adjacent to the Wanaka-Mt Aspiring Road has been variously used for the production of barley, lucerne or hay; and horses are currently being grazed on the site. The upper slopes of the high point have been planted in a diverse mix of endemic native trees, shrubs and grasses; and these are well established. The easterly portion of the site near Waterfall Creek contains exotic trees and shrubs such as briar and willow. Other exotic trees are scattered across the site.

5. Mr Dippie of the applicant company has owned the property for nearly 20 years. Interestingly SO 24934 identifies the site as being part of the Waterfall Creek Recreation Reserve. Mr Dippie has advised that the site was declared surplus by the Government, was offered to Ngai Tahu, and was subsequently purchased by the applicant from Ngai Tahu.
6. On 26 September 2003 land use consent RM 030654 was granted to Willowridge Developments Limited to place 12,000m³ of fill on the site for the purpose of filling a small gully; and subsequently on 8 December 2003 land use consent RM 031038 was also granted to Willowridge Developments Limited to place approximately 4000m³ of fill on the site for the purpose of filling a small gully. It is understood that these consents have been given effect to and that the deposition of fill has created two level areas at the high point between which the proposed dwelling is to be located.
7. On 3 October 2011 land use consent RM 110582 was granted to Beech Cottage Trustees Limited to relocate a hay barn building to the subject site. This hay barn is located on the upper portion of the site just outside the rabbit fenced area containing native plantings which is intended to provide the curtilage for the proposed dwelling.
8. The hay barn authorised by RM 110582 is the only building currently located on the site. Other improvements include an existing metalled farm track, water tanks and fencing (including deer fencing).

A.2 The Proposal

9. Land use consent is sought to construct a two level dwelling within the depression at the high point on the site. Paved outdoor areas and a swimming pool will be constructed in conjunction with the dwelling.
10. The ground floor of the dwelling will have an area of 288m²; and the first floor level of the dwelling will have an area of 190m². At ground floor level there is also a pool and terrace (204m²), a changing/pump room (15m²), and a deck (55m²). At first floor level there is a covered entry (45m²) and decks (64m²). The total footprint at ground floor level (including the dwelling and adjacent structures) will be 562m²; and the total footprint of the dwelling and outdoor structures at first floor level will be 299m².

11. The dwelling will have a maximum height of 8 metres. External walls will be constructed using concrete, corten steel, cedar and stone. The first floor level roof will be corten steel and the ground floor level will have a green (vegetated) roof. The dwelling features deep roof overhangs at the first floor and ground floor levels.
12. While the dwelling has been designed to use the existing levels on-site, additional earthworks are required to set the dwelling into the hillside and to form the vehicle access and parking area. In total approximately 3670m³ of earthworks will be undertaken over an area of 1073m² at the site of the dwelling and over an area of 1537m² nearby where surplus material will be used within the site to fill a depression north-west of the curtilage area.
13. Cuts to a maximum height of 3.2 metres are to be used where the dwelling is set back into the hill which was aptly described as an amphitheatre during the course of the hearing. As the wall of the dwelling will be retaining there will be no significant cut batters. Where excess fill is placed and finished to fill the depression to the north-west of the curtilage area the finished batter slope will be no more than 1 vertical to 7 horizontal. The maximum depth of fill will be approximately 2 metres.
14. Access is to be achieved from the Wanaka-Mt Aspiring Road to the dwelling via an existing entrance and existing farm track. The application discloses that the access is to be upgraded to incorporate a pull out lane to allow turning vehicles to pull off to the left and to check the road is clear before turning. Both the entrance and pull out lane are to be sealed with provision made for continuation of the roadside drainage.
15. The water supply to the dwelling will come from an existing bore located to the south of the existing farm track, approximately 100 metres from the Wanaka-Mt Aspiring Road boundary. This bore was installed in 2001 under Otago Regional Council (ORC) land use consent 2001.997.
16. Wastewater is to be disposed of on-site using a proprietary aerated treatment system, such as an AirTech AT9000 or similar. Stormwater runoff is also to be disposed on-site.

17. An electrical supply already exists to the site. Correspondence from Aurora dated 29 January 2016 and from Chorus dated 2 February 2016 have been provided which confirms that an electricity supply and a telecommunications connection can be provided to the site.
18. The applicant proposes to relocate a 143m² woolshed that is currently located at Luggate to the subject site. The applicant proposes that the woolshed be relocated to the eastern part of the site within an area that is in pasture. The woolshed is constructed of timber and corrugated iron with a corrugated iron roof. While the woolshed is described as “historic” in the application it does not pre-date 1900 and is not listed as a heritage building in the District Plan or listed by Heritage New Zealand. The woolshed is described as “historic” purely on account of its age and appearance.
19. The woolshed is to have a power supply but no formal access is to be constructed to the woolshed.
20. At the hearing the applicant volunteered a range of conditions to mitigate effects. These include the following (or to like effect):
- i. The conditions (including engineering conditions) as detailed at Appendix 3 to Ms Gathercole’s section 42A report, subject to amendments (detailed below).
 - ii. Replacement of Condition 12 with a condition promoted by Dr Read to the effect that the indigenous vegetation established around the dwelling (as shown on a plan tabled by Mr Skelton at the hearing) is to be retained.
 - iii. An amendment to Condition 16a) to provide for access to be achieved to Diagram 2 or Diagram 3 standard.
 - iv. New Conditions 16c) and d) as recommended by Ms Overton which relate to the effluent disposal system and disposal field.
21. The Commission confirms that it has assessed the proposal on the basis of the application as lodged and as amended in terms of the conditions offered by the applicant at the hearing.

A.3 Zoning

22. The site is zoned Rural General as shown on Map 18 of the Operative Queenstown Lakes District Plan (Operative District Plan/District Plan).

23. Rule 5.3.3.3i(a)(i) and (ii) provide for the construction of any building and of any physical activity associated with any building such as roading, landscaping and earthworks, as a discretionary activity in the Rural General Zone.

24. Site Standard 5.3.5.1xi(a)(i) stipulates that no farm buildings shall be replaced, extended or constructed on any holdings less than 100 hectares in area. A breach of Site Standard 5.3.5.1xi(a)(i) is a restricted discretionary activity in terms of Rule 5.3.3.3xi.

25. Any relocated building is a restricted discretionary activity in terms of Rule 19.2.1.2i.

26. The total volume of earthworks being 3,670m³ exceeds the 1000m³ limit specified in Tier 6 in Table 22.1 and therefore breaches Site Standard 22.3.3i. A breach of Site Standard 22.3.3i is a restricted discretionary activity in terms of Rule 22.3.2.3(a).

