



**DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**RESOURCE MANAGEMENT ACT 1991**

|                           |  |
|---------------------------|--|
| <b>Applicant:</b>         | D and E Broomfield   |
| <b>RM reference:</b>      | RM130386   |
| <b>Location:</b>          | Tucker Beach Road, Wakatipu Basin  |
| <b>Proposal:</b>          | Land use consent is sought to undertake a 10 lot subdivision for residential purposes, with the identification of Residential Building Platforms to provide for eight residential dwellings, and to undertake associated earthworks.           |
| <b>Type of Consent:</b>   | Land Use and Subdivision   |
| <b>Legal Description:</b> | Lot 1 Deposited Plan 422718 contained within Computer Freehold Register 488769; Lot 2 Deposited Plan 422718 contained within Computer Freehold Register 488770; Lot 2 Deposited Plan 396997 contained within Computer Freehold Register 386964 |
| <b>Valuation Number:</b>  | 2907109804   |
| <b>Zoning:</b>            | Rural General and Rural Lifestyle  |
| <b>Activity Status:</b>   | <b>Non-Complying</b>   |
| <b>Notification:</b>      | Notified   |
| <b>Commissioner:</b>      | David W. Collins and Cath Gilmour  |
| <b>Date Issued:</b>       | 22 October 2013  |
| <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 consent to undertake a 10 lot subdivision for residential purposes, with the identification of Residential Building Platforms to provide for eight residential dwellings, and to undertake associated earthworks. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 18 October 2013. This decision was made and its issue authorised by David W. Collins and Cath Gilmour, Independent Commissioners, as delegates for the Council.

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

The application was publically notified at the applicant's request on 10 July 2013. The submission period closed on 7 August 2013 and one submission was received, but later withdrawn. 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 – Land Use**

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

#### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
  - 'Proposed Earthworks Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 06\_01 as modified in accordance with condition 7 of the associated subdivision consent;
  - 'Structural Landscape Plan Ref 0838 SLP3 dated 27.09.13, as modified in accordance with condition 6 of the associated subdivision consent;

#### **stamped as approved on 22 October 2013**

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act. The consent holder is liable for costs

associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$240. This initial fee has been set under section 36(1) of the Act.

#### General Conditions

##### ***To be completed prior to the commencement of earthworks***

3. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and the site management plan submitted with the consent application. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

##### ***To be monitored throughout earthworks***

4. 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.
5. No earthworks, temporary or permanent, are to breach the boundaries of the site except where prior written approval has been obtained from the affected landowner.

All areas of exposed soil shall be reseeded within three (3) months upon completion of earthworks. Reseeded areas shall be maintained and reseeded as required to achieve a healthy sward of grass with complete coverage within one (1) year of completion of works.

6. All boundary fences are to be standard farming post and wire only and that there shall be no boundary planting that would accentuate divisions across the landscape
7. All exposed earthworked areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
8. This consent shall expire 10 years from the date of this decision, being 21st October 2013.

#### **Decision – 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:
  - 'Subdivision Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 05\_01
  - 'Scheme Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 05\_02;
  - 'Proposed Earthworks Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 06\_01, as modified in accordance with condition 7 below;
  - 'Structural Landscape Plan Ref 0838 SLP3 dated 27.09.13, as modified in accordance with condition 6 below.

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and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.

**General**

3. 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***

4. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 "Land Development and Subdivision Engineering".
5. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following engineering works required:
  - a) The provision of a water supply to the building platform on Lots 3-11 in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve with a restrictor that shall limit the supply to each lot to a maximum of 2100 litres/day. The costs of the connections shall be borne by the consent holder. Where required this shall include the relocation of existing water reticulation outside of the proposed building platforms.
  - b) The provision of a foul sewer connection from the building platform on Lots 3-11 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot.
  - c) The provision of secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 3-11, and no increase in run-off onto land beyond the site from the pre-development situation.
  - d) The formation of Access 1 (ACC 1) to a minimum 3.5m and maximum 4.5m formed width within a minimum 6m legal width, in accordance with Council's standards. This shall include provision for the disposal of stormwater runoff, without the use of kerb and channel.
  - e) The formation of Access 2 (ACC 2) to a minimum 3.5m and maximum 4.5m formed width within a minimum 6m legal width, in accordance with Council standards. This shall include the provision of localised widening to 5.5m on bends and provision for the disposal of stormwater runoff, without the use of kerb and channel.
  - f) The formation of the intersection of the existing unnamed access road and Access 2 (ACC 2), in accordance with diagram 2 appendix 7 of the District Plan.
  - g) Either the existing unnamed access road off Tucker Beach Road shall be widened to 5.5m width from the intersection of Tucker Beach Road to the entrance to Access 2 (ACC2).

**or**

A passing bay of minimum 5.5m width shall be installed on the unnamed road at the midway point between the existing localised widening at the first bend and the Access 2 (ACC2) intersection.



