

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

**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Gibbston Vines Limited
<b>RM reference:</b>	RM120677
<b>Location:</b>	Domain Road, Wakatipu Basin
<b>Proposal:</b>	<p>Subdivision of existing lot into 4 allotments and establish a 1000m<sup>2</sup> residential building platform within proposed Lots 2, 3 and 4. Lot 1 will contain the existing 1000m<sup>2</sup> building platform.</p> <p>Cancellation of Consent Notice 7455282.14 to replace it with a new consent notice to reflect the changes to the existing building platform, and to update conditions to meet relevant standards.</p> <p>Variation to RM030714 to cancel condition 3 relating to landscape requirements.</p>
<b>Type of Consent:</b>	Land Use, Subdivision and Variation to Consent Notice
<b>Legal Description:</b>	Lot 5 DP 368650 contained within Computer Freehold Register 278953 Otago
<b>Valuation Number:</b>	2907120108
<b>Zoning:</b>	Rural General
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification:</b>	Non-notified
<b>Commissioner:</b>	Commissioner Clarke
<b>Date Issued:</b>	10 April 2013 12 April 2013 – Re issue Commissioner Sinclair
<b>Decision:</b>	<b>Granted with conditions</b>

This is an application for resource consent under Section 88 of the Resource Management Act 1991 (RMA) for subdivision and land use consent and to vary a consent notice, to create three additional residential lots, each with an associated residential building platform, cancellation of Consent Notice 7455282.14, and variation to condition 3 of RM030714. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 9 April 2013. This decision was made and its issue authorised by David Clarke, Independent Commissioner, as delegate for the Council. This re-issue under Section 133A was authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council on 12 April 2013.

Section 133A of the Resource Management Act 1991 allows the consent authority to issue an amended consent to correct minor mistakes or defects, within 15 working days of the grant of the consent.

The consent is being re-issued for the following reason:

Reference to condition 11 (n) of Decision A should be removed from the conditions as the condition has been satisfied prior to the decision being granted. All the plans were updated prior to consent being granted and are all correctly reference in Condition 1 of the decision.

Condition 11 (n) states:

*Within six months of the granting of consent, or prior to 224 Certification (whichever is first), all plans relating to the subdivision including the landscaping plan shall be amended and resubmitted to Council for certification. All reference to vehicle crossings or potential access ways from Domain Road shall be removed from these plans.*

The above amendments are considered to be minor errors and will have no material impact on the decision.

### **Notification, Assessment and Section 100 of the RMA**

The application was publically notified at the applicants request on 28 November 2012. No submissions were received. A s42A report has been prepared (attachment 1), which outlines the assessment that has been undertaken of the proposal against the provisions of the District Plan and Resource Management Act 1991 (RMA).

The RMA allows for consideration of this application without a hearing under Section 100 which states:

**100. Obligation to hold a hearing**

*A hearing need not be held in accordance with this Act in respect of an application for a resource consent [...] unless –*

- (a) The consent authority considers that a hearing is necessary; or*
- (b) Either the applicant or a person who made a submission in respect of that application has requested to be heard and has not subsequently advised that he or she does not wish to be heard.*

The applicant has advised they do not wish to be heard. No submissions were received in respect to this application during the notification period.

Given the conclusions contained in the s42A report (attachment 1) it is considered that a formal hearing of the application is not necessary for the substantive determination of the application.

In this particular case, and given the circumstances outlined above, the consent authority does not consider a hearing necessary.

### **Decision A – Subdivision**

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 220 of the Act:

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans, '*Lots 1 – 4 Being A Proposed Subdivision of Lot 5 DP 368650 Job No. 11069 Rev A; Gibbston Vines Limited 1785-WD102 – Landscape Plan, dated October 2012*' (**stamped as approved on 5 April 2013**) and the application as submitted, with the exception of the amendments required by the following conditions of consent.
2. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise

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

3. At least 5 working days prior to commencing work on site the consent holder shall advise the Principal Engineer at Lakes Environmental Ltd of the scheduled start date of physical works.
4. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Engineer at Lakes Environmental advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 "Land Development and Subdivision Engineering".
5. Prior to commencing works on site, the consent holder shall submit to the Principal Engineer at Lakes Environmental an approved traffic management plan from the Road Corridor Engineer at Council if any parking or traffic will be disrupted, inconvenienced or delayed and/or if temporary safety barriers need to be installed. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor and implemented in accordance with the approved traffic management plan.
6. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 15m into the site. The construction traffic crossing shall be removed on completion of works.
7. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Engineer at Lakes Environmental for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (2), to detail the following engineering works required:
  - a) Provision of a minimum supply of 2,000 litres per day of potable water to the building platforms on Lots 1-4 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). A separate irrigation water supply shall be made available to each lot from the Arrow Irrigation water supply scheme for the purpose of irrigation.
  - b) The provision of a sealed vehicle crossing to Lots 3 & 4 to be in terms of Diagram 2, Appendix 7 of the District Plan. This 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.
  - c) The provision of a sealed vehicle access to the boundary of Lots 1 & 2 to be in accordance with Council standards. This 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.
  - d) The provision of Design Certificates for all engineering works associated with this subdivision/development submitted by a suitably qualified design professional (for

clarification this shall include all Right of Way accesses and water supply reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.

***To be monitored throughout earthworks***

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 where required to form vehicle crossings to each lot.

***To be completed before Council approval of the Title Plan***

10. Prior to the Council signing the Title Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Title Plan and shall be duly granted or reserved.
  - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the title plan.

*[Note: the road naming application should be submitted to the Technical Support Officer: Engineering and should be lodged prior to the application for the section 223 certificate]*

***To be completed before issue of the s224(c) certificate***

11. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent holder shall provide "as-built" plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Principal Engineer at Lakes Environmental. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all water supply reticulation (including private laterals and toby positions) and the formation of all Rights of Way.
  - b) A digital plan showing the location of all building platforms required to be shown on the survey plan / Land Transfer Plan shall be submitted to the Principal Engineer at Lakes Environmental. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The consent holder shall submit to the Principal Engineer at Lakes Environmental Chemical and bacterial tests of the water supply in accordance with the requirements of the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
  - d) In the event that the test results required in Condition 11(c) above show the water supply does not conform with the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Principal Engineer at Lakes Environmental for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potable water, in accordance with the Standard. The consent holder shall then complete the following:

- i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision. **OR**
- ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the dwelling, an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM120677 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- e) The consent holder shall provide evidence to the satisfaction of the Principal Engineer at Lakes Environmental as to how the water supply will be monitored and maintained on an ongoing basis.
- f) The completion and implementation of all certified works detailed in Condition (7) above.
- g) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (4) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all water supply reticulation and the formation of all Rights of Way). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- j) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- k) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) The existing, informal gravel access at the western corner of Lot 4 (at the intersection of Birchwood Road and Domain Road) shall be physically closed off to vehicular traffic. The grassed berm shall be reinstated and any edge break or other damage to the road seal or berm area resulting from use of this informal access shall be repaired.
- m) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

***On-going Conditions/Consent Notices***

12. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.

*Infrastructure:*

- a) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of

the Principal Engineer at Lakes Environmental prior to implementation and shall be installed prior to occupation of the dwelling.

- b) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Chris Hansen of Clark Fortune McDonald & Associates, dated 19/02/2013, submitted in support of the subdivision resource consent application for RM120677. The proposed wastewater system shall be subject to the review of the Council prior to implementation and shall be installed prior to occupation of the dwelling.
- c) Any power supply and telecommunications connections to the dwelling shall be extended underground from the existing reticulation at the boundary and in accordance with any requirements/standards of the relevant service provider.
- d) The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the lot owners, and the results forwarded to the Principal: Environmental Health at Lakes Environmental. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the owner shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.
- e) At the time a dwelling is erected on Lots 1-4, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 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 NZFS as larger capacities and flow rates may be required.

The Fire Service 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 QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). 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 Fire Service 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.

Fire fighting water supply may be provided by means other than the above if the written approval of the New Zealand Fire Service Operational Planning Officer for the Southern Fire Region is obtained for the proposed method

The fire fighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

**Advice Note:**

The New Zealand Fire Service 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 dwelling will be several kilometres from the nearest New Zealand Fire Service 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 each new dwelling.

*Design Controls*

- f) All buildings shall be established in accordance with the following controls:
- (i) All buildings shall be contained within the residential building platforms shown on the Computer Freehold Register for each individual Lot;
  - (ii) The maximum building height for residential units and all other structures within the residential building platform shall be restricted to 7 metres from existing ground level as defined by the District Plan.
  - (iii) Buildings and multiple building forms shall have their main roof at a minimum pitch of 35 degrees or alternative pitch adequate for the roofing materials detailed in the following sub-clause provided that the design outcome is a predominantly single storey house. Secondary roofs (being roofs of secondary building elements attached to a main roof such as a veranda room or a roof which forms a link between the main roofs) may be flat or of low pitch.
  - (iv) All main roofs shall be slate or imitation slate or similar finish to achieve a permanent slate-like texture or cedar shingles/shakes, or steel. Secondary roofs (as defined above) may be of any material provided that the material is coloured or painted in a dark grey tone.
  - (v) The dominant colour or colours of all other external surfaces shall be in the range of greys, charcoal, dark greens and browns. Contrasting colours may be used in trims such as window frames, fascia's, veranda posts and other minor components of the building.
- g) The landscaping and planting as shown on the approved Landscape Plan for RM120677 (*Gibbston Vines Limited 1785-WD102 – Landscape Plan*) shall be undertaken and maintained in conformity. If any plant or tree dies or becomes diseased, it shall be replaced within the next available planting season (with the exception of the mounding along internal boundaries within the development which is optional).

*Vehicle Access*

*To be registered against the titles of Lot 4:*

- h) Future access is prohibited from Domain Road to Lot 4.

### **Decision B – Cancellation of Consent Notice**

That the application by Gibbston Vines Limited to cancel Consent Notice 7455282.14 as it relates to Lot 5 DP 368650 be granted pursuant to Section 221 of the Resource Management Act 1991, such that:

1. All conditions of Consent Notice 7455282.14 shall be cancelled.

### **Decision C – Variation to RM030314**

That the application by Gibbston Vines Limited to cancel condition 3 of resource consent RM030314 be granted pursuant to Section 127 of the Resource Management Act 1991, such that:

1. Condition 3 of the resource consent RM030314 is cancelled.

### **Reasons for the Decision**

#### Assessment

The section 42A report prepared for Council (attached as appendix 1) provides a full description of the proposal, site and surrounds, and assessment of the application. A summary of the assessment and subsequent conclusions of that report is outlined below:

That the application by Gibbston Vines Limited for subdivision consent to create three additional residential lots, each with an associated residential building platform, cancellation of Consent Notice 7455282.14, and cancellation of condition 3 of RM030714 be GRANTED pursuant to Section 104 of the Resource Management Act (RMA) for the following reasons:

The proposed subdivision and establishment of the residential building platforms will result in adverse effects on the rural environment which will be no more than minor. The proposed development would not detract significantly from surrounding rural character. This is due to the proposed design controls which will reduce the visibility of a future dwelling within each of the proposed residential building platforms, and the existing receiving environment which will allow the development to be absorbed into the site.

The proposed development will be consistent with the relevant objectives and policies of the District Plan which seek to avoid, remedy and mitigate inappropriate land use within the District. The proposal will not detract from the nature conservation values, or landscape and visual amenity within the District, and will align with Part 4.8 Natural Hazards, Part 5 Rural Areas and Part 15 Subdivision.

In terms of Part 2 of the RMA, the proposal is considered to be consistent with section 5, the overall purpose and principles of the RMA. With regard to the matters raised in section 7 of the Act, it is considered that the proposal constitutes an efficient use of natural resources and will not have adverse effects on amenity values or the quality of the environment.

Overall the development as proposed will result in sustainable development in the Queenstown Lakes District and therefore it is considered appropriate.

Further, with regard to the variation of consent notice sought it is considered appropriate to vary the consent notice to allow for the shape to be amended to include the proposed shed/garage within the residential building platform on Lot 1. The proposed amendment will reduce the potential overall visibility of built form within Lot 1 as it will reduce the area where future building could be established.

### **Other Matters**

#### *Local Government Act 2002: Development Contributions*

This proposal will generate a demand for network infrastructure, transportation and reserves and community facilities.

In granting this resource consent, pursuant to Part 8 Subpart 5 and Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long



Term Council Community Plan (adopted by the Council on 25 June 2004) the Council has identified that a Development Contribution is required.

An invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to application under the Resource Management Act for certification pursuant to section 224(c). Pursuant to Section 208 of the Local Government Act 2002 the Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development Contribution has not been paid.

### **Administrative Matters**

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Lucy Millton on phone (03) 450 0350 or email [lucy.millton@lakesenv.co.nz](mailto:lucy.millton@lakesenv.co.nz).