27. The Commission has considered the proposal as a whole as an application for land use consent to a discretionary activity.

A.4 Submissions

28. Three submissions were received within the statutory submission period which closed on 16 January 2017. The submissions by B McCaughan, the Upper Clutha Environmental Society (Inc.) and C Werner all oppose the application.

29. The Commission has given consideration to the contents of all submissions received in response to the application.

30. It is also noted for completeness that Mr Hanley of the Otago Regional Council forwarded an email comment dated 21 December 2016 in response to the application.

A.5 Reports and Hearing

31. The Commission has had the benefit of a planning report dated 21 February 2017 prepared by Ms Sarah Gathercole, a Senior Planner with the Queenstown Lakes District Council; a Landscape Architect's Report prepared by Dr Marion Read, Consultant Landscape Architect dated 19 October 2016; and an Engineering Report dated 7 February 2017 (and an updated version of that report dated 23 February 2017) prepared by Ms Lyn Overton a Resource Management Engineer with the Queenstown Lakes District Council. At the hearing on Wednesday 15 March 2017 the Commission was assisted by Ms Gathercole, Dr Read and Ms Overton. Ms Rachel Beer, Manager Planning Support with the Queenstown Lakes District Council, provided administrative support at the hearing.
32. Prior to the hearing the Commission had the opportunity to consider the application and supporting material; the submissions; the section 42A report; and the pre-circulated written evidence prepared by Mr Dippie, Ms Bell, Mr Skelton and Ms Devlin for the applicant and by Mr Haworth for one of the submitters, being the Upper Clutha Environmental Society (Inc). The Commission made a site inspection with Ms Gathercole prior to the hearing on 15 March 2017.
33. At the hearing the applicant was represented by Mr Graeme Todd, Lawyer, of GTodd Law; Mr Allan Dippie a Director of Beech Cottage Trustees Limited; Mr Stephen Skelton a Landscape Architect contracted to Baxter Design; and Ms Alison Devlin a Resource Management Planner and General Manager for Planning & Development for Willowridge Developments Limited being a company related to Beech Cottage Trustees Limited. Evidence from Ms Andrea Bell, an Architect and Director of Bell + Co Architecture Limited, was tabled at the hearing.
34. At the hearing Mr Julian Haworth presented a submission and evidence in support of the submission by the Upper Clutha Environmental Society (Inc). The other opposing submitters were not in attendance at the hearing.
35. The planning, landscape and engineering reports were taken as read and Ms Overton, Dr Read and Ms Gathercole were invited to comment following the presentation of the submissions and evidence. Following Mr Todd's reply the hearing was adjourned with

leave being granted by the Commission for Mr Todd to provide further material in writing relating to the status of Turnbull Track; and for Ms Devlin to provide information with respect to potential soil contamination. The Commission notes that the written material from Mr Todd and the information from Ms Devlin was received on 17 March 2017.

A.6 Principal Issues in Contention

36. The principal issues in contention are the effects on the environment of allowing the construction of the dwelling and associated structures and earthworks and the relocation of the woolshed to the subject site.

B. EFFECTS ON ENVIRONMENT

B.1 Permitted & Consented Baseline

37. Farming activities (except factory farming), tree planting (with specific exclusions), fencing less than 2 metres high and earthworks which do not breach the site standards contained within Site Standards 22.3.3i-viii are permitted activities in the Rural General Zone.

38. Within the Rural General Zone the construction of any building as well as any physical activity associated with any building such as roading, landscaping and earthworks, and the relocation of a building, requires resource consent. The permitted baseline is therefore of no particular relevance in this instance.

39. The Commission's attention was drawn to the decision of Commissioner Nixon on the application for land use consent RM 160579 which relates to the neighbouring George property. Given that this decision has been appealed the Commission has chosen not to consider RM 160579 as being part of the receiving environment in this instance.

B.2 Affected Persons Approval

40. An affected persons approval from G & J George, being the neighbouring property owners to the north-west of the site, has been provided and is attached as Appendix A to Ms Devlin's evidence.

B.3 Assessment Matters

41. The Queenstown Lakes District Plan became fully operative on 10 December 2009. The Operative District Plan contains assessment matters in Part 5 that are relevant to development in the Rural General Zone; and the assessment matters in Part 19 (Relocated Buildings, Temporary Buildings and Temporary Activities) and in Part 22 (Earthworks) are also relevant in this instance.
42. The Assessment of Effects on the Environment (AEE) that accompanied the application, the officer's reports and the evidence have assessed the effects of the activity in terms of the relevant assessment matters. This approach is appropriate in this instance and the Commission has assessed the actual and potential effects of the proposed activity having regard to the relevant assessment matters presented in Part 5, Part 19 and Part 22 of the Operative District Plan.

B.4 Part 5

43. Clause 5.4.2.1 advises that there are three steps in applying the assessment criteria. These include Step 1 – Analysis of the Site and Surrounding Landscape, Step 2 – Determination of Landscape Category and Step 3 – Application of the Assessment Matters.
44. Mr Skelton and Dr Read have conducted an analysis of the site and surrounding landscape and both landscape architects have determined that the site is part of an Outstanding Natural Landscape (District Wide) – (ONL(DW)). The Environment Court in Wakatipu Environmental Society v QLDC Dec C73/2002 assessed the landscape status of the shallow valley between Waterfall Creek and Damper Bay ("the Damper/Waterfall valley") which includes the subject site. The Court noted at paragraph 42 that the Damper/Waterfall valley has ONL on both sides [being the slopes of Roy's Peak and the waters and shores of Lake Wanaka] and stated:
- "... So, while the valley is too narrow to be a separate landscape, we find that it fits comfortably into the outstanding natural landscapes on each side."*
45. The Commission notes that the extent of the ONL(DW) in this locality is shown on Map 1 at Appendix 8B to the District Plan.

46. Clause 5.4.2.2(2) contains assessment matters specific to the ONL(DW). Each assessment matter stated in Clause 5.4.2.2(2) is presented in italics below, followed by the Commission's assessment of the proposal in terms of that matter, including the Commission's discussion of effects.

47. The opening paragraphs of Clause 5.4.2.2(2) state as follows:

"These assessment matters should be read in the light of the further guiding principle that existing vegetation which:

- (a) was either
 - planted after; or
 - self seeded and less than 1 metre in height at - 28 September 2002; and*
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads
 - shall not be considered:
 - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
 - (2) as part of the permitted baseline.
 - nor shall removal of such vegetation be considered as a positive effect of any proposal."*

48. The Commission simply acknowledges that the assessment matters in Clause 5.4.2.2(2) are to be read in light of the above guiding principle.