- h) 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 Roads, Water and Wastewater reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.
6. The landscape plan 'Structural Landscape Plan, D & E Broomfield', dated 20/05/13 submitted with the application shall be amended and resubmitted to the Landscape Architect, Queenstown Lakes District Council for certification prior to development commencing on site. The landscape plan shall achieve the following objectives:
- Define existing vegetation in terms of descriptions including heights, density, and species to ensure effective monitoring can be carried out.
  - Define a curtilage area no higher than the 410m contour within Lot 7 and confined within the less steep areas within the small gully the platform would occupy, to ensure minimum domestication of this Rural General Zone land.
  - Additional planting (including description of heights, density and species) within Lot 11 to provide a visual backdrop and foreground softening of the building platform on this lot as viewed from Tucker Beach Road
7. The submitted Earthworks Plan shall be amended to exclude earthworks above the 408m contour within lot 7 to ensure retention of the ridge to screen a future dwelling in perpetuity.

***To be completed prior to the commencement of earthworks***

8. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and the site management plan submitted with the consent application. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

***To be monitored throughout earthworks***

9. 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.
10. No earthworks, temporary or permanent, are to breach the boundaries of the site except where prior written approval has been obtained from the affected landowner.

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

11. Prior to the Council signing the Survey 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 Survey Plan and shall be duly granted or reserved.
  - b) The naming of the existing unnamed private access road off Tucker Beach Road. The naming shall be in accordance with Council's road naming policy and shall be shown on the survey plan.
  - c) The naming of Access 2 (ACC 2). The naming shall be in accordance with Council's road naming policy and shall be shown on the survey 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]*

### Amalgamation

12. The following amalgamation condition shall be shown on the Survey Plan:

- a) That Lot 1 and Lot 100 hereon be held in the same Computer Freehold Register (CSN to be advised).

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

13. 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 Resource Management Engineer at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water and Wastewater reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the survey plan / Land Transfer Plan shall be submitted to the Principal Resource Management Engineer at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (5) above.
- d) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- e) 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 building platforms on Lots 3-11 and that all the network supplier's requirements for making such means of supply available have been met.
- f) 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 building platform on Lots 3-11 and that all the network supplier's requirements for making such means of supply available have been met.
- g) The newly constructed section of foul sewer main shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main.
- h) 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 Roads, Water and Wastewater reticulation). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- i) On completion of earthworks and prior to 224c a suitably qualified engineer experienced in soils investigations shall provide certification to the Principal Resource Management

Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the approved building platforms. Note this will require supervision of the fill compaction by a chartered professional engineer.

- j) All exposed earthworked areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- k) 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***

14. 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) All lot owners are required to be part of the management entity as required by Condition 5d of this consent RM130386. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading and service infrastructure associated with the development.
  - b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
  - c) All future buildings shall be contained within the Building Platforms as shown as Covenant Areas X as shown on Land Transfer Plan XXXXX.
  - d) At the time a dwelling is erected on Lots 3-4, the owner for the time being shall install a vehicle access from Healecote Lane to the building platform in accordance with Council standards.
  - e) At the time a dwelling is erected on Lots 5-7 and Lots 9-12, the owner for the time being shall install a vehicle access from the existing right-of-way access to the building platform in accordance with Council standards.
  - f) At the time a dwelling is erected on Lots 3-11, 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 (including accessways) within the site. The proposed stormwater system shall be certified as appropriate by the Council's engineer prior to implementation.
  - g) As per agreement with Council Lots 3-11 are restricted to a maximum 2100 litres per day of low pressure supply. At the time a dwelling is constructed on site the owner for the time being is required to install buffering storage. Water from the Council's supply shall not be used for irrigation.
  - h) At the time a dwelling is erected on Lot 3-11, domestic water buffering and fire fighting storage is to be provided, unless the dwelling is within the required distance from an existing hydrant. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. 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 Central North Otago Area Manager is obtained for the proposed method.

The fire fighting and potable buffering water supply tank shall be installed prior to the occupation of the building.

- i) The certified landscape plan shall be implemented and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased, or in the opinion of Council's landscape architect becomes defective it shall be replaced within 8 months. All replacement trees to replace existing trees as identified on the approved landscape plan shall be of an equivalent species or an indigenous species with a mature height of no less than 6m, and shall be planted at grade of no less 1.5m height. Planting shall be at a density to maintain the extent of existing planting within 7 years. Replacement planting shall exclude all species of wilding potential as defined within the District Plan.
- j) All boundary fences are to be standard farming post and wire only. There shall be no boundary planting such as hedges and shelterbelts. This is to avoid the domestic scale of fragmentation of the landscape created by the lots.

## 15. Covenants

- (a) The wording of the following covenants is to be subject to the approval of the Council's solicitor.
- (b) The consent holder shall register a land covenant on the Computer Freehold Register to prohibit any further subdivision or buildings from being established, or earthworks undertaken, on Lot 100 so as to ensure retention of the ONF's open pastoral character in perpetuity.

- (c) The consent holder shall register a land covenant on the Computer Freehold Register to limit the height of future buildings above finished subdivision ground levels as identified on the earthworks plan as follows:
- Lots 3 and 4: 5.5 metres at the dashed ridge line and 3.5 metres along the edge of the building platform;
  - Lots 5, 7, and 10: 5.5 metres;
  - Lots 6 and 9: 4.5 metres;
  - Lot 11: 4 metres.
- (d) The consent holder shall register a land covenant on the Computer Freehold Register imposing the following design controls on future buildings:
- All external cladding of future buildings shall be of local schist stone, unpainted or painted timber weatherboard or solid plaster, Colours shall be recessive and in the natural range of browns, greens and greys.
  - All roofing of future dwellings shall be of slate, timber shingles, steel tray roofing or pre-coated steel roofing such as Colorsteel. Colours shall be recessive and in the natural range of browns, greens and greys.
  - Spouting and downpipes and joinery shall match or be darker than selected roof and wall colours.
  - All fencing located within the open pastoral land, as outlined in the Structural Landscape Plan shall be post and wire fencing only, including deer fencing.
  - There shall be no exterior lighting associated with the future dwellings or associated outdoor areas, including accessways, other than down cast bollard lighting or sensor operated security lighting.