Prepared by  
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Lucy Millton  
**PLANNER**

Wendy Baker  
**PLANNING TEAM LEADER**

### **Appendix 1: section 42A report: Description and Assessment of Proposal**

FILE REF: RM120677

**FROM** Lucy Millton - Planner

**SUBJECT** Report on a publicly notified consent application.

**SUMMARY**

**Applicant:** Gibbston Vines Limited

**Location:** Domain Road, Wakatipu Basin

**Proposal:** Subdivision of an existing lot into 4 allotments and establish a 1000m<sup>2</sup> residential building platform within proposed Lots 2, 3 and 4. Lot 1 will contain the existing 1000m<sup>2</sup> building platform.

Cancellation of Consent Notice 7455282.14 and registration of a new consent notice to reflect the changes to the existing building platform and to update conditions to meet relevant standards.

Variation to RM030714 to cancel condition 3 relating to landscape requirements.

**Legal Description:** Lot 5 DP 368650 contained within Computer Freehold Register 278953 Otago

**Zoning:** Rural General

**Public Notification Date:** 28 November 2012

**Closing Date for Submissions:** 17 January 2013

**Submissions:** None

**Implications For:**

i)	Policy	No
ii)	Annual Plan	No
iii)	Strategic Plan	No

## **RECOMMENDATION**

That subject to new or additional evidence being presented the application by Gibbston Vines Limited for subdivision and land use consent and to vary a consent notice to create three additional residential lots, each with an associated residential building platform and cancellation of Consent Notice 7455282.14, and variation to condition 3 of RM030714 be GRANTED pursuant to Section 104 of the Resource Management Act (RMA) for the following reasons:

The proposed subdivision and establishment of the residential building platforms will not result in adverse effects on the rural environment which will be more than minor. The proposed development would not detract significantly from surrounding rural character. This is due to the proposed design controls which will reduce the visibility of a future dwelling within each of the proposed residential building platforms, and the existing receiving environment which will allow the development to be absorbed into the site.

The proposed development will be consistent with the relevant objectives and policies of the District Plan which seek to avoid, remedy and mitigate inappropriate land use within the District. The proposal will not detract from the nature conservation values, or landscape and visual amenity within the District, and will align with Part 4.8 Natural Hazards, Part 5 Rural Areas and Part 15 Subdivision.

In terms of Part 2 of the RMA, the proposal is considered to be consistent with section 5, the overall purpose and principles of the RMA. With regard to the matters raised in section 7 of the Act, it is considered that the proposal constitutes an efficient use of natural resources and will not have adverse effects on amenity values or the quality of the environment.

## REPORT

### 1.0 INTRODUCTION

My name is Lucy Millton. I am a planner with Lakes Environmental Limited, an organisation contracted to undertake resource management and regulatory functions for the Queenstown Lakes District Council. I have worked with Lakes Environmental since July 2007. Prior to this I worked for Environment Canterbury, where I was employed as an Environmental Protection Officer. I have also worked in the United Kingdom as a Development Control Officer (Planner) and Enforcement Officer. I gained the qualification of a Bachelor of Resource Studies from Lincoln University.

During my time at Lakes Environmental I have processed a significant number of resource consent including a number of notified consents for residential building platforms in rural areas.

This report has been prepared to assist the Commission. It contains a recommendation that is in no way binding. It should not be assumed that the Commission will reach the same conclusion.

### 2.0 SITE & ENVIRONMENT

I refer the Commission to paragraphs 6 - 8 of Dr Read's (Lakes Environmental's Landscape Architect) report which provides a detailed description of the site and surrounding environment. A summary of that report is outlined below:

- Located at the corner of Domain Road and Birchwood Road.
- Flat site and approximately square in shape.
- Consented building platform, located close to the northern most corner.
- Mounding formed along all of the boundaries of the site.
- Currently covered in rank grass and weeds.
- Mixed tree shelter belt located along southern boundary with Domain Road, and eastern boundary with Hutton property.

### 3.0 PROPOSAL

Consent is sought to subdivide Lot 5 DP 368650 into four allotments comprising of the following:

- Lot 1 contains 0.984 hectares;
- Lot 2 contains 1.007 hectares;
- Lot 3 contains 1.081 hectares;
- Lot 4 contains 1.051 hectares.

Rectangular shaped residential building platforms measuring 1000m<sup>2</sup> (40m x 25m) are proposed to be established on proposed Lots 2, 3 and 4. Proposed Lot 1 contains an approved building platform which is sought to be relocated slightly.

Access to the proposed lots 1,2 and 4 will be off Birchwood Road either directly or via the existing access lot (Lot 7 DP368650) or by a right of way. Access is proposed from proposed Lot 3 onto Domain Road.

The applicant has volunteered future design controls to be imposed on each of the proposed building platforms similar to the controls imposed on the approved building platform. Conditions on the existing consent notice 7455282.14 are to be updated to reflect current practice in terms of relevant standards. The applicant proposes the following consent notice conditions which are to be complied with on an on-going basis:

- (1) *At the time a dwelling is erected on each Lot, domestic water and fire fighting storage is to be provided by a standard 30,000 litre tank. Of this total capacity, a minimum 20,000 litres shall be maintained as a static fire fighting reserve installed in accordance with PAS SNZ 4509:2008. A fire fighting connection is to be located within 90 metres of any proposed building on the site. The connection shall have a hardstand area adjacent to it to allow a fire service appliance to park on it.*

*Access shall be maintained at all times to the hardstand area. These requirements may be varied with the approval of the Council.*

- (2) At the time a dwelling is erected on each lot, the provision of electricity and telecommunications services shall be laid underground to the dwelling.*
- (3) All buildings shall be established in accordance with the following controls:*
  - (i) All buildings shall be contained within the residential building platforms shown on the subdivision plan;*
  - (ii) The maximum building height for residential units and all other structures within each proposed lot shall be restricted to 7 metres from existing ground level as defined in the Operative District Plan.*
  - (iii) Buildings and multiple building forms shall have their main roofs at a minimum pitch of 35 degrees or alternative pitch adequate for the roofing materials detailed in the following sub-clause provided that the design outcome is a predominantly single storey house. Secondary roofs (being roofs of secondary building elements attached to a main roof such as a veranda room or a roof which forms a link between the main roofs) may be flat or of low pitch.*
  - (iv) All main roofs shall be slate or imitation slate or similar finish to achieve a permanent slate-like texture or cedar shingles/shakes. Secondary roofs (as defined above) may be of any material provided that the material is coloured or painted in a dark grey tone.*
  - (v) The dominant colour or colours of all other external surfaces shall be in the range of greys, charcoal, dark greens and browns. Contrasting colours may be used in trims such as window frames, fascia's, veranda posts and other minor components of the building.*
- (4) The onsite sewage effluent treatment and disposal system shall be maintained on an on-going basis as follows:*
  - (i) In accordance with the recommendations of the system designer; and*
  - (ii) With intermittent and efficient quality checks to ensure compliance with the system designer's specification.*
- (5) The landscaping and planting shown on the approved Landscaping Plan shall be undertaken and maintained in conformity with the Landscape Plan stamped as approved by the Queenstown Lakes District Council dated \_\_\_\_\_ (except for mounding along internal boundaries within the development which is optional).*
- (6) The on-site sewage disposal system must be installed at the time of dwelling construction so that the system is designed to accommodate the size of the dwelling being constructed at that time.*

It is confirmed in an engineering report by Clarke Fortune McDonald that each of the lots can be adequately serviced by water supply, sewage disposal, stormwater disposal, electricity and telephone. Conditions of consent have been volunteered to this extent.

Earthworks are proposed under the subdivision to form the new access and driveways to each of the lots. Landscape mounding has been approved under previous consents and has been implemented in most cases.

A variation to RM030714 is sought to change condition 3 of that consent to alter the existing landscape requirements to provide for additional mounding within the site. The proposed area of mounding is 3350m<sup>2</sup> and the volume of material required for their construction is 3015m<sup>3</sup>.

#### **4.0 SUBMISSIONS**

##### **4.1 SUBMISSIONS**

No submissions were received.

##### **4.2 LATE SUBMISSIONS**

No late submissions were received.

#### **5.0 CONSULTATION AND WRITTEN APPROVALS**

No consultation or written approvals were submitted with the application.

#### **6.0 DISTRICT PLAN PROVISIONS**

##### **6.1 THE DISTRICT PLAN**

The site is zoned Rural General under the District Plan.

The Zone Purpose, as set out in Section 5.3.1.1 of the Plan, is to manage activities so that they can be carried out in a way that:

- *Protects and enhances nature conservation and landscape values;*
- *Sustains the life supporting capacity of the soil and vegetation;*
- *Maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and*
- *Ensures a wide range of outdoor recreational opportunities remain viable within the Zone.*

Section 5.3.1.1 also notes that the Zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The relevant objectives and policies are contained within Part 4 (District Wide Issues), Part 5 (Rural Areas) and Part 15 (Subdivision) of the District Plan.

The proposal requires the following resource consents:

##### Subdivision Consent

- A **discretionary** subdivision consent pursuant to Rule 15.2.3.3 (vi) with respect to all subdivisions and the location of residential building platforms within the Rural General Zone. Existing Lot 5 will be subdivided into four allotments with three residential building platforms of 1000m<sup>2</sup> in area being established on each lot. Proposed Lot 1 will contain an existing residential building platform that will be relocated slightly. Council's discretion is with respect to these matters.

##### Land Use Consent

- A **discretionary** activity consent pursuant to Rule 14.2.4.1 (iv) as the vehicle access to proposed Lot 4 will not comply with NZS4404:2004. Council's discretion is with respect to this matter.
- A **restricted discretionary** activity consent pursuant to Rule 5.3.3.3 (ix) as the proposal will not comply with Site Standard 5.3.5.1 (viii) (1) (a) and (b) as the total volume of earthworks required will equate to approximately 3015m<sup>3</sup>, of a total area of 3350m<sup>2</sup> within any one consecutive 12 month period.

### Cancellation of Consent Notice

- A **discretionary** activity consent pursuant to 87B in accordance with Section 221 of the Resource Management Act 1991 which specifies a variation to the consent notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132. It is proposed to vary Condition 2 of Consent Notice 5344105.2 to allow part of the proposed addition to be built outside of an approved residential building platform.

### Variation to Land Use Consent

- A **discretionary** activity consent pursuant to section 127(3)(a) of the Resource Management Act 1991, which deems any application to change or cancel consent conditions to be a discretionary activity. A variation to RM030714 is sought to cancel condition 3 of that consent which relates to specific landscape requirements. Landscaping required under condition 3 will be incorporated into the overall subdivision.

Overall, the proposal was considered as a **discretionary** activity.

## **7.0 INTERNAL REPORTS**

### *Landscape*

A landscape assessment has been received from Dr Marion Read (Lakes Environmental landscape architect). Dr Read's report is appended as Appendix 1 and concludes that the proposed design controls and landscaping would, with minor amendments, ensure that the proposed subdivision and future residential development was compatible with the development existing and consented within the immediate vicinity.

### *Engineering*

An assessment of the proposed servicing, access, earthworks and potential hazards has been provided by Ms Keri Garrett (Lakes Environmental engineer). Ms Garrett's report is appended as Appendix 2. In summary, it identifies that adequate vehicle access is available to each of the proposed lots, and identifies that the necessary services can be provided to the proposed subdivision, and this can be secured by way of conditions of consent.

Engineering matters will be addressed below in the relevant sections of this report. I rely on Ms Garrett advice for my assessment of engineering effects of the application.

## **8.0 STATUTORY CONSIDERATIONS**

This application must be considered in terms of Section 104 of the Resource Management Act 1991.

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

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of:*
  - (i) *A national environmental standards;*
  - (ii) *Other regulations;*
  - (iii) *a national policy statement*
  - (iv) *a New Zealand coastal policy statement*
  - (v) *a regional policy statement or proposed regional policy statement*
  - (vi) *a plan or proposed plan; and*
- (c) *any other matters the consent authority considers relevant and reasonably necessary to determine the application.*

The application must also be assessed with respect to the purpose of the Act which is to promote the sustainable management of natural and physical resources. Section 9.6 of this report outlines Part 2 of the Act in more detail.

Section 108 and 220 empower the Commission to impose conditions on a resource consent.

## **9.0 ASSESSMENT**

It is considered that the proposal requires assessment in terms of the following:

- (i) Landscape Classification
- (ii) Permitted Baseline
- (iii) Effects on the Environment
- (iv) Objectives and Policies
- (v) Other Matters
- (vi) Part 2 of the Act

### **9.1 LANDSCAPE CLASSIFICATION**

Lakes Environmental's landscape architect, Dr Marion Read outlines at paragraph 10 of her report that subsequent to the Environment Court decision in the Hawthorn case, the site is located within an area deemed to be an Other Rural Landscape in the terms of the District Plan.

### **9.2 THE PERMITTED BASELINE & EXISTING ENVIRONMENT**

When determining the actual and potential effects of an application for resource consent. The permitted baseline calls for a comparison of the potential adverse effects of the proposal against what is lawfully being undertaken on the land and what is permitted as of right under the District Plan (provided it is not a fanciful use).

Section 104 (2) of the Resource Management Act states that when you are forming an opinion on whether there are adverse effects from an activity on the environment, the consent authority may disregard adverse effects if the plan explicitly permits that certain activity.

All buildings or alterations to buildings in the Rural General zone (as well as any physical activity associated with any building such as roading or landscaping) require resource consent under the District Plan. Hence, the District Plan does not provide a permitted activity status for any building or associated activity.