"(a) Potential of the landscape to absorb development

In considering the potential of the landscape to absorb development both visually and ecologically, the following matters shall be taken into account consistent with retaining openness and natural character:

- (i) whether, and to what extent, the proposed development is visible from public places;*
- (ii) whether the proposed development is likely to be visually prominent to the extent that it dominates or detracts from views otherwise characterised by natural landscapes;*
- (iii) whether any mitigation or earthworks and/or planting associated with the proposed development will detract from existing natural patterns and processes within the site and surrounding landscape or otherwise adversely effect the natural landscape character;*
- (iv) whether, with respect to subdivision, any new boundaries are likely to give rise to planting, fencing or other land use patterns which appear*

unrelated to the natural line and form of the landscape; wherever possible with allowance for practical considerations, boundaries should reflect underlying natural patterns such as topographical boundaries;

- (v) whether the site includes any indigenous ecosystems, wildlife habitats, wetlands, significant geological or geomorphologic features or is otherwise an integral part of the same;*
- (vi) whether and to what extent the proposed activity will have an adverse effect on any of the ecosystems or features identified in (v);*
- (vii) whether the proposed activity introduces exotic species with the potential to spread and naturalise.”*

49. Profile poles have been erected at the proposed location of the dwelling and at the proposed woolshed location and photographs have been provided by Messrs Skelton and Haworth which have assisted the Commission in assessing the visibility of the proposed development.

50. The location and design of the dwelling will sink much of the structure into the landform ensuring that the dwelling is visually contained within its immediate area.

51. The dwelling will not be visible from the Wanaka-Mt Aspiring Road or from Ruby Island Road. Dr Read observed that the dwelling would just be visible from the Glendhu Bay Track which is located generally to the north and west of the site and which forms part of the Wanaka-Millennium Walkway. The Glendhu Bay Track commences at Ruby Island Road. Dr Read confirmed at the hearing that she has walked the Glendhu Bay Track past the headland to the west of the site and she considers that the dwelling will be reasonably recessive when viewed from this location. She noted that those using the track, when walking towards the east, would be heading towards Wanaka and would have the township in their view. Dr Read concluded that any effect on the experience of those using the portion of the track between Slaughter House Creek and Ruby Island Road would be moderately insignificant.

52. The upper portion of the dwelling will be visible from the surface of Lake Wanaka and from Ruby Island which is located approximately 650 metres from the shoreline at Waterfall Creek. Ms Bell advised that the only place from where there would be low visibility of the development from the lake would be 450 metres – 1.15 kilometres out

from the dwelling. Mr Skelton tabled a photograph at the hearing, being his Image 14, which showed the position of the dwelling and profile poles as viewed from the top of Ruby Island. This photograph was taken using a 50mm lens on 9 March 2017 and confirms that very little of the dwelling will be visible from Ruby Island or from the surface of the lake in the vicinity of Ruby Island.

53. The Commission notes in this context that Mr Haworth produced an image entitled “Beech Cottage from Ruby Island” which was taken with a 154mm lens; such image being taken from a seat at the western end of Ruby Island. Given that Mr Skelton’s Image 14 was taken with a 50mm lens it is accepted as being a better portrayal of what will be seen by an observer at Ruby Island than the image produced by Mr Haworth.

54. The Commission has given consideration to the visual effects of glare and internal lighting from the dwelling as viewed from the surface of the lake and from Ruby Island.

55. Mr Skelton advised that glare would only be experienced in the early morning and would be mitigated by vegetation between the dwelling and the viewer. Dr Read was of the opinion that glare would not have a significant effect in this instance.

56. Mr Skelton noted that lighting at ceiling level at the first floor level would be visible; and that illumination of a room at this level would have a possible effect. Dr Read did not consider that internal lighting at the dwelling would have a significant effect and she noted in this context the significant scale of the landscape and the lights that will be visible from other dwellings in this landscape.

57. The Commission has concluded that any visual effects resulting from glare and internal lighting will not be significant.

58. The dwelling will be visible from above from the Turnbull Track (and from other elevated positions such as Roy’s Peak Track). Mr Haworth described the Turnbull Track that begins almost opposite the site at the Wanaka-Mt Aspiring Road as a “10 metre wide strip of land” which has resulted from the Hillend Station tenure review. In Mr Todd’s submission as detailed in his email of 17 March 2017 views from Turnbull

Track (and Roy's Peak Track) cannot be taken into consideration having regard to the definitions of "Public Place" and "Trail" in the District Plan.

59. In the absence of detailed information with respect to the status of Turnbull Track or Roy's Peak Track the Commission is not prepared to exclude Turnbull Track or Roy's Peak Track from consideration as a public place. While a Trail is excluded from the definition of Public Place in the District Plan; a public access easement created by tenure review is excluded from the definition of a Trail. The Commission is not aware whether Turnbull Track or Roy's Peak Track are subject to a public access easement. If either is then the track concerned would appear to fall within the District Plan's definition of Public Place.

60. While Turnbull Track and the Roy's Peak Track are considered for the purposes of this decision to be public places the Commission acknowledges that from above other built development in the vicinity of Lake Wanaka will be visible; and that any visual effects of the dwelling in such views will be mitigated by the applicant's proposal to grass part of the roof structure (for the ground floor).

61. Access is to be achieved utilising the existing driveway and access point from the Wanaka-Mt Aspiring Road. Limited upgrading of the access driveway within the site is proposed which will have a minimal effect on the environment.

62. The woolshed is to be used for shearing, for the storage of wool and feed and as a tack shed for the storage of items associated with keeping horses at the site. Mr Dippie explained that the applicant proposes to move 70 alpacas from a Doctors Point property near Waitati to the subject site; and that these animals are shorn annually. Mr Dippie also advised that his daughter will take her horse to the site.

63. The woolshed will not be visible from the Wanaka-Mt Aspiring Road but is likely to be visible in glimpse views through existing vegetation as viewed from the adjacent portion of Ruby Island Road. Dr Read advised that the woolshed will also be seen from approximately 200 metres of the Glendhu Bay Track; and that the woolshed will also be visible from Ruby Island and from the surface of the lake.