### ***Staging of the Development***

16. The subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:
- Stage 1: Lots 1, 3, 4 and 100;
  - Stage 2: Lot 10,
  - Stage 3: Lots 5, 6, 7, 9 and 11.

All necessary subdivision works (such as servicing, provision of formed access and other works required to satisfy conditions of this consent) shall be completed for each stage prior to certification being issued as necessary under sections 223 and 224(c) of the Resource Management Act 1991.

The stages are not to be regarded as consents for three separate subdivisions; the consented proposal has been applied for, considered and consented as a package. If the consent is exercised by implementation of Stage 1, all stages shall be implemented before the lapsing date.

### ***Advice Notes:***

- i. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
- ii. Prior approval from Council's Three Waters Manager and use of a backflow prevention device will be required to prevent contamination of Council's potable water supply if this water supply is to be utilised for dust suppression during earthworks.

## 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 D & E Broomfield, for subdivision and land use consent be GRANTED pursuant to Section 104 of the Resource Management Act 1991 for the following reasons:

It is considered that the adverse effects of the activity will be minor for the following reasons:

- *The existing landscaping and undulating topography, combined with the volunteered design controls and height restrictions will ensure that the proposed subdivision can be successfully absorbed within the site so that adverse effects on people and the surrounding environment can be adequately mitigated.*
- *The proposed configuration of the subdivision, utilising the existing landform, will reduce the overall visibility of the development, to ensure that the form and density of future buildings are well screened within the site. The extend of the visibility of the development will be distant and fleeting from some views, but not considered to promote adverse effects in terms of cumulative effects.*
- *The retention of the upper slopes of the site as open pastoral land will ensure that rural amenity is maintained within the site, so that appropriate land uses can continue to occur.*
- *Subject to recommended conditions of consent, adverse effects on servicing and access can be mitigated to ensure that the appropriate connections are made to meet Council standards;*
- *The scale and nature of the proposed development will be consistent with other surrounding land uses, and will not appear out of character within the area;*
- *Appropriate site management conditions will ensure that the extent of the proposed earthworks can be adequately controlled to ensure that adverse effects are no more than minor.*

The proposal is not contrary to the relevant objectives and policies of the District Plan for the following reasons:

- *The landscape and visual amenity of the site will be maintained through the existence of established vegetation throughout the site;*
- *Natural hazard will not be exacerbated within the site;*
- *The character and landscape values of the rural area will be protected by maintaining areas of open pastoral land, and by avoiding adverse effects on the rural amenity by limiting the number of residential building platforms within the land zoned Rural General;*
- *The integrity of the ONF Feeley Hill will be protected in perpetuity by a covenant protecting its open pastoral character;*
- *Each of the proposed allotments can be adequately serviced, with appropriate vehicle access to each lot provided;*

The proposal does promote the overall purpose of the Act.

## 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.

Should you not be satisfied with the Commission's decision an appeal may be lodged with the Environment Court, Justice Department, PO Box 2069, Christchurch, telephone 03 9624170 and all parties, not later than 15 working days from the date this notice 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@qldc.govt.nz](mailto:lucy.millton@qldc.govt.nz).

Prepared by



Lucy Millton  
**PLANNER**

Reviewed by



Adonica Giborees  
**SENIOR PLANNER**

Appendix 1: Section 42A report: Description and Assessment of Proposal

**COMMISSIONERS' NOTES:**

1. We were appointed to hear and determine this application but we are satisfied that no hearing is needed, and that consent should be granted.
2. Pursuant to section 113(3)(b) we adopt all of the section 42A report forming Appendix 1 to this decision, and the decision drafted by the Council officers above except as discussed below. The differences relate to some differences in the rationale for granting consent, and some amendments to the recommended conditions.
3. *Rationale for the Decision*
4. We note that there are no submissions and that in fact there are written approvals from many of the neighbouring property owners. This suggests that in the assessment of the potentially most adversely affected people, the proposed development would not have significant adverse effects. As noted in the application and the Council's landscape report, the development would not be readily visible from beyond the immediate area.
5. The zone boundaries in this area appear to be historic and somewhat arbitrary. We have therefore not given as much weight to the boundaries and various zone standards as would be appropriate in most circumstances.
6. We are uneasy about treating the existing lot sizes and consented building platforms as part of the "permitted baseline". That would encourage an incremental approach to development where each consent provides a platform for the next. We have treated just the existing development as part of the receiving environment, noting that the application volunteers that this package of proposals supersedes earlier unexercised consents.
7. The subdivision application has the status of a non-complying activity, primarily because the two hectare minimum area for lots in the Rural Lifestyle Zone would not be met. This status means that under section 104D we have jurisdiction to grant consent only if we are satisfied that at least one of the "threshold tests" set out in that section would be met. We are satisfied that, with the deletion of proposed Lot 8 and the suite of conditions to be imposed, the adverse effects on the environment would be only minor.
8. We accept that the undulating contours of the site and the existing vegetation make it easier to fit more dwellings into the landscape here than is normally the case. We agree with the Council landscape architect's assessment that the proposed intensification of development would bring this locality to the limit of what can be absorbed while maintaining the landscape character intended for the Rural General and Rural Lifestyle Zones. The larger lots, in particular Lot 7, should not be regarded as having subdivision potential; they are part of an overall "package" for the locality.