Tree planting, including exotic species, within the site can be undertaken as permitted activity, providing the species are not listed as any which are prohibited.

Therefore, the permitted baseline is limited to activities such as minor earthworks, planting, horticultural and other agricultural activities permitted by the District Plan. While the consent authority may disregard the permitted baseline, it is in this instance there are few effects arising from the permitted baseline that are directly comparable with the proposed activity.

#### Existing Environment/Receiving Environment

The site was created by Environment Court Consent Order ENV-2006-CHC-000029 which approved one 1000m<sup>2</sup> building platform within the lot. The consent order approved a number of controls which relate to the design and appearance of future buildings and provision of infrastructure. The subject site is a vacant site, with vegetation consisting of existing grassland with a number of existing exotic trees planted along the boundary adjacent to Domain Road. Earth mounding approved by RM030714 has been constructed around the northern perimeter of the site. The site is currently used for equestrian activities, demonstrated by the location of horse jumps within the site. The site does not contain any residential activity.



Surrounding properties are of similar scale and contain residential dwellings. Typical farming activities are present within the surrounding area, but are generally limited to activities more aligned with Rural Lifestyle zone characteristics.

### **9.3 EFFECTS ON THE ENVIRONMENT**

#### **9.3.1 Assessment Matters**

The Assessment Matters from Section 5 (Rural Areas) set out a three step process for applying these assessment criteria: firstly, an analysis of the site and surrounding landscape; secondly, determination of the appropriate landscape category; and thirdly, application of the assessment matters. The first two of these steps have been undertaken by Dr Read as outlined above, and it has been found that the Other Rural Landscape (ORL) matters apply to this application.

The assessment of environmental effects below has been guided by, and is found under the headings used as assessment matters in the District Plan

I consider the proposal raises the following actual and potential effects on the environment:

#### **Section 5 – Rural Areas**

##### **(4) Other Rural Landscapes**

- (i) the proposed development will be complementary or sympathetic to the character of adjoining or surrounding visual amenity landscape (VAL);*

At paragraph 12 of Dr Read's landscape report, she states that the subject site is far enough away from the closest VAL to ensure that the proposed development would not be either complementary or sympathetic to that landscape. Dr Read further states that the ORL land will be buffered by so much land that there will be no adverse effects on the VAL. This is accepted.

- (ii) the proposed development will be visible from public roads or from neighbour's properties;*

Dr Read confirms at paragraph 13 of her report that the proposed development will be visible from Birchwood Road, but the proposed mounding and planting will limit the overall visibility from this road. Shelterbelt planting along Domain Road is to be maintained, or replaced with hedging typical of the character of the area. Further mounding along this area, but not throughout the central part of the site, will provide additional screening along this boundary to help obscure development from this road. Dr Read states that dwellings on proposed Lots 2 & 3 will be visible to some degree from the property to the east of the subject site, but existing and proposed trees and mounding would help to reduce this visibility.

- (iii) the proposed development utilises existing topography or vegetation to integrate the development into the landscape and reduce its visibility;*

The subject site is generally flat, with the exception of the earth mounding within the site which will provide for some mitigation in terms of reducing the overall visibility.

- (iv) the proposed development will adversely affect the naturalness and rural quality of the landscape through inappropriate landscaping including earthworks and planting as a result of any proposed mitigation or increased domestication;*

Dr Read states at paragraph 15 of her report, that the proposal involves mounding and landscaping which is manufactured in character and has the potential to adversely affect the naturalness and rural quality of the site. This being said, Dr Read states that the effect will be no greater than on similar sites in its immediate vicinity.

- (v) landscaping as a result of development maintains and/or enhances historic or cultural patterns although it is acknowledged that this assessment matter is not necessarily consistent with others e.g. (iii) and (iv) above or (vii) below;*

The shelter belts along Domain Road are to be retained. Dr Read recommends that if the trees are to be removed, then a shelter belt or hedge of some form replaces the existing vegetation. This will ensure that the cultural patterns of the site are maintained.

- (vi) the proposed development is complementary or sympathetic to, or can be co-ordinated with, existing or proposed development on adjoining or adjacent properties in terms of landscaping, roof design, roof materials and/or colours, and other external materials and/or colours;*

Dr Read states the design controls proposed as part of this subdivision will complement design controls imposed on developments within adjoining properties. Dr Read further states that the range of roofing materials in some cases are limited to expensive options such as slate and cedar shingles. It is recommended that the inclusion of steel, either restricted to a ribbed profile or including a corrugated profile, would both allow for a wider range of potential options and be more in keeping with the vernacular architecture of the vicinity.

Adjacent developments all include an area of common land. The proposed site will not include any common land. Dr Read states that the proposal does not incorporate any communal open space and in this way is different. The density of the proposed development will be denser than the surrounding developments, with one dwelling per 1.03ha. This will also differentiate the site from other surrounding sites. The proposed design controls imposed on future dwellings will ensure that these differences will complement the surrounding developments to ensure that adverse effects will be no more than minor.

- (vii) the proposed development is designed and/or intended to be carried out in a comprehensive manner taking into account the topography of the site, the size and configuration of the property being developed, the extent and nature of existing or proposed development on adjoining or adjacent properties, and the opportunities for shared access and/or shared amenities;*

The flat topography has been taken into consideration when designing the proposed subdivision, as seen through the use of mounding and landscaping throughout the site. The proposed access off Birchwood Road will be shared, with access onto Domain Road restricted to only use by Lot 3.

Dr Read states that the proposed access from Lot 3 onto Domain Road will result in each of the proposed allotments having their own, distinct and separate accesses, with no access running along any boundaries with adjacent properties. The subdivision plan originally showed two lots accessing off Domain Road. However the applicant has amended this to show only one. The elimination of the second access diminishes any effects associated with domestication. Consequently Dr Read considers that this plan is appropriate for the proposed subdivision.

Ms Garrett has confirmed her preference that access is gained off Domain Road to avoid further vehicles accessing off Birchwood Road as currently it does not comply with current standards in terms of road widths. Therefore there are no engineering concerns with the proposed access from Lot 3 onto Domain Road.

- (viii) the nature and extent of building setbacks and/or earthworks and/or landscaping can create buffers to avoid or mitigate the potential effects of development on adjoining properties, public roads or public places.*

Existing earth mounding around the site will provide for some screening to separate the lots and create privacy. Further planting will increase the division between these properties. Dr Read states that this will ensure that any adverse effects of the proposed development adjoining properties and public roads would be mitigated to a significant degree.

- (x) There is an opportunity to provide a communal passive or active recreational area which is accessible to residents outside the subdivision as well as within the subdivision;*

Due to the smaller overall average lot size there is less likelihood that any communal area within the subdivision will be able to be provided. Dr Read states that if this was to occur then a complete

redesign would be required. Due to the limited number of allotments created it is not considered that not providing any communal area would result in adverse effects.

*(xi) the proposed development does not introduce densities which reflect those characteristic of urban areas;*

The overall rural character of the proposed development will ensure that the proposal will not reflect an urban area.

*(xii) the proposed development maintains the rural amenities of the neighbourhood.*

Although the lots sizes do not reflect typical Rural General zoned land, it will be to a certain extent characteristic of the surrounding area. Although the lot sizes will be denser than those surrounding properties, with no communal area, it will maintain aspects of rural amenity which is characteristic of the area. There is a chance that noise associated with residential living will be evident within the site, but given the proposed mounding and landscaping any adverse effects will be adequately mitigated. Overall, the proposed development will maintain the rural amenity of the surrounding area.

#### *Summary of Assessment Matters – Other Rural Landscapes*

Overall, the proposal will in part be consistent with the assessment matters listed for Other Rural Landscapes. The overall character of the site will complement those surrounding sites to ensure that rural amenity is maintained. Mitigation in the form of volunteered design controls, landscaping and earth mounding will ensure that adverse effects from the smaller lot sizes will be no more than minor.

### **5.4.2.3 Assessment Matters General**

#### **ii Natural Hazards - General**

(a) Whether the activity will exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips.

Ms Garrett states that there are no known hazards or geotechnical issues which might preclude development on this site. The site is shown on Councils GIS as being within an area which is subject to liquefaction. However Ms Garrett supports recommendations made by Royden Thompson who has undertaken a liquefaction assessment within the site. This confirms that the underlying hazard will not result in any adverse effects by the proposed development.

#### **Section 15 – Subdivision**

**(b) Subdivisions of Land in the Rural General, Rural Lifestyle, Gibbston Character, Bendemeer Zones the Rural Residential area at the north of Lake Hayes, and the Quail Rise Zone (Activity Area R2)**

*(i) The extent to which subdivision, the location of Residential Building Platforms and proposed development maintains and enhances:*

- (a) rural character*
- (b) landscape values*
- (c) heritage values*
- (d) visual amenity*
- (e) life supporting capacity of soils, vegetation and water*
- (f) infrastructure, traffic access and safety*
- (g) public access to and along lakes and rivers*

The proposed establishment of building platforms will maintain and enhance the existing character of the site and surrounding properties. This will be due to the existing character of the site being consistent with the surrounding landscape values. The proposed subdivision and building platform establishment will be well screened within the site by existing landscaping and mounding. This will ensure that the visual amenity is maintained. The applicant has demonstrated that the proposed

allotments can be adequately serviced, and that appropriate access can be provided from each site. As such, the proposal will be consistent with the above assessment matter.

- (ii) *The extent to which subdivision, the location of residential building platforms and proposed development may adversely affect adjoining land uses.*

The location of the proposed development will be consistent with activities on adjacent properties to ensure that it does not adversely affect any adjoining land uses.

- (iii) *The extent to which subdivision, the location of residential building platforms and proposed development may be serviced by a potable water supply, reticulated sewerage or on-site sewage disposal within the lot, telecommunications and electricity.*

The applicant has confirmed that the proposed subdivision can be adequately serviced. This has been accepted by Lakes Environmental's engineer.

- (iv) *The extent to which subdivision, the location of residential building platforms and proposed redevelopment may be adversely affected by natural hazards or exacerbate a natural hazard situation, particularly within the Rural Lifestyle Zone at Makarora.*

Lakes Environmental's engineer has confirmed that the site is subject to a liquefaction underlay on the hazard map. However it has also been subsequently confirmed that there will be no adverse effect from the underlying hazard on the proposed subdivision.

- (v) *Consideration of the long term development of the entire property.*

The proposal is unlikely to facilitate any further development within the property as the level of development will be consistent with other surrounding properties.

#### **Assessment Matters – Lot size and dimensions**

- (a) *Whether the lot is of sufficient area and dimensions to effectively fulfil the intended purpose or land use, having regard to the relevant standards for land uses in the zone;*

The proposed subdivision will result in lot sizes which will have an average area of 1.03ha. This size will not be large enough to allow for typical rural agricultural, horticultural or viticultural activities. Therefore the resulting allotments will be utilised in a manner more typical of a rural living area. Given the surrounding character within the 'Hawthorne triangle' which is bounded entirely by a protected hawthorn hedge and limited area available for rural activities, it is considered in this situation the proposed development is appropriate for the area.

- (b) *Whether the lot is of sufficient size, given the nature of the intended development and site factors and characteristics, for on-site disposal of sewage, stormwater or other wastes to avoid adverse environmental effects beyond the boundaries of the lot.*

The applicant has demonstrated that the subject site will be capable of the disposal of sewage, stormwater on-site. Conditions of consent will be imposed to ensure that the appropriate connections can be made prior to section 224 certification.

- (c) *Whether the proposed lot is of a suitable slope to enable its safe and effective use for its anticipated purpose or land use, having regard to the relevant standards for land uses in the Zone.*

The topography of the subject site is flat. Therefore the proposed development will enable its safe and effective use of the land.

- (d) *The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access.*

The surrounding properties vary in size and dwelling density, with many of the sizes maintaining an average density of dwellings much lower than the proposed development. In some cases the common land balances out the density of those dwellings, when in fact each privately owned portion of land may be smaller than the lots proposed with this development. The configuration of the proposed development will maintain four evenly sized lots of a slightly more dense arrangement than those surrounding. However, the site left as it is would be restricted in use for typical agricultural activities as the size of the site would not appear to be economical in its current size, with a lack of agricultural infrastructure.

Dr Read concludes that the proposed subdivision is reasonably compatible with the pattern and land use of its immediate neighbour to the north east, with which it shares an access, but not with the broader pattern of land use in its immediate surrounds. The land on the adjacent side of Domain Road will reflect agricultural activities, which Dr Read states will include the mowing of hay, and grazing of animals. However the site adjoining to the north east is mown and maintained as a large manicured garden. The subject site would appear as an extension of this.

- (e) *Whether the lot is to be amalgamated and included in the same Certificate of Title with an adjoining parcel of land.*

The proposed subdivision will not result in any lots being amalgamated within any adjoining parcels of land.

- (f) *Whether there is the opportunity to enable the protection or restoration of a listed or non-listed heritage item or site which is considered to be of sufficient merit for its preservation or protection to be promoted in the context of a particular development.*

The site does not contain any items which are listed as a heritage item.