64. The Commission accepts Dr Read's opinion that the form and exterior materials of the woolshed will make it appear recessive in this location and that it will form a small part of the overall views. Dr Read considered that the effect of the woolshed's visibility from the Glendhu Bay Track, from Ruby Island and from the lake surface will be insignificant on the visual amenity of the viewers or on the openness of the landscape.
65. The Commission accepts that the woolshed will appear as a typical rural building and would not be unexpected in this location.
66. In all the circumstances the Commission concludes that the dwelling will be visible to a limited extent only from public places; and that the woolshed will be visible to a greater extent from public places but that the presence of the woolshed would not be unexpected in the Rural General Zone.
67. The Commission is also satisfied that the proposed development will not be visually prominent to the extent that it dominates or detracts from views otherwise characterised by natural landscapes. The Commission acknowledges in this context that the location of the dwelling will not impede farming activity on the remainder of the site including on the large flatter area between the Wanaka-Mt Aspiring Road and the hummocky terrain within the site.
68. Limited earthworks are proposed in the vicinity of that part of the site that has previously been modified by the earthworks consented in terms of RM 030654 and RM 031038. The Commission notes that substantial plantings of indigenous vegetation have occurred on the upper portion of the site in the vicinity of the proposed dwelling. The Commission is satisfied that the earthworks and planting associated with the proposed development will not detract from existing natural patterns and processes within the site and surrounding landscape or otherwise adversely affect the natural landscape character.
69. The Commission acknowledges that the indigenous plantings previously undertaken by the applicant are substantial and that retention of these plantings in the vicinity of the proposed dwelling will serve, in part, to reduce the visibility of the dwelling from public places including from the surface of Lake Wanaka and from Ruby Island.

70. Other matters referred to in Clause 5.4.2.2(2)(a) appear to bear no particular relevance albeit that it is noted that indigenous vegetation and wetlands are present on the site in areas removed from the proposed dwelling and woolshed.

“(b) Effects on openness of landscape.

In considering the adverse effects of the proposed development on the openness of the landscape, the following matters shall be taken into account:

- (i) whether and the extent to which the proposed development will be within a broadly visible expanse of open landscape when viewed from any public road or public place and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and*
- (ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;*
- (iii) whether the proposed development is defined by natural elements such as topography and/or vegetation which may contain any adverse effects associated with the development.”*

71. Visibility from public roads and public places has been assessed by the Commission as discussed in the context of Clause 5.4.2.2(2)(a) above. In summary the dwelling will not be visible from adjacent public roads and will be visible from public places to a limited extent only. The woolshed will be visible in glimpses from the adjacent portion of Ruby Island Road and the woolshed will be visible from other public places albeit that such a structure is not unexpected in this rural environment.

72. The Commission is satisfied that the proposed development is unlikely to adversely affect open space values with respect to the site and the surrounding landscape; and the Commission acknowledges that the dwelling is to be located within a depression at the high point of the site such that topography and/or vegetation will serve to contain any adverse effects associated with the development.

73. When considering open space it is appropriate to acknowledge that most of the 35.1260 hectare site will remain in its present state (ie. in pastoral grasses and other vegetation as discussed earlier in this decision). As previously noted the woolshed

clearly has a rural association and the Commission is satisfied that this building will reinforce rural character.

74. The Commission is satisfied that any adverse effects of the proposed development on the openness of the landscape will be insignificant.

“(c) Cumulative Effects on Landscape Values

In considering whether there are likely to be any adverse cumulative effects as a result of the proposed development, the following matters shall be taken into account:

- (i) whether, and to what extent, the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;*
- (ii) whether the elements identified in (i) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;*
- (iii) whether existing development and/or land use represents a threshold with respect to the site’s ability to absorb further change;*
- (iv) where development has occurred or there is potential for development to occur (ie. existing resource consent or zoning), whether further development is likely to lead to further degradation of natural values or inappropriate domestication of the landscape or feature.”*

75. The proposal is to construct a dwelling and associated structures such that the dwelling will be visually contained and will not be visible from the Wanaka-Mt Aspiring Road or Ruby Island Road. The woolshed will be located on a lower portion of the site and will not be visible from the Wanaka-Mt Aspiring Road. Given the discrete location of the dwelling and the location of the woolshed (which is not unexpected in the rural environment) the Commission has concluded that the proposed development will not result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape; and that the elements of the proposed development will not further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects.

76. The Commission concurs with Mr Skelton that the proposed development will not exceed a threshold with respect to the sites ability to absorb further change.

77. The Commission acknowledges the development which has occurred on the site as a consequence of previous consents and particularly the hay barn authorised by RM 110582. While acknowledging this development the Commission does not consider that the proposed development is likely to lead to further degradation of natural values or inappropriate domestication of the landscape.

78. In all the circumstances the Commission is satisfied that the proposal will not give rise to significant adverse cumulative effects on landscape values.

“(d) Positive Effects

In considering whether there are any positive effects associated with the proposed development the following matters shall be taken into account:

- (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (a)(v) above;*
- (ii) whether the proposed activity provides for the retention and/or re-establishment of native vegetation and their appropriate management;*
- (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape;*
- (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential (ie. structures or development anticipated by existing resource consents) adverse effects by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;*
- (v) the ability to take esplanade reserves to protect the natural character and nature conservation values around the margins of any lake, river, wetland or stream within the subject site;*
- (vi) the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise those positive effects referred to in (i)-(v) above and/or to ensure that the potential for future effects, particularly cumulative effects, are avoided.”*

79. Mr Dippie described the development which he has undertaken on the site to date. In particular it is noted that native planting (with over 12,000 plants) has been undertaken; that such plantings are rabbit fenced; and that such plantings are under irrigation and have achieved good growth. The applicant is agreeable to a condition,

as suggested by Dr Read, to the effect that indigenous planting established on the site be maintained in the vicinity of the dwelling. The location of such plantings are shown on a plan entitled “Beech Cottage Trustees Ltd. Planting Schedule” which was tabled by Mr Skelton at the hearing.

80. The Commission is satisfied in the context of Clause 5.4.2.2(2)(d)(ii) that the proposed activity provides for the retention of native vegetation and for its appropriate management. This is a positive effect associated with the proposal.

81. The Commission confirms that it has had regard to other assessment matters detailed in Part 5 of the District Plan as these relate to residential activity and structures in the Rural General Zone. For the avoidance of doubt the Commission is satisfied that the woolshed is a farm building on the basis that the bulk of the land which comprises the site has for its primary purpose the production of vegetative matter and/or commercial livestock. The woolshed is proposed to be used in association with the keeping of livestock (being alpacas and horses) on the site.