*Conditions*

9. There was a minor error in the set of conditions in the draft decision provided to us – Lot 8 (which the applicants have deleted) was still referred to in subdivision conditions 5(g) and 16. This has been corrected in the set of conditions above.
10. We have amended subdivision conditions 5(d) and 5(e) to include a maximum width of the accessways as well the minimum width, and to preclude kerb and channel. Both of these are to ensure the rural style of access proposed in the application.



11. Condition 13 (h) appears to be redundant (covered in condition 11(b) and (c), so has been deleted.
12. The applicant's consultant planner has requested some minor amendments to recommended subdivision conditions 14(d) and 14(h), which are incorporated in the conditions above.
13. The applicant's consultant planner has also requested an amendment to subdivision condition 16, which relates to staging. We have no difficulty with this amendment or with staging of this subdivision. However, there is a more important issue here in that the condition does not make it clear that once any subdivision is undertaken in reliance on this consent for a comprehensive "package", the consent holder must complete the subdivision. This is not a consent for three subdivision proposals. Subdivision condition 16 now makes this clear.
14. We have amended recommended subdivision condition 14(f) to clarify that "impervious surfaces" includes accessways, which may be unsealed but still need to be properly drained.
15. Subdivision condition 15 has been amended to also prevent earthworks on Lot 100 as the landscape assessments have assumed the land would remain as it appears at present. The certification of the wording of the covenant is to be to the approval of the Council's solicitor.
16. Subdivision condition 15 has been expanded to require covenants restricting the height of future buildings and the design controls volunteered in the application.



David W. Collins  
Cath Gilmour  
18<sup>th</sup> October 2013

## **APPENDIX 1: SECTION 42A REPORT: DESCRIPTION AND ASSESSMENT OF PROPOSAL**



**FILE REF: RM130386**

|                |  |
|----------------|--|
| <b>TO</b>      | Independent Commissioners                          |
| <b>FROM</b>    | Lucy Millton                                       |
| <b>SUBJECT</b> | Report on a publicly notified consent application. |

### **Implications For:**

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

### **SUMMARY**

|                                      |   |
|--------------------------------------|---|
| <b>Applicant:</b>                    | D & E Broomfield  |
| <b>Location:</b>                     | Tucker Beach Road, Wakatipu Basin   |
| <b>Proposal:</b>                     | Consent is sought to undertake a 10 lot subdivision for residential purposes, with the identification of Residential Building Platforms to provide for eight residential dwellings, and to undertake associated earthworks.                     |
| <b>Legal Description:</b>            | Lot 1 Deposited Plan 422718 contained within Computer Freehold Register 488769; Lot 2 Deposited Plan 422718 contained within Computer Freehold Register 488770; Lot 2 Deposited Plan 396997 contained within Computer Freehold Register 386964; |
| <b>Zoning:</b>                       | Rural Residential / Rural General   |
| <b>Public Notification Date:</b>     | 10 July 2013  |
| <b>Closing Date for Submissions:</b> | 7 August 2013   |
| <b>Submissions:</b>                  | None  |

Note: A submission was received in opposition from Mr Chris Morton at 183D Tucker Beach Road. Following the close of submissions, the submission by Chris Morton was withdrawn and a subsequent written approval was provided with respect to the proposed subdivision and development.

## RECOMMENDATION

That subject to new or additional evidence being presented at the Hearing, the application be GRANTED pursuant to Section 104 of the Resource Management Act 1991 for the following reasons:

1. It is considered that the adverse effects of the activity will be minor for the following reasons:
  - *The existing landscaping and undulating topography, combined with the volunteered design controls and height restrictions will ensure that the proposed subdivision can be successfully absorbed within the site so that adverse effects on people and the surrounding environment can be adequately mitigated.*
  - *The proposed configuration of the subdivision, utilising the existing landform, will reduce the overall visibility of the development, to ensure that the form and density of future buildings are well screened within the site. The extent of the visibility of the development will be distant and fleeting from some views, but not considered to promote adverse effects in terms of cumulative effects.*
  - *The retention of the upper slopes of the site as open pastoral land will ensure that rural amenity is maintained within the site, so that appropriate land uses can continue to occur within this open pastoral land.*
  - *Subject to recommended conditions of consent, adverse effects on servicing and access can be mitigated to ensure that the appropriate connections are made to meet Council standards;*
  - *The scale and nature of the proposed development will be consistent with other surrounding land uses, and will not appear out of character within the area;*
  - *Appropriate site management conditions will ensure that the extent of the proposed earthworks can be adequately controlled to ensure that adverse effects are no more than minor.*
2. The proposal is not contrary to the relevant objectives and policies of the District Plan for the following reasons:
  - *The landscape and visual amenity of the site will be maintained through the existence of established vegetation throughout the site;*
  - *Natural hazard will not be exuberated within the site;*
  - *The character and landscape values of the rural area will be protected by maintaining areas of open pastoral land, and by avoiding adverse effects on the rural amenity by limiting the number of residential building platforms within the land zoned Rural General;*
  - *Each of the proposed allotments can be adequately serviced, with appropriate vehicle access to each lot provided;*
3. The proposal does promote the overall purpose of the Act.