#### *Summary of Assessment Matters – Lot Size and Dimension*

The overall average lot size of the proposed development will be smaller than the surrounding properties, but will have an arrangement which will result in lots which will be compatible with those surrounding lots. The dimension of the proposed allotments will ensure that there is sufficient size within the lots to dispose of waste water and stormwater on site. Overall, the proposed subdivision, although smaller in lot size, will be appropriate within the surrounding landscape to ensure that adverse effects are no more than minor.

### **Part 15 – Subdivision, Development and Financial Contributions**

#### *15.2.6.4(i) Lot Size and Dimensions*

The proposed allotments will be a sufficient area to effectively fulfil the intended purpose of the development. The overall scale of the property will not align with a typical rural general site, but will be characteristic of other surrounding properties within the Hawthorn Triangle. The dimensions of the proposed lots and location of building platforms will ensure that the lot is a sufficient size for the development. The applicant has demonstrated that all of the proposed allotments can be adequately serviced with on-site wastewater disposal and stormwater to ensure that adverse effects do not extended beyond the boundary of the lots.

The subject site is suitable for the proposed development given the flat topography. This provides for a suitable development site, whilst not compromising existing land uses in the zone. The resulting configuration of the proposed allotments will reflect the pattern of adjoining lots in terms of land use activities and property access. Each of the proposed allotments will be contained within their own individual Certificate of Title.

#### *15.2.7.3 Subdivision Design*

- (i) *The relationship and size of the lots in terms of their solar advantage including the alignment and layout of the lot, the location of building platform, relationship to adjoining lots.*

The overall design of the subdivision and flat topography of the site ensure good access to the sun for all future dwellings with the building platforms, and to avoid any adverse shading effects between lots.

Dr Read states that the proposed rotation of the existing building platform will not maximise views to the north. She recommends that the applicant should consider rotating the platforms so that the long axis faces north. This will improve the subdivision layout. Dr Read has not recommended conditions to this extent, but rather leaves it as a suggestion for the developer to undertake if required. Leaving as it is, will not result in any significant adverse effects.

- (ii) The provision for, and safety and practicality of, pedestrian access including unsealed walking tracks, the relationship of these to reserves (existing or proposed); access to the lakes and rivers, and the opportunities for enhancing a rural walkways network in the Wakatipu Basin.*

No public access is proposed. An existing public access runs through nearby sites to provide pedestrian linkages from Lower Shotover Road through to Domain Road. Connections through the proposed subdivision are not considered necessary.

- (iii) The provision for, safety and practicality of, using open stormwater channels and wetland areas.*

Open stormwater channels and wetland areas are not proposed as part of this development.

- (iv) The relationship and orientation of lots, particularly in respect of land in adjoining zones, and the ability to create an attractive and interesting edge between development in the Residential and Rural-Residential Zones and adjoining Rural Zones;*

The site is entirely contained within a Rural General area and does not adjoin any other zone.

- (v) The degree to which any likely development of the lots, taking into account the earthworks proposed for the subdivision, will adversely affect the opportunities for views from properties in the vicinity, or will result in domination of surrounding properties by buildings on the lots.*

The proposed building platforms are located towards the southern side of the proposed lots with proposed earth mounding separating the proposed allotments from the property on the southern boundary. Adequate setback distances will be maintained between these boundaries. Dr Read confirms that she does not think that there will be any dominating effects from the location of the proposed building platforms for these reasons, and due to the existing trees located along the south eastern boundary of the site. Dr Read states that this would ensure privacy and screen proposed dwellings from the consented development on the Hutton property (to the south east).

- (vi) The effects of the scale and nature of the earthworks proposed for the subdivision, the methods proposed for the disposal of excess soil or vegetation, and the need for any conditions to avoid or mitigate any adverse effects, including effects at the disposal site.*

Earthworks will be required to create access ways and mounding within the development site. Ms Garret states that the proposed earthworks are likely to only result in temporary nuisance effects. A site management plan has been submitted with the application to minimise any effects from dust, sediment runoff and truck movements. However, given the flat topography of the site, and the small scale of the works, adverse effects can be largely contained within the site. Appropriate conditions of consent have been recommended.

#### 15.2.8.3 – Property Access

- (i) The safety and efficiency of the roading network and the proposed roading pattern, having regard to the roading hierarchy, standards of design, construction for roads and private access.*

Ms Garrett has confirmed that the proposed property access and existing roading network will be utilised in a manner to ensure that safety and efficiency is achieved. The proposed subdivision will

result in an increase in vehicle movements along Birchwood Road which Ms Garrett states will take it beyond the threshold in terms of the carriageway width. However Ms Garrett has confirmed that the proposed access will ensure that adequate sight distances are maintained along this road. Additionally, access onto Domain Road from Lot 3 will alleviate concerns in terms of increased vehicle movements along Birchwood Road.

- (ii) The effect of any new intersections or accesses created by the subdivision on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.*

Sight distance from the proposed accesses along Birchwood Road will ensure that the proposed subdivision will result not have adverse effects on traffic safety. The low speed environment of the existing Birchwood Road will provide for a safe operating road in which the proposed subdivision will form part of.

- (iv) The account taken of safe, pleasant and efficient pedestrian movement, provision of space for cyclists, amenity values of the street and opportunities for tree planting in the open space of the road way to enhance the character and amenity of the neighbourhood.*
- (v) The need to provide pedestrian accessway facilities in circumstances where the roading network does not provide sufficient or direct access or easy walking access to facilities in the vicinity.*
- (vi) The need to provide cycle ways in circumstances where the roading network does not enable sufficient or direct cycle routes through the locality.*

The proposed subdivision will not provide for an additional pedestrian access or cycle routes within the site or on surrounding roads. It is considered that there are adequate provisions as part of the nearby Wakatipu Trails Trust walking/cycling trail, and that there is adequate space alongside Birchwood Road on the wide grass berm.

#### *15.2.11.4 Water Supply*

The applicant has provided confirmation that the proposed subdivision will connect to the private water scheme, Stonebridge Management Limited, and from the Arrow Irrigation Company. Conditions requiring confirmation that the water supply is potable will be imposed to ensure that drinking water standards are met. Ms Garrett has confirmed that she is satisfied that adequate water supply can be provided to ensure the needs of the proposed subdivision are met.

Ms Garrett has recommended that a consent notice be registered on each of the new titles to require a 20,000 litre fire fighting supply to be maintained within a 30,000 litre water storage tank on site at the time a dwelling is proposed. Appropriate conditions of consent have been recommended by Ms Garrett to ensure that the installation of these tanks meets the NZ Fire Service and Councils standards.

#### *15.2.12.3 Stormwater*

The proposed allotments will be required to install individual on-site stormwater disposal systems as there is no reticulation available to the site. The flat topography of the site will ensure that there is no stormwater runoff or overland flow paths that may result in adverse effects from the disposal of stormwater. Ms Garrett recommends a consent notice condition being registered on the title of each of the new allotments outlining future stormwater requirements at the time a dwelling is constructed.

#### *15.2.13.2 Sewage Treatment and Disposal*

The applicant has confirmed, by way of a site and soil assessment, that the site is suitable for on-site wastewater disposal. A consent notice condition is recommended to register future requirements on each of the titles. This will require that individual wastewater designs are provided at the time a dwelling is proposed.

### 15.2.15.2 Energy Supply and Telecommunications

Confirmation from both Aurora Energy and Chorus service providers has been submitted with the application to demonstrate that both telecommunication and electricity networks are available for the proposed subdivision. Recommended conditions of consent will ensure that the appropriate connections are made at the time a dwelling is constructed within each of the proposed allotments.

#### *Summary of Actual and Potential Effects on the Environment*

Having considered the proposal against the relevant assessment matters of the District Plan, it is considered that the proposed development within the context of the surrounding environment will not result in any significant adverse effects on the site and surrounding area. The subject site has the ability to absorb the development without resulting in any significant adverse effects which would be inconsistent with the assessment matters outlined Part 4 *District Wide Issues*, Part 5 *Rural General*, and Part 15 *Subdivision, Development and Financial Contributions*. Should consent be approved, appropriate conditions of consent can be imposed to ensure that adverse effects can be adequately avoided, remedied or mitigated.

## **9.4 OBJECTIVES AND POLICIES**

The relevant Objectives and Policies of the District Plan discussed below relate to:

Part 4	District Wide Issues
Part 5	Rural Areas
Part 15	Subdivision

### **Part 4 – District Wide Issues**

#### **4.1.4 1 - Nature Conservation Values**

Objective 1 - Nature Conservation Values seeks to protect and enhance indigenous ecosystems, geological features, rivers, lakes, wetland and natural landscapes.

The proposal will not significantly degrade the natural conservation values of the site, as it has been modified over time through the establishment of exotic amenity planting along the boundary and artificial mounding along the edge of the existing lot.

#### **4.8 Natural Hazards**

Objective 1 seeks to avoid or mitigate loss of life, damage to assets or infrastructure, or disruption to the community of the District, from natural hazards.

Policies 1.5 requires that proposed developments have an adequate assessment completed to identify any natural hazard and methods to avoid or mitigate a natural hazard. Subdivisions are discouraged in areas where a high probability occurs that a natural hazard may destroy or damage human life, property or other aspects of the environment.

The site is shown on the QLDC Hazard Register Maps as being potentially subject to liquefaction. The risk associated with this underlying hazard has been adequately addressed in terms of providing certainty that the proposed development will not result in be adverse effects from these hazards. This has been confirmed by Mr Royden Thompson.

Overall, the proposed allotments and building platforms will be suitable for residential development and will not be subject to, or exacerbate any hazards. As such the proposal will be consistent with the above objective and policies.

### **Part 5 – Rural Areas**

The Rural Area provisions build upon the District Wide objective and policies relating to landscape which have been discussed in detail above.



Objective 1 *Character and Landscape Value* seeks 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 – 1.8 require the consideration of district wide landscape objectives and policies in terms of proposed developments and subdivisions, whilst allowing for the establishment of a range of activities which utilise the soil manner in a sustainable manner, but not utilising land with potential values to be used inappropriately. The subject site is of a scale that cannot be successfully utilised for agricultural purposes. The existing building platform within the site suggests that residential activity has been previously considered. Therefore the proposed development will not result in the loss of any land which would be otherwise utilised for agricultural purposes.

Objective 3 - *Rural Amenity* seeks to avoid, remedy or mitigate adverse effect of activities on rural amenity. Policies 3.1 – 3.5 recognise that permitted activities in rural areas may result in effects which may be noticeable to residents within the area. A range of land use practices can be undertaken on adjacent properties which may result in a loss of rural amenity values. Appropriate setback distances are maintained between residential dwellings and property boundaries to ensure that effects are contained within the site.

The proposed residential development will result in an additional dwellings being located within an existing node of residential development. The proposed residential building platforms are located within an area which is screened by existing mature hedgerows along Domain Road, and by proposed and existing mounding around the perimeter of each allotment to ensure that the rural amenity is maintained.

Overall, the proposal will be consistent with the objectives and policies within Part 5 of the District Plan.

## **Part 15 – Subdivision**

Objective 1 – *Servicing* requires that the provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.

Policy 1.2 requires that there is a safe and efficient vehicular access provided to lots created by subdivision. Lakes Environmental's engineer has assessed the proposal and confirms that access is feasible. Although vehicle numbers along Birchwood Road will increase to beyond the threshold, it is expected that the nature and scale of the short leg of the road will ensure that vehicles accessing onto this road will do so in a safe and efficient manner. Policy 1.4 seeks to avoid or mitigate any adverse visual and physical effects of subdivision roading on the environment. Existing roading networks are available with new accesses required to be connected to it. As above, this can be done so in an efficient manner. Policy 1.5 requires that a sufficient capacity of water is available to each lot, including that to a potable standard and for fire fighting purposes. Lakes Environmental's engineer has confirm that adequate provisions for water can be provided.

Appropriate development contributions will be calculated and paid by the developer for the provision of services in line with the Council's Long Term Development Contributions Policy and Community Plan Development Contributions Policy.

Adequate stormwater provisions have been proposed and accepted by Ms Garrett as being sufficient in disposal of stormwater. This will ensure that stormwater is disposed of in a manner which will not adversely affect any surface or ground water bodies and therefore will align with policy 1.8.

A site and soil assessment has been provided by Mr Chris Hansen of Clarke Fortune MacDonald and Associates. A condition of consent has been recommended by Ms Garrett, requiring that a consent notice be registered on each title to require a wastewater design to be provided at the time a dwelling is proposed. This will ensure that the proposal will be consistent with policy 1.9.

Objective 5 Amenity Protection seeks to maintain and enhance the amenities of the built environment through the subdivision and development process. Policy 5.1 ensures that lots sizes and dimensions provide for efficient and pleasant functioning of their anticipated land uses and reflect levels of open space and density of built development anticipated by each area. The proposed allotments will allow for residential land use to occur, but will not reflect land uses which align with anticipated Rural General activities. On balance, the proposed development will be characteristic of the surrounding area.

Policy 5.2 seeks to ensure that subdivision patterns do not lead to alternative land uses which may adversely affect landscape, visual, cultural or other amenity values. The pattern of development will not significantly change in that the node of development is maintained in an area which will ensure that the development can be absorbed appropriately. Additionally, the existing landscaping will ensure that the site and development is partially screened from the adjacent public road.