B.5 Part 19

82. The Commission has given consideration to the relocation of the woolshed to the site having regard to the assessment matters in clause 19.2.1.3ii of the District Plan which apply to the relocation of buildings in both an urban and a rural context. The woolshed is currently located at Luggate and is to be relocated to the subject site. The Commission considers, having regard to the relevant assessment matters, that the relocation of the woolshed to the site as proposed is appropriate. The Commission also notes that if the woolshed were to remain at Luggate it is likely that it would be demolished. Relocation of the woolshed as proposed will ensure that it is retained in a rural environment, thus retaining its “historic” characteristics for the benefit of future generations.

B.6 Part 22

83. Clause 22.4 contains assessment matters relating to earthworks. Clause 22.4iv contains assessment matters specific to effects on rural landscape and visual amenity values, including on outstanding natural features and outstanding natural landscapes.

84. The Commission acknowledges that these assessment matters have been fully addressed in Dr Read's report. She concluded that the effects of earthworks in the context of this ONL will be insignificant or moderately insignificant and the Commission accepts Dr Read's findings with respect to the effects of the earthworks in this ONL.

B.7 Other Effects

85. Ms Overton's report discusses the provision of services. In essence the dwelling can be adequately serviced.

86. Access is to be achieved via an existing vehicle entrance from the Wanaka-Mt Aspiring Road which is to be upgraded to either Diagram 2 or Diagram 3 standard as shown at Appendix 7 to the District Plan. Two upgrading options are referred to as the applicant originally proposed a Diagram 3 standard; as Mr Overton initially recommended a Diagram 2 standard on the basis that a Diagram 3 standard was excessive; and as at the hearing Ms Overton advised, following further consultation with the applicant's surveyor, that a Diagram 3 standard was definitely preferred by the applicant. The Commission considers it appropriate to provide flexibility with respect to this matter and acknowledges Ms Overton's view that a Diagram 2 standard should be provided at minimum.

87. A bore exists on-site and two water tanks are located within 90 metres of the proposed dwelling. Ms Overton accepts the report provided by Mt Iron Geodrill Ltd with respect to wastewater disposal; and she has recommended that the on-site wastewater disposal system be installed in accordance with the findings of that assessment. Ms Overton is also satisfied that stormwater can be disposed of to ground.

88. Ms Overton has recommended conditions with respect to electricity and telecommunication connections.

89. The Commission is satisfied that any adverse effects associated with services can be avoided, remedied or mitigated by adherence to the recommended conditions of land use consent.

90. Ms Overton noted that there are no natural hazards identified on the Council's Hazard Maps with respect to the location for the proposed dwelling. The Council's Hazard Maps do indicate that the area in which the woolshed is to be relocated to is subject to liquefaction risk LIC 1(P) – which represents a nil to low risk but may need investigation. Ms Overton also noted that this location is at risk from a young active alluvial fan (Waterfall Creek); and she has recommended that an advice note be included with respect to the hazards risks for the woolshed.

91. In all the circumstances the Commission is satisfied that any potential adverse effects in terms of natural hazards will be no greater than minor.

B.8 Summary : Effects and Assessment Matters

92. The Commission finds that the proposal will not have significant adverse effects in terms of the potential of the landscape to absorb development; in terms of the openness of the landscape; in terms of cumulative effects on landscape values; and in terms of the other effects discussed above. The proposal will have positive effects in terms of retaining the natural plantings which have been established on the upper portion of the site. The ultimate question to be addressed is whether granting consent will better serve to achieve the purpose of the Act (as discussed below).

C. THE QLDC DISTRICT PLAN : OBJECTIVES & POLICIES

93. Parts 4, 5, 19 and 22 of the Operative District Plan contain objectives and policies for the whole district, for rural areas, with respect to relocated buildings etc, and for earthworks, respectively. The relevant objectives and policies from Parts 4, 5, 19 and 22 have been presented in Appendix 4 to Mr Gathercole's report. To a large degree the objectives and policies relate to matters discussed in the context of the assessment matters. It is neither desirable or necessary, therefore, to undertake a line by line analysis of every objective and policy as this would involve a significant amount of repetition without materially advancing the Commission's analysis of this application.

C.1 Part 4

94. Section 4.2 relates to Landscape and Visual Amenity and Section 4.2.4(2) confirms that the outstanding natural landscapes are the romantic landscapes – the mountains

and the lakes – landscapes to which section 6 of the Act applies. The key resource management issues within outstanding natural landscapes are their protection from inappropriate subdivision, use and development, particularly where activity may threaten the openness and naturalness of the landscape.

95. Objective 4.2.5 is:

“Objective:

Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.”

96. Objective 4.2.5 is supported by a number of policies. Policies of relevance include Policy 1 Future Development which relates to the effects of development; Policy 2 that relates to Outstanding Natural Landscapes (District-Wide/Greater Wakatipu); Policy 8 that relates to Avoiding Cumulative Degradation; Policy 9 that relates to Structures; and Policy 17 that relates to Land Use.

97. Policy 1 – Future Development – is to avoid, remedy or mitigate the effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation; to encourage development and/or subdivision to occur in areas of the District that have a greater potential to absorb change without detracting from landscape and visual amenity values; and to ensure that subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.

98. The Commission is satisfied that this policy is satisfied in this instance. The development is to occur in an area that has potential to absorb change without detracting from landscape and amenity values.

99. Policy 2 – Outstanding Natural Landscapes (District-Wide/Greater Wakatipu) states as follows:

“2 Outstanding Natural Landscapes (District-Wide/Greater Wakatipu)

- (a) To maintain the openness of those outstanding natural landscapes and features which have an open character at present.*
- (b) To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.*

- (c) *To allow limited subdivision and development in those areas with higher potential to absorb change.*
- (d) *To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.”*

100. In terms of Policy 2 the proposed dwelling and woolshed will maintain the openness of the ONL(DW); are located in a part of the ONL(DW) with capacity and higher potential to absorb change; and will protect the amenity values of views from public roads.

101. The Commission’s conclusion is that the proposed development is acceptable in terms of Policy 2(a)-(d).

102. In terms of Policy 8 – Avoiding Cumulative Degradation – the Commission is satisfied that the proposed density of development will not increase to the point where the benefits of further planting and building are outweighed by adverse effects on landscape values of over domestication of the landscape. The Commission is satisfied that the proposal is consistent with Policy 8(a); and that the proposal will be sympathetic to the rural area in terms of Policy 8(b).