## REPORT

### 1.0 INTRODUCTION

My name is Lucy Millton. I am a planner with Queenstown Lakes District Council (QLDC). I have worked at Lakes Environmental/QLDC 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 where I was employed as a Development Control Officer (Planner) and Enforcement Officer. I hold the qualification of a Bachelor of Resource Studies from Lincoln University.

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 4 – 11 of QLDC's Landscape Architect (Mr Richard Denney's) landscape report which provides a detailed description of the site and surrounding environment. The description of the site and surrounding environment is adopted for the purpose of this report.

#### Site History

The applicant has provided a detailed resource consent history for the site; those of relevance are listed below:

*"Resource consent RM020631 subdivided the site into three lots, and created residential building platforms on Lots 1 and 4.*

*RM050235 approved the further subdivision of the RM020631 site into a total of six lots, including the establishment of three additional building platforms - the platform on Lot 2, DP 382896, which has now been developed and two building platforms within Lot 5.*

*RM060784 approved land use consent to undertake earthworks in the area of the building platform on Lot 5. This consent required that a covenant be registered on the title of Lot 2, DP. 422718 which states that for the purpose of determining the height of any future buildings on the platform, ground level shall be as shown on the survey plan prepared prior to the earthworks being undertaken.*

*RM081154 gave approval for a building platform for an accessory building, to be located near the south boundary of Lot 5.*

*RM100374 approved subdivision consent to subdivide the three existing lots into five lots, and to undertake associated earthworks.*

*In November 2011, RM110704 varied conditions of the approved RM100374 subdivision to alter the building platform and amend the building height limit for Lot 2. The amended subdivision plan that was approved as part of this variation application also created new water easements over Lots 1, 2 and 3 and altered the sizes of these lots.*

*RM120503 was approved to reduce the size of Lot 4 and increase the size of Lot 5. This variation consent also included a new easement for stormwater purposes which also caused a change in the location of the approved building platform within Lot 4. A land use consent for associated earthworks was also approved as part of this consent.*

*In February 2013 resource consent RM120797 approved the variation of the earlier subdivision consent*

*RM100374, to enable the subdivision to be developed in two stages; with Lots 1- 3 and a balance lot being developed as Stage 1, with Lots 4 and 5 being developed as Stage 2".*

### **3.0 PROPOSAL**

A copy of the application and accompanying assessment of effects and supporting reports can be found in the "Application" section of the Agenda.

Subdivision consent is sought to subdivide three existing allotments into 10 separate lots, and to undertake associated earthworks. Eight of the proposed allotments shall contain a residential building platform. It is noted that proposed Lot 1 contains an existing dwelling and it is not proposed to establish a residential building platform around that building. Existing residential building platforms are located on proposed Lots 2, 7, 10 (RM050235) and 12 (RM1000374). The application seeks to cancel both of the approved building platforms within proposed Lot 7 and 10, but retain both building platforms within proposed Lots 2 and 12 (which have been built within already). Proposed Lot 100 (balance lot) is to be amalgamated with proposed Lot 1.

A number of design controls and height restrictions have been volunteered by the applicant. A landscape plan has been submitted outlining areas of vegetation to be retained, and also indicating areas to be retained as open pastoral land.

The applicant has provided a more detailed description of the proposed subdivision and related earthworks within the Assessment of Effects as submitted with the application. For the purpose of this report, the proposal description found at paragraphs (a) (iii) of the applicant's 'Assessment of Effects' (attached as Appendix 1) is adopted.

#### Changes to Proposal

Following receipt of the application, the applicant has amended the application. The amendments include the following:

- Removal of proposed Lot 8 and its associated building platform (Lot 8 is to be included with proposed Lot 7. Lot 7 will now be 2.814 hectares);
- A reduction in the overall earthworks volumes as a result of the removal of Lot 8 building platform;
- Slight shift in location of the proposed building platform within Lot 9 (to the east);
- Amendment to the location of the building platform within proposed Lot 10 to move it further to the south by three metres and provide a Portuguese Laurel Hedge along the front boundary.

The changes to the application, in my opinion, do not introduce any materially different effects, or effects that are potentially greater than the application as notified, and I do not consider they would have elicited additional submissions from any other parties. It is my view that the changes are within the scope of the original application and I do not consider that re-notification of the proposal is necessary.

The following assessments in this report are therefore based upon the application as amended by the Applicant.

### **4.0 SUBMISSIONS**

#### **4.1 NOTIFICATION DETAILS**

The application was publicly on 10 July 2013 and submissions closed on 7 August 2013. The map and table below identifies those persons directly notified.