Policy 5.3 seeks to encourage innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services. The overall design of the proposed subdivision follows the line of development within surrounding properties and the flat topography containing the development will ensure that amenity values are maintained.

Policy 5.4 encourages the protection of significant trees or areas of vegetation, upon the subdivision of land. No vegetation of significance has been identified within the site.

Policy 5.5 seeks to minimise the effects of subdivision and development on the safe and efficient functioning of services and roads. The proposal will increase the roading capacity by an additional three residential units. The level of traffic movements along Birchwood Road will be at its threshold, but given the short distance and design of the carriageway it is considered to mitigate any adverse effect on the safe and efficient functioning of services and roads.

Policy 5.6 encourages the identification of archaeological sites and sites of cultural significance. Nothing of significance has been identified within the site.

The application demonstrates that the proposed subdivision can be appropriately serviced for access, stormwater, wastewater, water supply and telecommunication.

The pattern of development, to a large extent determined by the nature of the site, provides for the maintenance of the amenities of the built environment. Adequate setback distances will be maintained to ensure that the effects on amenity values will be less than minor on surrounding properties. Due to the flat topography of the site and future design controls proposed for the RBP, adverse effects in terms of visual amenity can be mitigated. The proposed access design ensures the continued functioning of Birchwood Road and Domain Road.

Overall, the proposed subdivision and development will be consistent with the objectives and policies within Part 15 of the District Plan.

## **Summary**

Overall the proposed subdivision and development will be consistent with the relevant objectives and policies set out within the District Plan.

## **9.5 OTHER MATTERS**

### **9.5.1 Precedent Effects**

The subject site is located within the vicinity of a number of properties which have been developed in a similar manner, creating an area with characteristics more akin to a Rural Lifestyle zone. The limited ability of the land available for development within the Hawthorn Triangle will ensure that the extension and spread of development will not extend beyond the subject site. This will ensure that the potential for a precedent effect is low.

It is my opinion that for these reasons, that the proposed subdivision does not have the potential to cause a precedent effect and would not impact on the integrity of the District Plan.

### **9.5.2 Contaminated Soils (NES) – Risk to Human Health**

The application is for a change of use (from rural activities to residential) and for subdivision. This requires consideration under Clause 9 of the NES for assessing and managing contaminants in soil to protect human health. Pursuant to Clause 9(5) of the NES, changes in use or subdivisions trigger the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health. To address this, a Preliminary Site Investigation has been undertaken by Mr Glenn Davis of Davis Consulting Group (DCG). The findings of this report are outlined below:

- The site is a vacant grassed area with the grazing of horses and occasional equestrian use and has a history of farming activity;
- Aerial photograph interpretation shows the area was farm land from 1956 to 1976;
- Interviews were undertaken with the owner of the site which confirmed the sites current use as a vacant grassed area;
- The aerial photo assessment indicated that there were no farm buildings located in the vicinity of the site and therefore no evidence to suggest the site is located near a sheep dip or fuel or chemical storage facilities;
- A site walkover of the property concurs with the results of the interview and no obvious areas of surface soil staining were recorded;
- DCG identified the potential contaminants of concern associated with the site include the potential for the historic application of persistent pesticides and trace metals associated with the application of fertiliser;
- The multiresidue pesticide levels results were reported below laboratory detection limits.
- The heavy metal levels were reported either below laboratory detection limits or below New Zealand Soil Contaminant Standards SGVs (MfE, 2012), or the 'Schedule B (1) Guideline on the Investigation Levels for Soil and Groundwater SGVs (NEPC, 1999);
- In summary the PSI has identified historical activities that may have impacted the soil quality of the site. Based on the results of the Preliminary Site Investigation, DCG concludes it is highly unlikely that there is a risk to human health from JA Trust's proposed subdivision.

The overall findings by Davis Consulting Group are accepted, and it is considered that the proposed change of use and subdivision will not pose a risk to human health.

### **9.6 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991**

Part 2 of the Resource Management Act 1991 details the purpose of the Act in promoting the sustainable management of the natural and physical resources. Sustainable management is defined as:

*managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while:*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems: and*
- (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*

The following matters of national importance listed in Section 6 of the Act are also considered relevant:

- (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 coastal marine area, lakes and rivers.*

The development area has been found to be located within an area classified as being ORL. The proposed development will be appropriately mitigated through the use of existing and proposed landscape mitigation, earth mounding and appropriate design controls of future dwellings.

With regard to the matters raised in section 7 of the Act, it is considered that the proposal constitutes an efficient use of natural resources and will not have adverse effects on amenity values or the quality of the environment.

Overall, I consider the proposal does promote the overall purpose of the Act.

## **10.0 CONCLUSION**

Section 104B of the Act states that after considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

- a) may grant or refuse the application; and
- b) if it grants the application, may impose conditions under section 108.

Having regard to section 104 of the Act and the assessment set out in this report, it is concluded that the proposal is appropriate in this location. The proposed subdivision of Lot 5 DP 368650 will be consistent with the surrounding landscape, with adequate access and servicing available to the proposed new lots. The proposed location of the amended building platform and proposed building platforms will result in adverse effects which would be no more than minor as the development would not detract significantly from surrounding rural character.

The proposed changes to the landscaping and mounding within the site will ensure appropriate screening of the future development within the site.

The proposal will be consistent with the objectives and policies of the District Plan.

The proposal is considered to be consistent with the purpose and principles of Part 2 of the Resource Management Act.

Having regard to Section 104B I recommend that resource consent is granted, subject to appropriate conditions as detailed in the attached Appendix 3.

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**Prepared by:** Lucy Millton  
Planner

**Reviewed by:** Wendy Baker  
Planning Team Leader



**Attachments:** Appendix 1 Landscape Architect's Report  
Appendix 2 Engineering Report

**Report Dated:** 4 April 2013

**REPORT TO:** Lucy Millton, Planner  
**FROM:** Marion Read, Landscape Architect  
**REFERENCE:** Rm120677, Gibbston Vines  
**SUBJECT:** Landscape Assessment  
**DATE:** 14<sup>th</sup> January 2013

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## INTRODUCTION

1. An application has been received for resource consent to subdivide a site at Birchwood Road in the Wakatipu Basin. The site is legally described as Lot 5 DP 368650. It comprises an area of 4.1237ha and in terms of the Queenstown Lakes District Plan (the District Plan) is zoned Rural General. Following advice from Lakes Environmental's planner I understand that the application is a discretionary activity.

## 1. PROPOSAL

2. The proposal entails the subdivision of the site into four lots and the establishment of a residential building platform on each lot. The proposed lots are to be as follows:
  - Lot 1 – 0.984ha
  - Lot 2 – 1.007ha
  - Lot 3 – 1.081ha
  - Lot 4 – 1.051ha
3. Residential building platforms are to be established on Lots 2, 3, and 4. Lot 1 is to contain an existing approved platform but consent is also sought to alter its orientation.
4. Earthworks are proposed to create the vehicle access and to form mounding in addition to that mounding which has already been consented under RM030714 which established the larger lot. A landscape plan is approved under this consent and in association with this mounding but it has not yet been implemented. It is proposed to incorporate it into the landscaping proposed for this subdivision and to vary RM030714 by cancelling the condition requiring its implementation.
5. Design controls are proposed to be imposed by consent notice. These are as follows (paraphrased):
  - all buildings to be within the building platforms;
  - maximum building height 7m;
  - main roofs to have a pitch of 35° and to be predominantly single story. Minor roofs may be flat;
  - main roofs to be slate, imitation slate, or similar, or cedar shingles;
  - dominant colours to be greys, charcoal, dark green and brown.

## SITE DESCRIPTION

6. The site is located on the corner of Domain Road and Birchwood Road. It is an essentially flat site and approximately square in shape. The consented building platform is located close to its most northern corner.
7. Mounding has been formed along all of the boundaries of the site.
8. The site is currently covered in rank grass and weeds. It is clearly being used by local horse riders who have constructed a number of jumps in the open area in the centre of the site. A shelter belt consisting of a mix of tree species is present along the full extent of the site's boundary with Domain Road and this appears to be a continuation of similar shelter planting along the boundary of the Hutton property.

## BACKGROUND

9. The relevant resource consent history of the subject property includes the following:
  - RM000268 original subdivision consent
  - RM030713 & RM030714 consent to construct two separate mounds
  - RM070754 & RM070755 variations to above consents to change the requirements for planting the relevant mounds
  - RM120532 to cancel various consent notices which do not apply to the subject site.

## LANDSCAPE CLASSIFICATION

10. Subsequent to the Environment Court decision in the Hawthorn case the site is located within an area deemed to be Other Rural Landscape in the terms of the District Plan.

## ASSESSMENT

11. The appropriate assessment matters are located at S5.4.2.2(4) and at S15.2.6.4(i), S15.2.7.3, S15.2.8.3, and S15.2.17.2 of the District Plan.

### **S5.4.4.2(4) Other Rural Landscape**

#### **(i) The proposed development will be complementary or sympathetic to the surrounding VAL**

12. The site of the proposed development is located quite a considerable distance from any area of Visual Amenity Landscape (VAL). The closest area is to the north and is some 550m away. To the south the VAL is located over the Shotover River, some 975m away or to the east some 800m away. While I do not necessarily consider that the proposed development would be either complementary or sympathetic to the surrounding VAL I also consider that it is so far from the VAL and buffered by so much land which has been classified as ORL that the proposed development would not have any adverse effect on the VAL.

#### **(ii) Proposed development is visible from public roads or neighbours' properties**

13. The proposed development would be visible from Birchwood Road, but the mounding and planting proposed would limit this visibility. The shelterbelt planting along the road is to be maintained, or replaced with hedging of the character of the vicinity, and there is to be further mounding and planting inside it which would obscure development on the site largely from view from Domain Road. Dwellings on proposed Lots 2 & 3 would be visible to some degree from the Hutton property but existing and proposed trees and mounding would help to reduce this visibility.

**(iii) Proposed development utilises existing topography to integrate the development into the landscape and reduce its visibility.**

14. The site is flat and there is no existing topography, save the constructed mounds, to assist with the integration of the proposed development into the site or wider landscape.

**(iv) Proposed development will adversely affect the naturalness and rural quality of the landscape through inappropriate landscaping including earthworks and planting as a result of proposed mitigation or increased domestication**

15. The proposed development is manufactured in character and this would adversely affect the naturalness and rural quality of the landscape resulting in increased domestication. The extent of this effect is no greater than on similar sites in its immediate vicinity, however.

**(v) Landscaping maintains and/or enhances historic or cultural patterns**

16. The retention of the shelter belt along Domain Road, and the requirement that it be replaced with a shelter belt or hedge of some form when this becomes necessary or desirable, should ensure that this site maintains the cultural patterns of the vicinity in relation to this frontage. The internal mounding and planting is of a type which has become common within the vicinity.

**(vi) The proposed development is complementary or sympathetic to, or can be co-ordinated with, existing or proposed development on adjoining or adjacent properties in terms of landscaping, roof design, roof materials and/or colours, and other external materials and/or colours;**

17. I have been unable to determine what, if any, design controls apply to the site to the immediate north east. The site to the immediate south east is subject to subdivision consent with design controls on built form to be registered on the titles of the Lots by consent notice. These specify that the dwellings shall be no more than 6m in height; clad with schist, Oamaru stone, timber weatherboards, or solid plaster; roofs to be slate, timber shingles or Colorsteel; exterior lighting to be subtle; and a central common lot is to be maintained by grazing or cropping. The site to the immediate north of the subject site has been subdivided and design controls imposed on the dwellings which are as follows: roof pitch 22.5 to 55 degrees with flat roofs only permitted as connections; roof claddings to be in steel (corrugated or tray), cedar shingles, or slate, or similar and of low reflectivity; wall claddings to be in timber, smooth plaster, stone (local schist or Oamaru stone) and in natural and recessive colours; joinery to be timber, steel or aluminium coloured to match roofing, gutter and spouting colours; all structures to be within the building platform; and boundary fencing to be post and wire with courtyard fencing to be in similar materials to the dwelling. I conclude that the design controls proposed for the development are complementary to those of these consented developments and that should ensure complementary development in terms of the built form.

18. It is the case that the range of permitted roofing materials to which future lot owners are to be restricted is very limited. It is my opinion that it should be extended to include steel as slate and cedar shingles are both very expensive options and 'imitation slate' includes pressed steel tiles. I consider that the inclusion of steel, either restricted to a ribbed profile or including a corrugated profile, would both allow for a wider range of potential options and be more in keeping with the vernacular architecture of the vicinity.

19. All three of the adjacent developments incorporate some jointly owned open space. In the case of Stonebridge to the north, the dwellings are clustered in the centre of an open area in joint ownership which is managed for agricultural production. The Hutton property to the south has a central open area in joint ownership. The Reflections development to the east has a series of ponds and mounds in joint ownership. This proposal does not incorporate any communal open space and in this way is different.

20. The density of the consented development on the surrounding lots is lower, being one dwelling per 1.2ha for Reflections, one dwelling per 1.6ha for the Hutton property and one dwelling per 2.9ha for Stonebridge. This proposal would result in one dwelling per 1.03ha

which is slightly more dense than Reflections but significantly more dense than either the Hutton or the Stonebridge developments.