103. Policy 9 – Structures refers specifically to preserving the visual coherence of outstanding natural landscapes as follows:

“9. Structures

To preserve the visual coherence of:

- (a) *outstanding natural landscapes and features and visual amenity landscapes by:*
 - *encouraging structures which are in harmony with the line and form of the landscape;*
 - *avoiding, remedying or mitigating any adverse effects of structures on the skyline, ridges and prominent slopes and hilltops;*
 - *encouraging the colour of buildings and structures to complement the dominant colours in the landscape;*
 - *encouraging placement of structures in locations where they are in harmony with the landscape;*
 - *promoting the use of local, natural materials in construction.*

....”

104. The proposal will result in a dwelling being erected upon, and a woolshed being relocated to, the site.
105. The dwelling is in harmony with the line and form of the landscape and will avoid, remedy or mitigate any adverse effects of structures on the skyline, ridges and prominent hilltops. It is noted in this context that while the dwelling will be visible, to a limited degree, from Ruby Island and the surface of Lake Wanaka that the dwelling will be viewed from those vantage points against the mountainous backdrop provided by the slopes of Roys Peak. The exterior colours of the dwelling and woolshed buildings will complement the dominant colours in the landscape; and the placement of these structures will be in harmony with the landscape and will utilise local and natural materials.
106. In all the circumstances the Commission is satisfied that the proposal is consistent with Policy 9.
107. Policy 17 – Land Use – encourages land use in a manner which minimises adverse effects on the open character and visual coherence of the landscape. The Commission is satisfied that the proposal is consistent with Policy 17.
108. Following Ms Gathercole’s analysis of the proposal in terms of Objective 4.2.5 and the associated policies relevant to the proposal she concluded that the proposal will be consistent with the relevant ONL(DW) objectives and policies. The Commission concurs.

C.2 Part 5

109. Part 5 of the District Plan contains objectives and policies that specifically relate to rural areas. These objectives and policies seek to allow the establishment of a range of activities that are managed in such a way as to protect the character and landscape values of the rural area.

“Objective 1 – Character and Landscape Value

To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.

Policies:

1.1 *Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.*

...

1.3 *Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.*

1.4 *Ensure activities not based on the rural resources of the area occur only where the character of the rural area will not be adversely impacted.*

1.5 *Provide for a range of buildings allied to rural productive activity and worker accommodation.*

1.6 *Avoid, remedy or mitigate adverse effects of development on the landscape values of the District.*

1.7 *Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.*

1.8 *Avoid remedy or mitigate the adverse effects of the location of structures and water tanks on skylines, ridges, hills and prominent slopes.”*

110. In terms of Policy 1.1 the district wide landscape objectives and policies have been considered fully above. In terms of Policies 1.3-1.5 the proposed development will not change or compromise the productive rural potential of the land as the dwelling is not to be located on an area of productive farm land on the site (given the topography at the dwelling location) and as the woolshed is to be used to support farming activity at the site. In terms of Policy 1.6 the proposal will adequately avoid, remedy and mitigate adverse effects of development on the landscape values of the District; in terms of Policy 1.7 the proposal provides for future structures that are located in areas with the potential to absorb change; and in terms of Policy 1.8 the proposal will serve to avoid or mitigate adverse effects on skylines, ridges, hills and prominent slopes. The Commission finds that the proposal is not contrary to Objective 1 and its associated policies.

111. Objective 3 and its associated policies relate to avoiding, remedying or mitigating adverse effects on rural amenity. The Commission is satisfied that the proposal will avoid, remedy and mitigate adverse effects on rural amenity; and acknowledges that the woolshed will contribute to such rural amenity in this instance. The Commission finds that overall the proposal is not contrary to Objective 3 and its associated policies.

112. The Commission concurs with Ms Gathercole that the proposal gives effect to the relevant Part 5 objectives and policies.

C.3 Part 19

113. Objective 19.1.3.1 and associated Policies 1 and 2 are relevant to the proposal. The objective and policies seek to ensure that relocatable buildings are located to minimise any adverse effects on the environment. The Commission concurs with Ms Gathercole that the relocated woolshed will fit into the surrounding character and will not adversely affect the amenity of the area.

114. The Commission concurs with Ms Gathercole that the proposal gives effect to the relevant Part 19 objective and policies.

C.4 Part 22

115. The relevant objectives and policies in Part 22 are listed in Ms Gathercole's report. Objective 2 is to avoid, remedy or mitigate the adverse effects of earthworks on rural landscapes and visual amenity areas; and associated Policy 2.1 is to avoid, where practicable, or remedy or mitigate adverse effects of earthworks on Outstanding Natural Features and Outstanding Natural Landscapes. In this instance appropriate site management will ensure that the effects of the proposed earthworks can be managed. The earthworks will result in only a small change to the landscape and are located in the vicinity of the substantial earthworks which have been undertaken in the past as authorised by earlier resource consents RM 030654 and RM 031038.

116. The Commission accepts Ms Gathercole's opinion that overall the proposed earthworks will be consistent with the relevant objectives and policies presented in Part 22 of the Operative District Plan.

C.5 Summary : Objectives and Policies

117. Following the above analysis, the Commission finds that the proposal is generally consistent with those objectives and policies that are relevant to the application; and that this is a location in the ONL(DW) where the proposed activity is appropriate in terms of Clause 1.5.3iii(iii) of the District Plan.

D. PROPOSED DISTRICT PLAN

118. The Proposed District Plan was publicly notified on 26 August 2015 being a date prior to the date that the application was lodged being on or about 6 September 2016.

119. Ms Gathercole's report referred to objectives and policies from Part Two – Chapter 6 – Landscapes, Part Four – Chapter 21 – Rural Zone, and Part Five – Chapter 35 – Temporary Activities and Relocated Buildings in the Proposed District Plan. Policy 6.3.1.3 states that subdivision and development is inappropriate in almost all locations in the ONL, and that successful applications will be exceptional cases. Ms Gathercole, given Dr Read's assessment, considers that the adverse effects of the proposed development on the natural character and visual coherence of the landscape and on the visual amenity of the vicinity will be at a level that is appropriate, and in this case limited. Accordingly Ms Gathercole has found that the proposal is generally consistent with the objectives and policies in Chapter 6 – Landscapes of the Proposed District Plan. Ms Gathercole came to a similar conclusion with respect to the objectives and policies in Chapter 21 – Rural Zone and Chapter 35 – Temporary Activities and Relocated Buildings.