1. C R Morton and J K Morton – 183D Tucker Beach Road, Wakatipu (Lot 1 DP 323310)
2. K D Swain and J A Swain – 183D Tucker Beach Road, Wakatipu (Lot 8 DP 300262)
3. P R Mathieson, K R Mathieson and J M Walters – 183B Tucker Beach Road, Wakatipu (Lot 1 DP 300262)
4. W Wytres and L H Wytres – 183A Tucker Beach Road, Wakatipu (Lot 2 DP 300262)
5. G D McNee and J M McNee – Tucker Beach Road, Wakatipu (Lot 3 DP 342130)
6. J Satterthwaite and L Breitfuss – Tucker Beach Road, Wakatipu (Lot 1 DP 342130)
7. K D Hay and H E Hay – 7 Healecote Lane, Wakatipu Basin (Lot 11 DP 351843)

8. M R Muir and R E Muir – 3 Healecote Lane, Wakatipu Basin (Lot 4 DP 396997)
9. J L Hoogvliet – 27 Wellswood Way, Wakatipu Basin (Lot 100 DP 351843 (S/A))
10. D Martick, D J Smith and P J McCormick – 193 Tucker Beach Road, Wakatipu (Lot 17 DP 433642)
11. R C Richardson and S M Richardson – 195 Tucker Beach Road, Wakatipu (Lot 16 DP 433642)
12. C Wood and A McCrossin - 201 Tucker Beach Road, Wakatipu Basin ( Lot 1 DP 22545)
13. H Broomfield & S Conway – 6 Healecote Lane, Wakatipu Basin (Lot 2 DP 396997)



Figure 1: Properties served highlighted in blue; subject sites – yellow star

## 4.2 SUBMISSIONS

One submission was received in opposition. Following consultation between the applicant and that party, the submission has been withdrawn, and subsequent written approval provided. The assessment within this report is based on there being no submissions.

## 5.0 CONSULTATION AND WRITTEN APPROVALS

The following persons have provided their written approval and as such adverse effects on these parties have been disregarded (s95D(e)).

|   | Person (owner/occupier)  | Address (location in respect of subject site) |
|---|--------------------------|---|
| 1 | R & P Ireland            | 204 Tucker Beach Road                         |
| 2 | J Hoogvliet              | 27 Wellsford Way                              |
| 3 | G & J McNee              | Healecote Lane (Lot 3 DP 342130)              |
| 4 | D Martrick & P McCormick | 193 Tucker Beach Road (Lot 17 DP 396997)      |
| 5 | R & M Muir               | 3 Healecote Lane                              |
| 6 | H & K Hay                | 7 Healecote Lane/163 Tucker Beach Road        |
| 7 | R & S Richardson         | 195 Tucker Beach Road (Lot 16 DP 433642)      |
| 8 | J & K Swain              | 183c Tucker Beach Road                        |
| 9 | K & H Hindle             | 133 Tucker Beach Road                         |