**(vii) Development is designed and / or intended to be carried out in a comprehensive manner taking into account the topography of the site, the size and configuration of the property the extent and nature of existing or proposed development on adjoining or adjacent properties and the opportunities for shared access and / or shared amenities.**

21. The proposed development is designed in a comprehensive manner which takes into account the topography of the site, and the extent and nature of the consented development on adjacent sites. It utilises a shared access way with the Reflections subdivision to its east. It is the case, however, that the potential for access from Domain Road to proposed Lots 3 and 4 is to be retained under the current proposal. I consider that this increase in access points from Domain Road would have a domesticating effect on the experience of travelling along that roadway, and would provide additional visual access to the development, further highlighting the domestic development of the vicinity. I consider that access to these lots should be restricted to the joint access proposed from Birchwood Road in order to avoid these adverse effects.

**(viii) The nature and extent of building setbacks and / or earthworks and / or landscaping can create buffers to avoid or mitigate the potential effects of development on adjoining properties, public roads or public places.**

22. The site is partially enclosed by existing mounds and it is proposed that further mounding will be undertaken along the Domain Road boundary and may be undertaken within the site to separate the lots and create privacy. This should ensure that any adverse effects of the proposed development adjoining properties and public roads would be mitigated to a significant degree.

**(x) There is an opportunity to provide a communal passive or active recreational area which is accessible to residents outside of the subdivision as well as within.**

23. There is some opportunity to provide a communal area within the subdivision, but it is unlikely that any such communal area would be accessible to residents outside of the subdivision without entailing a complete redesign.

**(xi) The proposed development does not introduce densities which reflect those characteristic of urban areas.**

24. The lot sizes are of sufficient size as to ensure that the density of development is not of an urban character.

**(xii) The proposed development maintains the rural amenities of the neighbourhood.**

25. The District Plan describes aspects of Rural Amenity as including 'privacy, rural outlook, spaciousness, ease of access, clean air and, at times, quietness'<sup>1</sup>. The proposed lots would have some degree of privacy. Little rural outlook is possible as the location is enclosed by trees, either on the site itself or on neighbouring lots. Spaciousness is, of course, a relative term. In comparison with urban lots the proposed development provides a sense of spaciousness, however, at a density approaching one dwelling per hectare the vicinity is more densely developed than is usually anticipated within the Rural General zone. Access is easy, clean air should be available owing to the limited nature of agricultural activities in the vicinity, and quietness may be available, although the density of development is likely to result in increased residential related noise such as stereos, lawnmowers and others. .

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<sup>1</sup> QLDC District Plan 5.1(iii), P5-1



#### **S15.2.6.4(i) Lot size and dimensions**

**(a) *Whether the lot is of sufficient area and dimensions to effectively fulfil the intended purpose or landuse, having regard to the relevant standards for land uses in the Zone.***

26. The average lot size proposed is 1.03ha. This is not large enough to undertake the activities which characterise the Rural General zone which are described in the Plan as 'farming activities and a diversification to activities such as horticulture and viticulture'<sup>2</sup>.

**(d) *The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and landuse activities, and access.***

27. The pattern of the adjoining subdivision and landuse activities are varied. The adjacent property to the north east has 3 residential lots and one communal lot, with an average residential lot size of 7000m<sup>2</sup> and a density of dwellings of one per 1.2ha. The adjacent property to the south east has an unexecuted subdivision allowing for five dwellings including the existing dwelling and an existing cottage. The average residential lot size is 1.26ha with a share of the communal lot this results in a density of one dwelling per 1.6ha. To the north west Stonebridge has 8 residential lots of approximately 4000m<sup>2</sup> each with a share in the surrounding communal land resulting in a residential density of approximately one dwelling per 2.9ha. To the south east of the proposed subdivision is a single lot of 4ha with a single approved building platform. This proposed development is slightly more dense than that of its immediate neighbours to the south and north east and significantly more dense than those to the north and south west. In all cases the neighbouring lots are fairly eccentric in shape, the lots of the proposed subdivision more or less square. The properties to the west and south east are maintained by traditional agricultural practices: grazing animals, mowing for baleage, and the growing of barley. The site to the north east is mown and maintained as a large garden. The lots within this proposed subdivision will require similar maintenance and could not be maintained by any agricultural practices. Consequently I conclude that the proposed subdivision is reasonably compatible with the pattern and landuse of its immediate neighbour to the north east, with which it shares an access, but not with the broader pattern of landuse in its immediate surrounds.

#### **S15.2.7.3**

**(i) *The relationship and size of the lots in terms of their solar advantage including the alignments and layout of the lot, the location of building platforms, relationship to adjoining lots.***

28. The lots are all of adequate size to ensure good access to the sun for all dwellings and to avoid any adverse shading effects between lots. The proposed building platforms are oriented so as to be parallel to Domain and Birchwood Roads and as a result face their long axes to the north west. The consented building platform is oriented to the north and it is proposed to rotate it, and alter its shape from square to rectangular, to match the others. Given that the view to Coronet Peak is almost due north of the site, as well as the midday sun, I find this orientation a bit odd, and consider that rotating the platforms so that the long axis faced north would improve the subdivision layout.

**(ii) *The provision for, and safety and practicality of, pedestrian access including unsealed walking tracks, the relationship of these to reserves (existing or proposed); access to the lakes and rivers, and the opportunities for enhancing a rural walkways network in the Wakatipu Basin.***

29. No public access is proposed.

**(v) *The degree to which any likely development of the lots, taking into account the earthworks proposed for the subdivision, will adversely affect the opportunities for views from properties in the vicinity, or will result in domination of surrounding properties by buildings on the lot(s).***

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<sup>2</sup> Queenstown Lakes District Plan, S5.3.1.1, P5-9.

30. The proposed building platforms are located towards the southern side of the proposed lots. This means that the building platforms for proposed Lots 2 and 3 are relatively close to the boundary with the Hutton property (although they comply with the required setbacks). The closest building platform on the Hutton property is that of Lot 3 which is located to the east of that on proposed Lot 3 within the subject site but some 80m distant. The building platforms on the property to the north east would be separated from these by two sets of mounding. I do not consider that dwellings on any of the proposed lots would result in the domination of any of these properties. It is proposed to interplant the existing trees along the south eastern boundary of the site, although the species of trees has not been identified, and this would reduce the opportunity of views from the south east to Mount Dewar and Coronet Peak to a small degree, but they would also ensure privacy and screen the proposed dwellings from the consented development on the Hutton property.
- (vi) **The effects of the scale and nature of the earthworks proposed for the subdivision, the methods proposed for the disposal of excess soil or vegetation, and the need for any conditions to avoid or mitigate any adverse effects, including effects at the disposal site.**
31. Earthworks of 3015m<sup>3</sup> over an area of 3350m<sup>2</sup> is required to establish the access ways and to create the mounding which is proposed. Mounding is illustrated on the landscape plan submitted with the application but no sections or detail as to the heights of the mounding is included. It would appear from the landscape plan that something a little more subtle than that on the adjacent site to the north east is proposed. An earthworks plan is necessary to confirm this, however. In addition, some of the mounds on the landscape plan are indicated to be optional. As these are internal to the subdivision it is clear that their function is to provide privacy between the lots and, apart from any issues regarding breaches of the earthworks volumes set by the District Plan, is of no immediate concern on this site.

#### **S15.2.17.2**

- (i) **Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means of protection;**
32. There are no landscape features or vegetation on the site which is of sufficient amenity value in their own right to require protection. It is the case, however, that the wind break of trees along the road margin continue to the south along the road boundary of the Hutton property and are a part of the hedged character of Domain Road. The applicant has agreed that should they be removed they should be replaced with continuous linear planting of at least 3m in height at maturity and this should ensure that the character of the vicinity, and the amenity which it provides, is maintained.
- (iii) **Whether the subdivision design will detract from or enhance the significant landscape and visual values of the District including loss, retention or enhancement of native vegetative cover;**
33. The proposed subdivision will add to the fragmentation of the area known as the Hawthorn Triangle and will detract from the significant landscape values of the District to a degree by increasing the level of domestication and diminishing any remaining rural character. This would not entail the loss of any native vegetation cover.
- (iv) **The extent of any earthworks or roading within the subdivision and the need for additional planting or landscaping;**
34. The proposed earthworks are reasonably extensive but the most obvious mounding, that along Birchwood Road, is already completed. There will be a need for additional planting once dwellings are proposed but this requirement will be captured by the Controlled Activity Landuse consent which will be required at that stage.

## CONCLUSION

35. An application has been received to subdivide a lot of 4.1ha in area located in Domain Road into four with a residential density of one dwelling per 1.03ha. This is not considered to be large enough to effectively fulfil the intended purpose of the Rural General zone.
36. The proposed design controls and landscaping would, with minor amendment, ensure that the proposed subdivision and future residential development was compatible with the development existing and consented within the immediate vicinity.

## SUGGESTED CONDITIONS

Should consent be granted I consider the following conditions be included:


1. Design control (3)(iv) shall be amended with the following insertion:  
*All main roofs shall be slate of imitation slate or similar finish to achieve a permanent slate-like texture or cedar shingles/ shakes, **or steel**. Secondary roofs....*
  2. Within six months of the granting of consent, all plans relating to the subdivision including the landscaping plan shall be amended and resubmitted to Council for certification. All reference to vehicle crossings or potential access ways from Domain Road shall be removed from these plans.
  3. Prior to certification under S224(c) a consent notice shall be registered against the titles of Lots 3 and 4. This consent notice shall prohibit the future development of access from Domain Road to either of these lots.
- 

Report prepared by



Marion Read  
**PRINCIPAL : LANDSCAPE ARCHITECTURE**

Report reviewed by



Richard Denney  
**SENIOR LANDSCAPE ARCHITECT**

## ENGINEERING REPORT

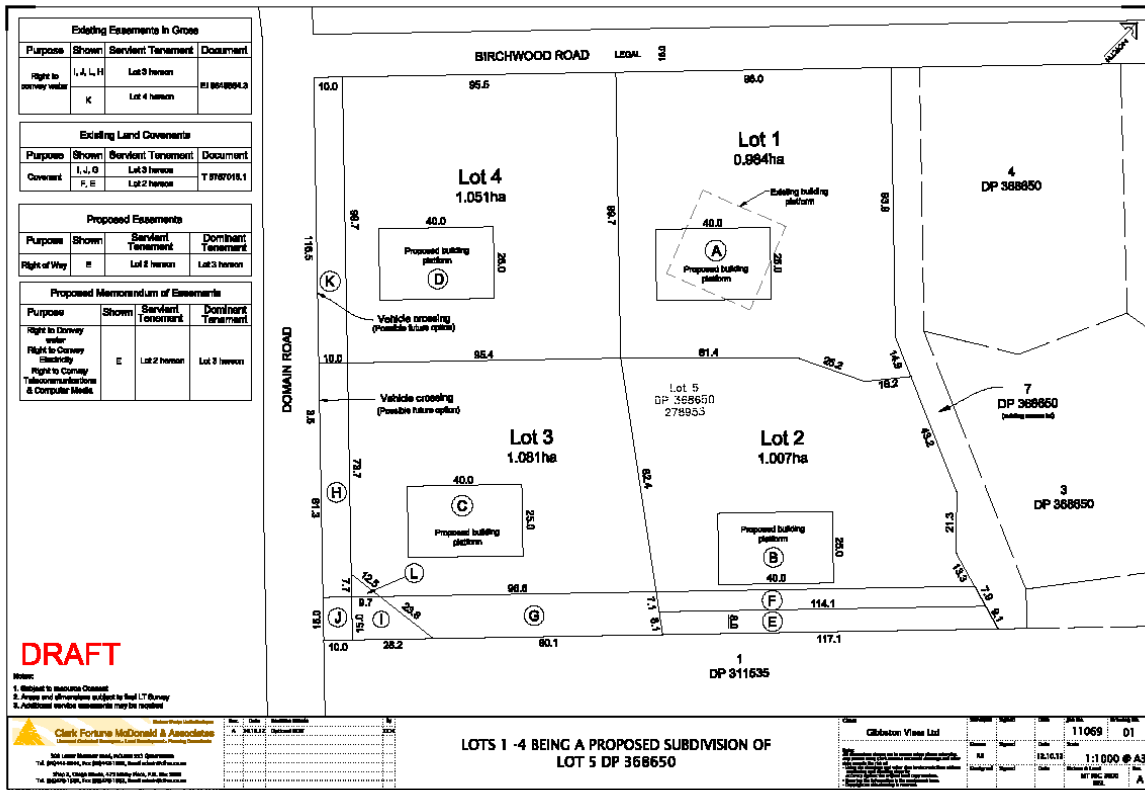
**TO:** Lucy Milton  
**FROM:** Keri Garrett  
**DATE:** 27 February 2013  
**CONSENT REF:** RM120677  
**APPLICANT NAME:** Gibbston Vines Ltd