120. Mr Todd observed that the relevant objectives and policies have attracted a substantial response through submissions on the Proposed District Plan. Ms Gathercole considered that given the minimal extent to which the Proposed District Plan has been exposed to testing and independent decision-making, that minimal weight should be given to the provisions of the Proposed District Plan at this stage. The Commission concurs and considers that given the inchoate status of the provisions of the Proposed District Plan that minimal weight should be given to those provisions at this early stage.

121. The Commission has concluded that the proposal will not be contrary to the objectives and policies of the Proposed District Plan.

E. OTHER MATTERS

122. Section 104(1)(c) of the Act requires the consent authority to have regard to any other matter the consent authority considers relevant and reasonably necessary to determine the application.

E.1 Precedent

123. Precedent is a relevant consideration albeit that the activity has status as a discretionary activity (see J Scurr v Queenstown Lakes District Council Dec C060/2005 para 44). In the current instance the Commission is satisfied that this is a location in the ONL(DW) where the proposed activity is appropriate in terms of Clause 1.5.3iii(iii) of the District Plan. Accordingly the Commission is satisfied that the proposal, having regard to the location and design proposed for the dwelling and the location of the woolshed, will not establish a significant precedent. The Commission has also noted, in the context of precedent, Mr Todd's submission to the effect that the site is now one of only two sites on the lake side of the Wanaka-Mt Aspiring Road which does not contain a dwelling or a consented residential building platform.

E.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

124. The National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES) came into effect on 1 January 2012. The applicant has advised that the site is not identified as contaminated or potentially contaminated; and that there is no historical evidence of land use which would trigger the NES. The applicant has reviewed the information held about the site by the Queenstown Lakes District Council and the Otago Regional Council and Ms Devlin forwarded the relevant documentation from the QLDC and the ORC to the Commission on 17 March 2017. Such review has been conducted in terms of Regulation 6(2) of the NES and no record of activities with the potential to contaminate the site has been found. Accordingly the Commission is satisfied that no Hazardous Activities and Industries List (HAIL) activities are being, have been, or are more likely than not to have been, undertaken on the subject site. The proposal can therefore be considered as a permitted activity under the NES.

E.3 Other Matters Raised by Submitters

125. Bridget McCaughan has raised concerns with respect to moving the woolshed from Luggate. The submitter considers that the woolshed should be left in place at Luggate.

126. The woolshed is currently located on land which is subject to the Luggate Park subdivision at Luggate. Mr Dippie advised that his initial plan was to demolish the woolshed and that further investigation concluded that the woolshed was structurally very sound but uneconomic to shift. Notwithstanding this Mr Dippie considers that the woolshed is worth saving and he has concluded that the woolshed can be transported in one piece to the subject site. The alternative to relocating the woolshed to the subject site is to demolish it at Luggate.

127. In all the circumstances the Commission considers that the relocation of the woolshed, as proposed, is appropriate as this will ensure that this building which has rural character and amenity values will be retained.

128. The submissions by the Upper Clutha Environmental Society (Inc) and Craig Werner raise various matters which generally align with District Plan considerations. These have been addressed earlier in this decision or will be addressed in the context of Part 2 of the Act (below).

129. No other matters appear to have any particular relevance in this instance in terms of section 104(1)(c) of the Act.

F. PART 2 OF THE ACT

130. Part 2 of the Resource Management Act contains sections 5 to 8. These are referred in reverse order.

131. Section 8 requires the Commission, in exercising its functions on this application, to take into account the principles of the Treaty of Waitangi. While no issues were raised in reports or evidence in relation to section 8 the Commission has noted the Nohoanga Entitlement that applies to adjacent land as shown on SO 24934. The Commission simply notes in this context that a total of 6 iwi authorities were served with notice of the current application and that none of these chose to lodge a submission in response to the proposal.

132. Section 7 directs that in achieving the purpose of the Act particular regard is to be had to certain matters which include, of relevance here, the efficient use and

development of natural and physical resources; the maintenance and enhancement of amenity values; and the maintenance and enhancement of the quality of the environment. The construction of the dwelling in the location and to the specific design proposed along with the relocation of the woolshed to the site by the applicant will serve to achieve efficient use and development of natural and physical resources; will maintain and enhance amenity values; and will achieve maintenance and enhancement of the quality of the environment. There are no other matters stated in section 7 which are of any particular relevance to the current application.

133. Section 6 sets out a number of matters which are declared to be of national importance and directs the Commission to recognise and provide for them. Sections 6(a), 6(b), 6(d) and 6(e) confirm that the following are matters of national importance:

- “(a) The preservation of the natural character of... lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development:*
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (d) The maintenance and enhancement of public access to and along the ... lakes, and rivers:*
- (e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.”*

134. The Commission is satisfied that the proposal does not represent inappropriate use and development in terms of sections 6(a) and 6(b). The Commission finds in particular that the proposed development is appropriate within the ONL(DW) and sufficiently protects the values of that landscape.

135. The proposal will have no particular effect in terms of section 6(d) and 6(e). The Commission notes in this context that both the Glendhu Bay Track and the Nohoanga Entitlement relate to land that is located between the subject site and the lakeshore and that the proposal will have no particular effect in terms of public access along the shore of Lake Wanaka or on the Nohoanga.

136. There are no other matters stated in section 6 which are of any particular relevance to the application.
137. Section 5 sets out the purpose of the Act – to promote the sustainable management of natural and physical resources. Taking into account the definition of sustainable management contained in section 5(2), the Commission is satisfied that the application will achieve the purpose of the Act.
138. Sustainable management means managing the use, development and protection of natural and physical resources within certain parameters. The physical resources of this site will be developed in such a way that the social and economic wellbeing of the applicant is provided for while the potential of natural and physical resources will be sustained to meet the reasonably foreseeable needs of future generations. The life-supporting capacity of ecosystems will not be compromised and any adverse effects of the activity can be avoided, remedied or mitigated by adherence to appropriate conditions of consent.

G. OUTCOME

139. Section 104 directs that when considering an application for resource consent and any submission received in response to it, the Commission must, subject to Part 2, have regard to the actual and potential effects on the environment of allowing the activity together with the relevant provisions of the Operative District Plan and of the Proposed District Plan. In the course of considering the application and submissions and in reaching this decision the Commission has followed this process. Under section 104B the Commission has discretion to grant consent to the application and the Commission hereby does so subject to the imposition of conditions as attached in a Schedule to this decision.

This decision on RM 160835 is dated 5 April 2017.