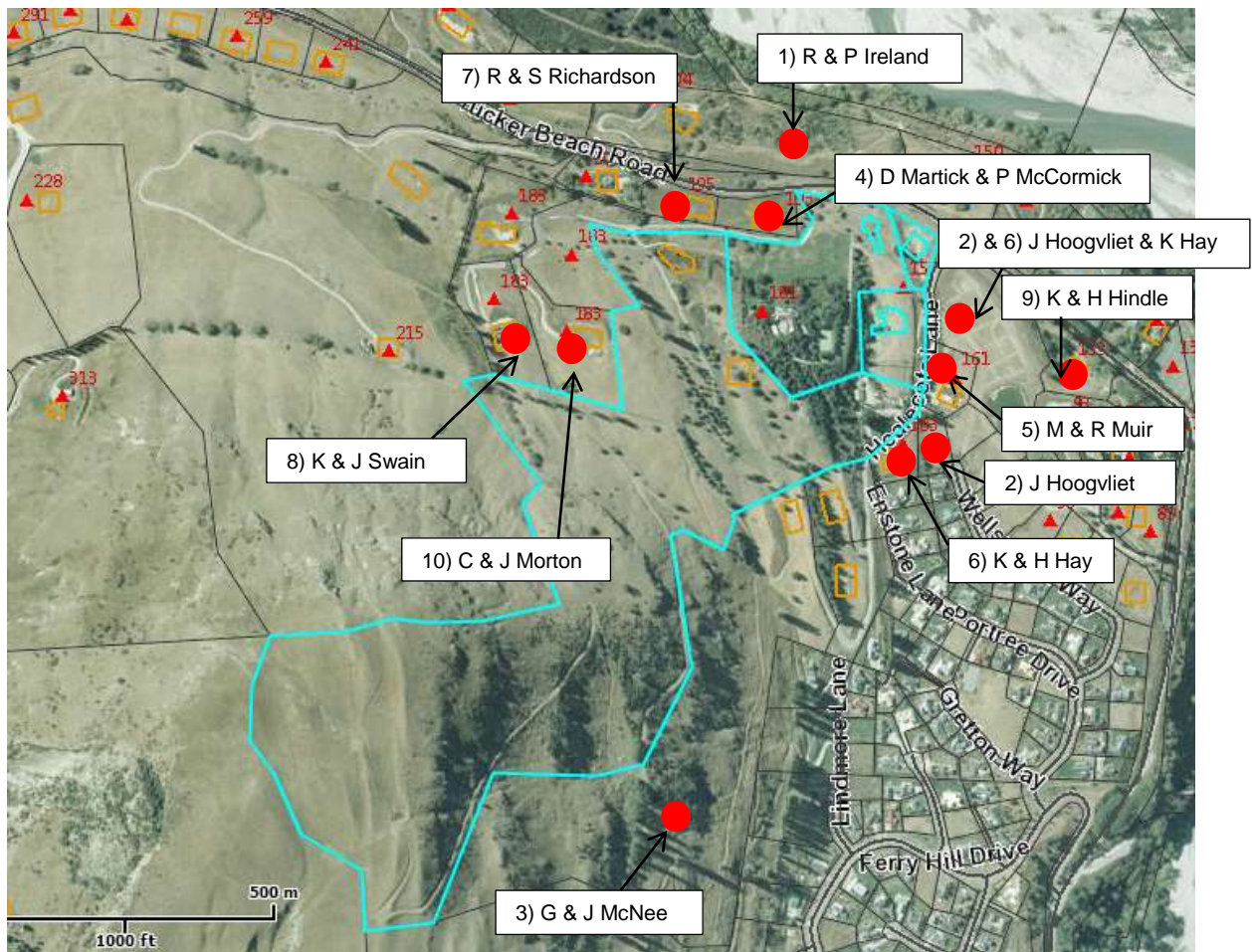


Figure 2: Depicts location of properties who have provided written approval with respect to the proposed subdivision and development.

## 6.0 DISTRICT PLAN PROVISIONS

### 6.1 THE DISTRICT PLAN

The site is zoned Rural General and Rural Lifestyle under the District Plan.

The purpose of the Rural General Zone is to manage activities in a manner that ensures they protect and enhance nature conservation and landscape values, sustain the life supporting capacity of the soil and vegetation, and maintain acceptable living and working conditions and amenity within the zone. The zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine ski areas and national parks.

The purpose of the Rural Lifestyle Zone is to provide for low density residential opportunities as an alternative to the suburban living areas of the District.

The proposal requires the following resource consents:

#### Land Use Consent – Rural General Zone

- A **controlled** activity resource consent pursuant to Rule 5.3.3.2 (xi) (a) which requires earthworks where the maximum area of bare soil exposed is between 1000m<sup>2</sup> and 2500m<sup>2</sup> per site within any one consecutive 12 month period. The total area of soil exposed will be 5,500m<sup>2</sup>.
- A **restricted discretionary** activity consent pursuant to Rule 5.3.3.3 (xi) as the proposal does not comply with Site Standard 5.3.5.1 (viii) 1 (b) whereby the earthworks shall not exceed a maximum volume of moved earth greater than 1000m<sup>3</sup> per site, within any one consecutive

12 month period. The total area of earth to be moved will be 5500m<sup>3</sup> within the Rural General area.

- A **restricted discretionary** activity consent pursuant to Rule 5.3.3.3 (xi) as the proposal does not comply with Site Standard 5.3.5.1 (viii) 2 (a) whereby no road, track or access way shall have an upslope cut or batter greater than 1 metre in height, measured vertically. Some of the batters on the driveways to the building platforms may exceed this requirement.
- A **restricted discretionary** activity consent pursuant to Rule 5.3.3.3 (xi) as the proposal does not comply with Site Standard 5.3.5.1 (viii) 2 (c) whereby the maximum height of any fill shall not exceed 2 metres. The maximum height of fill will be 3 metres.
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3 (i) (b) for the identification of a building platform of not less than 70m<sup>2</sup> in area and not greater than 1000m<sup>2</sup> in area. Lots 5 and 7 will contain a building platform which is between 70m<sup>2</sup> and 1000m<sup>2</sup> (though it is noted that the building platform on Lot 5 is not within the Rural General Zone).

#### Land Use Consent – Rural Lifestyle Zone

- A **restricted discretionary** activity resource consent is required pursuant to Rule 8.2.2.3 (iv) as the proposal will not comply with Site Standard 8.2.4.1 (ii) which requires a minimum setback from internal boundaries of 10 metres. Lots 3, 4, 5, 6 10, 11 of the proposed building platforms slightly breach the 10 metre internal setback requirement (all internal boundaries). The building platform on Lot 4 is approximately 8 metres from the inside edge of the private Right of Way – Healecote Lane.
- A **restricted discretionary** activity resource consent is required pursuant to Rule 8.2.2.3 (iv) as the proposal does not comply with Site Standard 8.2.4.1 (x) 1 (a) as the earthworks associated with the subdivision will exceed 100m<sup>3</sup> per site. The total volume of earthworks proposed will be 24,400m<sup>3</sup> within the Rural Lifestyle Zone.
- A **restricted discretionary** activity resource consent is required pursuant to Rule 8.2.2.3 (iv) as the proposal does not comply with Site Standard 8.2.4.1 (x) 1 (b) as the total area of exposed earthworks associated with the subdivision will exceed 200m<sup>2</sup> per site. The total area of earthworks proposed will be 20,400m<sup>2</sup> within the Rural Lifestyle Zone.
- A **restricted discretionary** activity resource consent is required pursuant to Rule 8.2.2.3 (iv) as the proposal does not comply with Site Standard 8.2.4.1 (x) 2 (b) as the earthworks associated with the subdivision will exceed a cut height of 2.4 metres. The maximum cut height of earthworks proposed within the Rural Lifestyle Zone will be 5 metres.
- A **restricted discretionary** activity resource consent is required pursuant to Rule 8.2.2.3 (iv) as the proposal does not comply with Site Standard 8.2.4.1 (x) 2 (c) as the earthworks associated with the subdivision will exceed a fill height of 2 metres. The total fill height of earthworks in the Rural Lifestyle Zone will be 3 metres.