Application details	
<b>Description</b>	Subdivision consent is sought to undertake a 4-lot subdivision, including the identification of 4 rural building platforms and earthworks associated with the formation and modification of landscaping mounds within the site and provision of access to each lot.
<b>Type of Consent</b>	<p>The applicant has also applied to cancel Consent Notice 7455282.14, to be replaced with new consent notice conditions as part of the subdivision consent.</p> <p>A variation to the underlying subdivision consent, RM030714 (as varied by RM070754), is also sought to cancel Condition 3 which requires approval and implementation of landscaping.</p>
<b>Physical Address</b>	Lot 5 DP 368650, located at the corner of Birchwood Road and Domain Road in the Wakatipu Basin.
<b>Zoning</b>	Rural General
<b>Reference Documents</b>	<ul style="list-style-type: none"> <li>Consent application, formally received on 8/11/2012.</li> <li>Onsite Wastewater Disposal Site &amp; Soils Assessment prepared by Chris Hansen of Clark Fortune McDonald &amp; Associates, dated 19/02/2013.</li> </ul>
<b>Date of site visit</b>	15/11/2012.
<b>Comment required from QLDC Transport</b>	Yes. Meeting held with Council's Transport Manager, Denis Mander, on 7/01/2013 to discuss access proposal and impact of the subdivision on Birchwood Road.
<b>Comment required from QLDC 3 waters</b>	-
<b>Previous consents relevant to this report</b>	<ul style="list-style-type: none"> <li>RM030713 – Land use consent to create a landscaping earth mound within the site.</li> <li>RM030714 (as varied by RM070754) - Land use consent to create a landscaping earth mound within the site.</li> <li>ENV-20006-CHC-000029 (approving RM030056) – Environment Court Decision approving the underlying subdivision consent and approval of the residential building platform within the site.</li> </ul>

# Location Diagram



# Proposed Subdivision Plan



## **1.0 TRANSPORT**

### **1.1 Lot Accesses**

Proposed Lots 1, 2 & 3 will be provided with formed, legal access to Birchwood Road via the existing Access Lot (Lot 7 DP 368650). A new Right of Way (ROW) access will be created over Lot 2 to provide legal access to Lot 3 from the south-eastern end of the Access Lot. Lot 4 will have direct access onto Birchwood Road via a new vehicle crossing which will be off-set 25m from the intersection of Birchwood and Domain Roads. I have no concerns over the location of these proposed accesses in terms of traffic safety.

The application notes that the Lot 4 crossing location will result in a technical non-compliance with Rule 14.2.4.2(iv) of the District Plan as the 170m minimum sight distance requirement cannot be achieved to the south-west along Birchwood Road due to the presence of the intersection with Domain Road. The reduced sight distance is unlikely to result in any adverse safety effects as the presence of the intersection will result in a significant reduction in vehicle speeds. Any vehicles turning onto Birchwood Road from Domain Road will need to slow down in order to round the corner. Also, the vast majority of vehicles exiting the site are likely to be turning left onto Birchwood Road and will not create any conflict with vehicles approaching from the Domain Road intersection which will be travelling on the opposite side of the road. It is also noted that the 25m separation between the vehicle crossing and the intersection satisfies the requirements of Rule 14.2.4.2(vi) of the District Plan. Based on the above factors, I am satisfied that the proposed Lot 4 vehicle crossing location is acceptable and is unlikely to result in any traffic safety effects.

The existing Access Lot (Lot 7 DP 368650) will serve 6 residential lots following completion of this subdivision. I am satisfied that the existing formation meets Council's standards for this number of users. However, road naming will be required in accordance with Council's Road Naming Policy. Conditions are recommended to ensure that road naming is carried out and all new vehicle crossings are formed and sealed to Council's standards.

### **1.2 Future Lot Access**

The application discusses a "possible future access" from Lots 3 & 4 onto Domain Road. These access points are illustrated on the Baxter Design Group Landscaping Plan, marked as "*Potential accessway left open*". There is a private covenant contained in Transfer Instrument 5757018.1 in favour of adjacent Lot 1 DP 311535 which prohibits any vehicle access onto Domain Road from the site. The application states that the applicant is attempting to gain approval from the owners of Lot 1 DP 311535 to vary the covenant to allow direct access onto Domain Road from Lots 3 & 4. However, it is not clear whether the applicant is also seeking approval from Council to establish these crossings as part of the subdivision application (in the event the covenant can be varied). I note that sight distances from these potential crossing locations exceed Council's requirements and, from a traffic safety perspective, I have no concerns over approval of these crossings providing they are constructed to Council's standards. In the event that the covenant is lifted, the design and location of these vehicle crossings can be approved at a later date, outside of this Resource Consent process, via a separate Connection to Council's Services application. No conditions are considered necessary in this regard.

### **1.3 Existing Access to Lot 4**

It is noted that there is an existing, informal gravel access which has been formed to the site on the eastern corner of the Birchwood Road/Domain Road intersection. This access does not meet Council's standards and is considered unsafe. A condition is recommended requiring this access to be physically closed off to vehicular traffic and the grassed berm to be reinstated. Any edge break or other damage to the Birchwood Road seal resulting from use of this informal access will also need to be repaired. The applicant has confirmed that they will complete these works as part of the subdivision.

#### **1.4 Birchwood Road Formation**

The subdivision proposal will result in an increase in traffic volumes along Birchwood Road. It is understood from the Services Report appended to the application that Birchwood Road will have the potential to will serve up to 20 residential units once this subdivision is implemented. Birchwood Road has a legal width of 15m and a sealed carriageway width of 5m, with a 0.4m wide strip of Gobi Blocks on either side forming a trafficable shoulder. Birchwood Road would need to be upgraded to a 20m legal width and 6.25m wide sealed carriageway, with 0.5m grassed shoulders in order to comply with Council's subdivision standard (NZS 4404:2004 with amendments adopted in 2005). Contrary to what is stated in the application, the existing Birchwood Road formation does not comply with the 2010 version of this standard either (NZS 4404:2010, not adopted by Council) due to a shortfall in carriageway width, lack of sealed shoulders and lack of physical and psychological devices to achieve the required 30km/hr operating speed.

I have consulted with Council's Transport Manager regarding the potential impacts on the safety and efficiency of Council's roading network as a result of this non-compliance and am satisfied that upgrades to the legal and sealed widths of Birchwood Road to cater for additional traffic generated by the 3 additional residential lots being created are not warranted in this instance. There are excellent sight distances available along Birchwood Road which will provide plenty of time for oncoming traffic to slow down before passing each other. The 0.4m wide trafficable shoulders will also provide additional room for oncoming vehicles to pass safely, where necessary. There is unlikely to be any significant impact on the safety and efficiency of Council's roading network as a result of the non-complying road widths.

## **2.0 SERVICES**

### **2.1 Water**

There is no Council reticulated water supply available to this subdivision. Each lot will be provided with 2,000 litres per day of potable water from a private water supply scheme operated by Stonebridge Management Limited. The applicant is entitled to 8,000 litres per day from Stonebridge Management Ltd under the existing water supply agreement (contained within the Deed of Covenant 6574080.2). An additional 2,465 litres per day (or 90,000 litres per hectare per annum) of (non-potable) irrigation water will be provided to each lot from the Arrow Irrigation water supply scheme, in accordance with the water supply agreement between the applicant and the Arrow Irrigation Company Ltd, dated 1/07/2009.

It is noted that the Stonebridge Management Limited water supply agreement does not contain any details regarding the water supply quality. Conditions have been recommended requiring testing and necessary treatment to ensure compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The water supply proposal is considered acceptable and, subject to the conditions recommended below, will satisfy Council's requirements for potable and irrigation water supply.

### **2.2 Fire-Fighting**

It is proposed that fire fighting water supply for each lot will be addressed via a consent notice condition requiring 20,000 litres of static reserve to be provided within a 30,000 litre water storage tank at the time a dwelling is erected on each lot. This is considered acceptable. Appropriate wording for this condition has been recommended below to ensure the future owners are aware of New Zealand Fire Service and Council's standards that must be satisfied at the time they build a dwelling.

### **2.3 Wastewater**

As there is no Council reticulated wastewater system available to serve this subdivision, on-site wastewater treatment and disposal systems will need to be installed at the time a dwelling is constructed within each lot and the size of the dwelling and expected occupancy is known. Chris Hansen of Clark Fortune McDonald & Associates has carried out a Site & Soils Assessment which confirms that the lots are suitable for on-site treatment and disposal of wastewater, in accordance with the requirements of AS/NZS 1547:2012. I accept this assessment and recommend a consent notice



condition requiring a detailed design for an on-site wastewater disposal system to be submitted for approval at the time a dwelling is proposed.

#### **2.4 Stormwater**

As there is no Council reticulated stormwater system available to this subdivision, individual on-site stormwater systems will need to be designed and installed at the time a dwelling is constructed within each lot and impervious surface areas are known. This will be dealt with by way of a new consent notice condition to be registered on the title for each new lot. An appropriate condition requiring design and installation of a suitable stormwater disposal system is recommended below.

The site is flat with no significant overland flow paths running through the building platform sites. I am satisfied that stormwater run-off from new ROW access will be dealt with as part of the overall access design to be submitted to Council for approval.

#### **2.5 Power & Telecommunication**

Electricity and telecommunications connections were installed to the boundary of the site as part of the underlying consent. These will be extended underground to the boundary of each lot. The applicant has provided letters from Aurora Energy and Chorus confirming that they can extend their existing network to service the lots within the subdivision. A condition is recommended to ensure that underground connections are provided to each lot in accordance with the requirements of the relevant service provider.

A further condition is offered by the applicant to replace Condition (b) of Consent Notice 7455282.14 which will be cancelled as part of this consent. This condition requires underground connections to be extended to the dwelling at the time of construction. I recommend minor changes to the wording for clarity.

### **3.0 EARTHWORKS**

#### **3.1 Description**

Approximately 4,590m<sup>3</sup> of earthworks will be carried out over 4,000m<sup>2</sup> area to form the new ROW access and to form additional earth mounds for landscaping purposes. The cut and fill volumes are details in the Services Report prepared by Clark Fortune McDonald & Associates (Job No. 10370, dated 2/11/2012) and the location of the accesses and mounds are detailed on the Baxter Design Group "Landscaping Plan" (Job No. 1785, Sheet No. WD102, Revision F, dated 3/12/2012), submitted with the application. It is not clear whether driveway within each lot will also be formed as part of the subdivision works. However, any additional volumes for driveway formation are expected to be minimal given the flat topography.

#### **3.2 Site Management**

The proposed earthworks will potentially result in temporary nuisance effects such as dust, noise, vibration and sediment run-off. A Site Management Plan has been prepared by Clark Fortune McDonald & Associates and is appended to the Services Report. This outlines measures to be implemented to help minimise and/or mitigate and adverse earthworks effects. Conditions have been recommended to ensure that site management measures are installed prior to commencing any earthworks on-site. A metalled construction traffic vehicle crossing should be installed to prevent mud and other debris being tracked out onto the road on construction traffic tyres. The applicant will be responsible for cleaning up any mud or debris is deposited on surrounding roads or any damage cause to road surfaces or berms as a result of the proposed works. Conditions are recommended in accordance with this.

### **4.0 HAZARDS & GEOTECHNICAL**

There are no known hazards or geotechnical issues which would preclude development on this site. Whilst the current QLDC Hazard Register Maps show the site to be located within a potential hazard area that may be subject to liquefaction, this is considered to be unlikely based groundwater levels and more recent geotechnical investigations made available to Council. Tonkin & Taylor Ltd have been working on refining the hazard maps for Council and their recent investigations into liquefaction



hazard areas shows that this site and surrounding properties are unlikely to be affected. Review of bore logs and a liquefaction assessment prepared by Royden Thompson for a nearby property also supports this conclusion.

## **5.0 DEVELOPMENT CONTRIBUTIONS**

Roading and Reserves Contributions will be required for each additional lot/building platform created for residential purposes. The subdivision will not trigger any services contributions, as there is no Council network available for connection. The amount of the required contributions will be assessed by Council's Development Contribution Officer and advised in due course.

## **6.0 CONSENT NOTICES & COVENANTS**

There are a number of other consent notices, covenants and other encumbrances registered on the title for this site, as detailed in the application. These relate mostly to design controls and water supply as well as private "non-object" covenants or other development restrictions. These will automatically fall down onto the new titles for the lots within this subdivision, unless cancelled prior to Section 224c certification being issued.

The applicant has requested the cancellation of Consent Notice 7455282.14, which contains conditions for servicing, landscaping and design controls for any future dwelling on the site. This will be replaced with new consent notice conditions which are more relevant to the current subdivision application and reflect current standards. I am satisfied that there will be no engineering-related issues resulting from the cancellation of this consent notice providing these are replaced with new consent notice conditions to ensure future dwellings are serviced in accordance with Council's current standards. The recommended wording for these conditions is included below.

I understand that the applicant is attempting to vary the private covenant contained in Transfer Document T5757018.1 to remove the condition prohibiting vehicle access onto Domain Road. This is a private agreement which does not involve Council. However, I can confirm that I have no concerns in relation to traffic safety in the event that this restriction is removed and direct access onto Domain Road is made available for Lots 3 & 4. Any new vehicle crossings that need to be installed to these lots can be dealt with separately, outside of this subdivision consent, and be approved via a Connection to Council's Services Application where appropriate.