W D Whitney
COMMISSIONER

SCHEDULE : CONDITIONS OF LAND USE CONSENT FOR RM 160835 : BEECH COTTAGE TRUSTEES LIMITED

General Conditions

1. That the development shall be undertaken/carried out in accordance with the plans:
 - 'Location Plan' Ref W869, Revision D, by Paterson Pitts Group, dated 06/10/2016
 - 'Luggate Park Woolshed Floorplan and Elevations' Ref S4174_M1, Revision A, by Southern Land, dated 20/07/16
 - 'Revised Site Plan' Plan No. 0-02, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Excavation Plan' Plan No. 0-03, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Level 1 Floor Plan' Plan No. 1-01, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Ground Level Floor Plan' Plan No. 1-02, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Main House Elevations' Plan No. 3-01~3-02, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Main House Elevations' Plan No. 3-03~3-04, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Sketches' Plan Nos. 8-01, 8-02, 8-03, by Bell + Co Architecture Ltd, dated 05/2016
 - 'Beech Cottage Trustees Ltd. Planting Schedule' Plan Ref 2611 dated 11 August 2016, by Baxter Design.

stamped as approved on 5 April 2017.

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. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd June 2015 and subsequent amendments to that document up to the date of issue of any resource consent.

Advice Note: The current standards are available on Council's website via the following link:
<http://www.qldc.govt.nz>

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

4. Prior to commencing works within the road reserve of Wanaka – Mount Aspiring Road, 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.
5. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. 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.
6. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at the Council with the name of a suitably

qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice and who shall supervise the fill procedure and ensure compliance with NZS 4431:1989 (if required). This engineer shall continually assess the condition of the fill procedure.

To be monitored throughout earthworks

7. No permanent batter slope within the site shall be formed at a gradient that exceeds 1:1.
8. 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 his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
9. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the works required for the vehicle crossing.
10. Hours of operation for earthworks, shall be:
 - Monday to Saturday (inclusive): 8.00am to 6.00pm.
 - Sundays and Public Holidays: No Activity

In addition, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate earlier than 8.00am. All activity on the site is to cease by 6.00pm.

On completion of earthworks

11. On completion of earthworks within the building footprint and prior to the construction of the dwelling, the consent holder shall ensure that either:
 - a) Certification from a suitably qualified engineer experienced in soils investigations is provided to the Manager of Resource Management Engineering at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a chartered professional engineer;or
 - b) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site.

Landscaping and lighting

12. Existing indigenous vegetation established in the vicinity of the dwelling and as shown as "Existing planting" on the plan entitled "Beech Cottage Trustees Ltd. Planting Schedule" being Plan Ref 2611 dated 11 August 2016 prepared by Baxter Design shall be retained, maintained and irrigated. If any plant or tree should be removed, die or become diseased it shall be replaced within the next available planting season if the loss of such plant or tree would expose any part of the dwelling to greater view from outside the site.
13. All exterior lighting shall be fixed no higher than 1.2 metres above finished ground level, shall be directed downwards and away from property boundaries, so that light spill beyond property boundaries does not occur.

Colours and materials

14. Any amendment to the approved building colours and materials shall be certified as appropriate in writing by Council, and confirmed as being consistent with Council's light reflectance guidance (in the natural range of natural greens, browns, or greys with a light reflectance value (LRV) of 36% or less) prior to being used on the building.

Woolshed

15. If damaged during relocation, reinstatement works i.e. painting, repair, re-roofing must be completed within twelve months of the date of the woolshed being located onto the site.

Dwelling

16. Prior to the occupation of the dwelling, the consent holder shall complete the following:
- a) The provision of a sealed vehicle crossing to the site from Wanaka-Mount Aspiring Road to be in terms of Diagram 2 or Diagram 3, Appendix 7 and Rule 14.2.4.2 of the District Plan. This crossing shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
 - b) The existing access shall be upgraded as follows:
 - i. The carriageway shall have a minimum cross-fall of 4% to prevent stormwater ponding on the carriageway surface.
 - ii. Drainage swales shall be provided for stormwater disposal from the carriageway. The invert of the water channel shall be at least 200mm below the lowest portion of the sub-grade.
 - c) The provision of an effluent disposal system in accordance with the Mt Iron Geodrill Ltd report (dated 30 November 2016, Job ref – G17084) submitted with the application. The on-site wastewater disposal and treatment system shall comply with AS/NZS 1547:2012 and shall provide sufficient treatment/renovation to effluent prior to discharge to land.
 - d) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
 - e) Any power supply or wired telecommunications connections to the dwelling/building shall be underground from existing reticulation and in accordance with any requirements and standards of the network provider.
 - f) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
 - g) The consent holder shall ensure that swimming pool backwash facilities do not permit any chlorinated water to discharge over or near onsite wastewater disposal areas.
 - h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
 - i) Prior to the occupation of the dwelling, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further

than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the New Zealand Fire Service (NZFS) as larger capacities and flow rates may be required.

The NZFS connection point/coupling must be located so that it is not compromised in the event of a fire.

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

The NZFS connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the NZFS Central North Otago Area Manager is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: The NZFS considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 5.5km from the nearest NZFS Fire Station the response times of the New Zealand Volunteer Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new dwelling.

Advice Notes

1. *This site may contain archaeological material. Under the Heritage New Zealand Pouhere Taonga Act 2014, the permission of the Heritage New Zealand Pouhere Taonga must be sought prior to the modification, damage or destruction of any archaeological site, whether the site is unrecorded or has been previously recorded. An archaeological site is described in the Act as a place associated with pre-1900 human activity, which may provide evidence relating to the history of New Zealand. These provisions apply regardless of whether a resource consent or building consent has been granted by Council. Should archaeological material be discovered during site works, any work affecting the material must cease and*

the Heritage New Zealand Pouhere Taonga must be contacted (Dunedin office phone 03 477 9871).

- 2. The consent holder is advised that any retaining walls proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.*
- 3. This consent triggers a requirement for Development Contributions, please see the information below 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.*
- 4. The consent holder is advised that it may be necessary to undertake chemical and bacterial tests of the water supply to ensure that the water supply complies with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The testing must be carried out by a Ministry of Health recognised laboratory, refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>.*
- 5. The consent holder is advised that the foundation design of the relocated woolshed should take into account the Alluvial Fan Hazard and liquefaction hazard category LIC 1 (P) is identified on the site (Tonkin & Taylor Ltd 'Queenstown Lakes District Council - Wanaka Region GIS Hazard Map' dated June 2011, T & T ref: 892063). This risk is Probably Low. (Expected to be low but requires specific investigations for a definitive assessment of liquefaction).*

For Your Information

If your decision requires monitoring, the Council will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, the Council will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>