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## **7.0 RECOMMENDED CONDITIONS**

### ***General***

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

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

2. At least 5 working days prior to commencing work on site the consent holder shall advise the Principal Engineer at Lakes Environmental Ltd of the scheduled start date of physical works.
3. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Engineer at Lakes Environmental advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development

and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 "Land Development and Subdivision Engineering".

4. Prior to commencing works on site, the consent holder shall submit to the Principal Engineer at Lakes Environmental an approved traffic management plan from the Road Corridor Engineer at Council if any parking or traffic will be disrupted, inconvenienced or delayed and/or if temporary safety barriers need to be installed. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor and implemented in accordance with the approved traffic management plan.
5. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 15m into the site. The construction traffic crossing shall be removed on completion of works.
6. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Engineer at Lakes Environmental for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following engineering works required:
  - a) Provision of a minimum supply of 2,000 litres per day of potable water to the building platforms on Lots 1-4 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). A separate irrigation water supply shall be made available to each lot from the Arrow Irrigation water supply scheme for the purpose of irrigation.
  - b) The provision of a sealed vehicle crossing to Lots 1, 2 & 4 and for the Right of Way serving Lots 3, to be in terms of Diagram 2, Appendix 7 of the District Plan. This 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.
  - c) The formation of Rights of Way (E) & (F), in accordance with Council's standards. Provision shall be made for stormwater disposal from the carriageway.
  - d) The provision of Design Certificates for all engineering works associated with this subdivision/development submitted by a suitably qualified design professional (for clarification this shall include all Right of Way accesses and water supply reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.

***To be monitored throughout earthworks***

7. 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.
8. No earthworks, temporary or permanent, are to breach the boundaries of the site, except where required to form vehicle crossings to each lot.

***To be completed before Council approval of the Title Plan***

9. Prior to the Council signing the Title Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Title Plan and shall be duly granted or reserved.
  - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the title plan.

*[Note: the road naming application should be submitted to the Technical Support Officer: Engineering and should be lodged prior to the application for the section 223 certificate]*

**To be completed before issue of the s224(c) certificate**

10. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:

- a) The consent holder shall provide "as-built" plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Principal Engineer at Lakes Environmental. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all water supply reticulation (including private laterals and toby positions) and the formation of all Rights of Way.
- b) A digital plan showing the location of all building platforms required to be shown on the survey plan / Land Transfer Plan shall be submitted to the Principal Engineer at Lakes Environmental. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The consent holder shall submit to the Principal Engineer at Lakes Environmental Chemical and bacterial tests of the water supply in accordance with the requirements of the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
- d) In the event that the test results required in Condition 10(c) above show the water supply does not conform with the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Principal Engineer at Lakes Environmental for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
  - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR
  - ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the dwelling, an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM120677 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- e) The consent holder shall provide evidence to the satisfaction of the Principal Engineer at Lakes Environmental as to how the water supply will be monitored and maintained on an ongoing basis.
- f) The completion and implementation of all certified works detailed in Condition (6) above.
- g) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made

available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (3) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all all water supply reticulation and the formation of all Rights of Way). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- j) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- k) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) The existing, informal gravel access at the western corner of Lot 4 (at the intersection of Birchwood Road and Domain Road) shall be physically closed off to vehicular traffic. The grassed berm shall be reinstated and any edge break or other damage to the road seal or berm area resulting from use of this informal access shall be repaired.
- m) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### ***Ongoing Conditions/Consent Notices***

11. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
  - a) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Principal Engineer at Lakes Environmental prior to implementation and shall be installed prior to occupation of the dwelling.
  - b) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Chris Hansen of Clark Fortune McDonald & Associates, dated 19/02/2013, submitted in support of the subdivision resource consent application for RM120677. The proposed wastewater system shall be subject to the review of the Council prior to implementation and shall be installed prior to occupation of the dwelling.
  - c) Any power supply and telecommunications connections to the dwelling shall be extended underground from the existing reticulation at the boundary and in accordance with any requirements/standards of the relevant service provider.
  - d) The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the lot owners, and the results forwarded to the Principal: Environmental Health at Lakes Environmental. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the owner shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.
  - g) At the time a dwelling is erected on Lots 1-4, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 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 NZFS as larger capacities and flow rates may be required.

The Fire Service 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 QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). 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 Fire Service 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.

Fire fighting water supply may be provided by means other than the above if the written approval of the New Zealand Fire Service Operational Planning Officer for the Southern Fire Region is obtained for the proposed method.

The fire fighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

**Advice Note:**

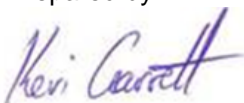
The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the dwelling will be several kilometres from the nearest New Zealand Fire Service 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 each new dwelling.

**Recommended Advice Notes**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Lakes Environmental Ltd.

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Prepared by:



**Keri Garrett**  
**ENGINEER**

Reviewed by:



**Alan Hopkins**  
**ENGINEER**



**APPROVED PLAN:  
RM120677**  
**Friday, 5 April 2013**

PLANT SCHEDULE					
SYMBOL	BOTANICAL NAME	COMMON NAME	AMOUNT	SIZE AT PLANTING	SPACING
Ho	<i>Hebe odora</i>	Hebe	370 m <sup>2</sup>	Pb 3	0.8 m
Cr	<i>Chionochloa rubra</i>	Red tussock	480 m <sup>2</sup>	Pb 3	1.2 m
Cri	<i>Cortaderia richardii</i>	Toe toe	280 m <sup>2</sup>	Pb 8	1.4 m

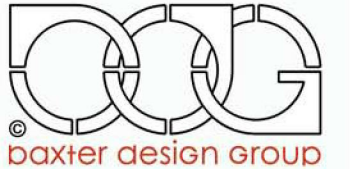
TREE LIST					
No.	BOTANICAL NAME	COMMON NAME	SIZE / HEIGHT AT PLANTING	HEIGHT AT MATURITY	
6	<i>Pseudopanax arboreus</i>	Five finger	45L 1.5-2m high	4-6 m	
7	<i>Cordyline australis</i>	Cabbage tree	45L 1.5-2m high	6-8 m	

Approved mounding and landscaping (refer to tree list and plant schedule above)

- Key:**
- Existing trees
  - Existing mounds
  - Proposed tree planting
  - Proposed mounds (3350 m<sup>2</sup>)
  - Proposed red tussock planting (*chionochloa rubra*)

- Mounds
- Existing fence
- Mounds
- Existing mounds
- Roadside Planting area
- Existing mounds

1. Existing linear planting to be maintained.  
2. Any replacement or alternative planting shall maintain a continuous linear character, similar to exiting roadside plantings existing on Domain Road or other roadside areas of the 'Triangle' (Domain, Lower Shotover, Speargrass Flat Roads). Planting shall be a minimum of 3.0 meters high at maturity and may include hedging, tree planting, or both, on the basis that any planting undertaken is continuous along the Domain Road boundary



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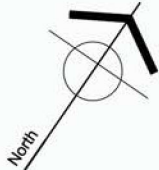
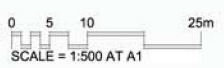
**1785**  
**Gibbston Vines Ltd**  
**1785-WD102 Rev B**  
**Landscaping Plan**

CONSULTANTS	
Project Managers	.
Architect	.
Engineer	.
Surveyor	.
Others	.

Rev.	Date	Description	REVISIONS
0	13/09/2012	First issue	
A	19/10/2012	Contours and planting revised	
B	25/10/2012	Revised as per WG instructions	
C	29/10/2012	Revised as per WG instructions	
D	30/10/2012	Revised as per WG instructions	
E	01/11/2012	Trees removed	
F	03/12/2012	Updated following site meeting with Lakes Env.	
G	25/02/2013	Revised as per WG instructions	
H	11/03/2013	Revised as instructed	

Drawing Title:	Landscaping Plan
Scale:	
Date:	October 2012
Sheet Number:	WD102
Job Number:	1785
Designed:	GW
Drawn:	GW
Checked:	PB

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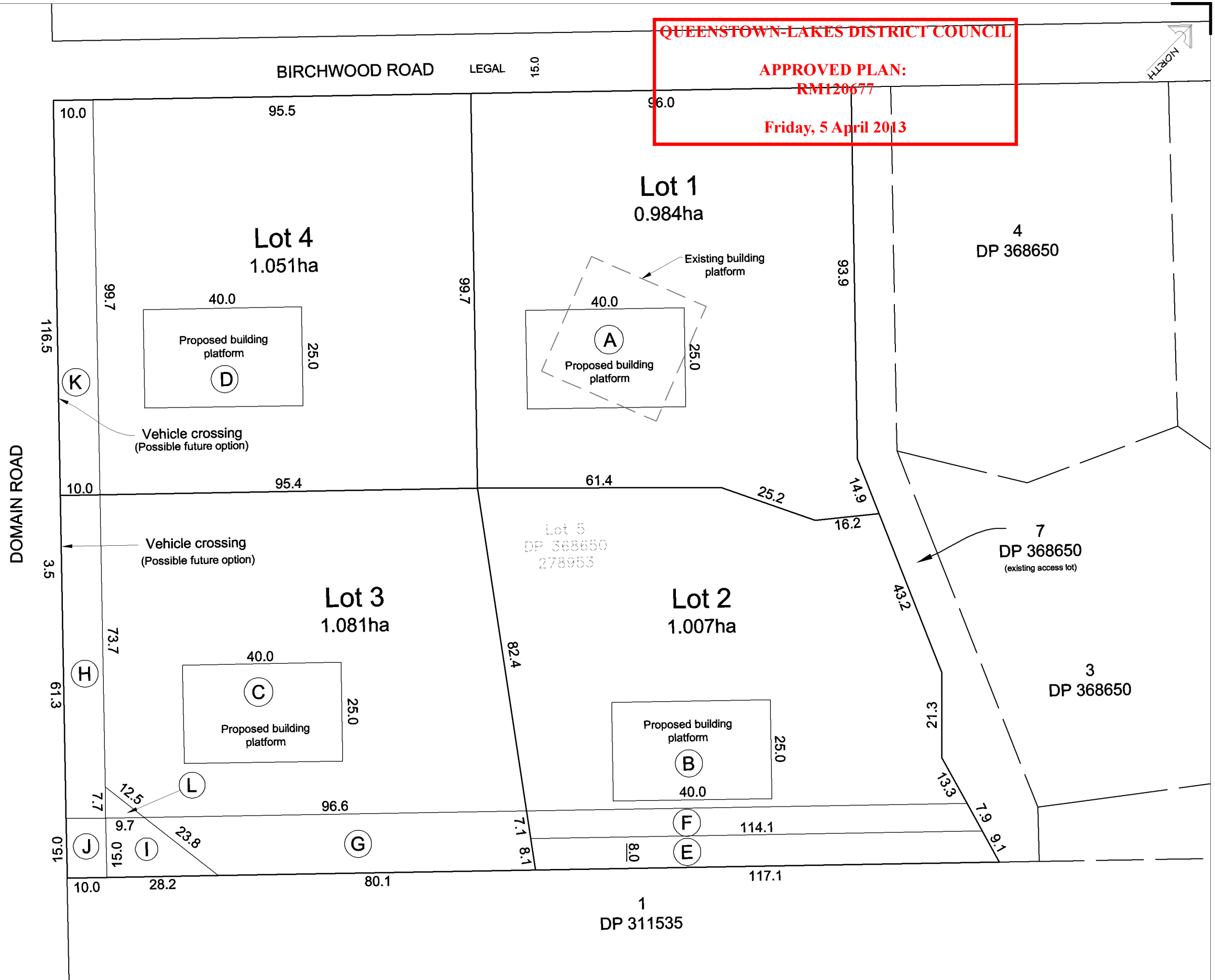


Existing Easements in Gross			
Purpose	Shown	Servient Tenement	Document
Right to convey water	I, J, L, H	Lot 3 hereon	EI 6648864.3
	K	Lot 4 hereon	

Existing Land Covenants			
Purpose	Shown	Servient Tenement	Document
Covenant	I, J, G	Lot 3 hereon	T 5757018.1
	F, E	Lot 2 hereon	

Proposed Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way	E	Lot 2 hereon	Lot 3 hereon

Proposed Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right to Convey water	E	Lot 2 hereon	Lot 3 hereon
Right to Convey Electricity			
Right to Convey Telecommunications & Computer Media			



**QUEENSTOWN-LAKES DISTRICT COUNCIL**  
**APPROVED PLAN:**  
**RM120677**  
**Friday, 5 April 2013**

DRAFT

- Notes:
1. Subject to resource Consent
  2. Areas and dimensions subject to final LT Survey
  3. Additional service easements may be required

**Clark Fortune McDonald & Associates**  
 Licensed Cadastral Surveyors - Land Development - Planning Consultants  
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Rev.	Date	Revision Details	By
A	16.10.12	Optional ROW	CCH

**LOTS 1 -4 BEING A PROPOSED SUBDIVISION OF LOT 5 DP 368650**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
Gibbston Vines Ltd				11069	01
	Drawn	Signed	Date	Scale	
	RB		12.10.12	1:1000 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
				MT NIC 2000	A
				MSL	

Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of:  
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 - Ensuring the information is the most recent issue.  
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