#### Subdivision Consent – All Zones

- A **discretionary** subdivision activity consent pursuant to Rule 15.2.3.3 (vi) which requires all subdivision and location of residential building platforms in the Rural General Zone to be assessed as a discretionary activity. No minimum allotment size is provided for in the Rural General zone.
- A **non-complying** subdivision consent pursuant to Rule 15.2.3.4 (ii) for further subdivision of a lot that had previously been used to calculate the average lot size under Rule 15.2.6.3 (ii). Some of the proposed lots were used previously to calculate the average lot size for the subdivision consent RM050235.
- A **non-complying** subdivision consent as the proposal will not comply with Zone Standard 15.2.6.3 (ii) (a) which states that the average lot size in the Rural Lifestyle Zone shall not be



less than 2 hectares. The average lot area proposed for the lots containing building platforms within this zone will be approximately 9074m<sup>2</sup> in size.

- A **non-complying** subdivision consent as the proposal will not comply with Zone Standard 15.2.6.3 (iii) (a) and (b) which states that each lot created (within both the Rural General and Rural Lifestyle zones) shall have one residential building platform established at the time of subdivision of not less than 70m<sup>2</sup> and not greater than 1000m<sup>2</sup> in area. No building platform is proposed for either Lot 1 or 2 as they have existing building platforms approved under previous consents. No building platform is proposed for Lot 100 which will remain open space land but will be amalgamated with proposed Lot 1.

Overall, the proposal was considered as a **non-complying** activity.

## **7.0 INTERNAL REPORTS**

### Landscape Assessment

A landscape report has been prepared by Council's landscape architect, Mr Richard Denney. Mr Denney's report was based on the application as notified, and is attached as appendix 2 to this report. In summary, Mr Denney finds that:

- The development would result in an intensification of built form within the landscape;
- Increase the prominence of residential activity in relation to lot size;
- Eastern side of the site has some ability to absorb this level of intensification, the western side has less;
- Lot 8 and its proposed platform would create an intensity of built form and associated domestic activity. It would have adverse visual effects from the property to the west and the Domain Road and Lower Shotover Road area;
- Lots 6, 9 and 10 would result in stacking up on one another creating prominence of built form when viewed from Lower Shotover Road and Domain Road;
- The balance of the Lot 7 platform would be well screened by topography and existing vegetation;
- The platform on Lot 5 would interrupt views to the south of the subject site. Existing landscaping will achieve a similar level of screening and interruption of these views.
- Lots 4 and 3 have a character which aligns with the Quail Rise Zone but would be screened by existing vegetation;
- Development on Lot 11 would breach the skyline when viewed from Tucker Beach Road, however the breach would be for short distances and fleeting. Additional landscape planting could be softened to integrate into the broader landscape context.
- The density of the development would result in small to moderate adverse effects on the landscape characteristics expected within the Rural General and Rural Lifestyle zones.
- The adverse landscape effects on the Lots to the east can be further mitigated, however sites towards the west (Lot 8) less so.
- Lot 8 could not be mitigated unless the platform is shifted more towards the east.
- Lots 10, 9 and 6 could be partially mitigated by further planting and possible earthworks to integrate these platforms into the landscape and diminish their prominence, or alternatively a reduction of the number of platforms and lots from 3 to 2 in this cluster.

### Engineering Assessment

An engineering report has been prepared by Council's engineer Mr Alan Hopkins. Mr Hopkins report is attached as appendix 3 to this report. In summary, Mr Hopkins finds that:

- Adequate conditions of consent can be imposed to ensure that appropriate servicing can be achieved with respect to water, stormwater, wastewater, power and telecommunication.
- Recommended upgrade of the existing access road to 5.5m width from the intersection of Tucker Beach Road to the entrance to Access 2 (ACC2) or a passing bay of 5.5m should be installed at the midway point between the existing localised widening on the bend and the Access 2 (ACC2) intersection;
- The first 30m of this unnamed road could be required to vest in QLDC;

- The new properties accessed off the road will trigger the need for this as yet unnamed private road to be named under Council's road naming policy;
- Access 1 (ACC1) can be formed to a suitable legal width to service three lots in accordance with Council standards;
- Access 2 (ACC2) will service 6 dwellings and have a 3.5 metre sealed carriageway with 5.5 metre passing provision. The width is smaller than required by Council standards but is deemed acceptable as the majority of services are located outside of the right-of-way easement to cater for the required carriageway and swale;
- Conditions recommended requiring detailed design plans for the provision of all internal roading;
- Vehicle accesses recommended for all proposed building platforms;
- Access to proposed Lot 8 has a steep gradient, a condition is recommended to ensure that a minimum 3.5m wide access constructed of 150mm depth of AP40 gravel is formed to the building platform on Lot 8 in accordance with Council standards;
- The existing formation of Healecote Lane is sufficient to access the proposed three additional lots in accordance with Council standards;
- A consent notice is recommended to be registered on the titles of Lots 3-5 that at the time a dwelling is constructed to require the construction of a vehicle access from Healecote Lane to the building platform in accordance with Council standards;
- Adverse effects from the proposed earthworks will be adequately mitigated through appropriate site management conditions;
- The proposed cut and fill batters being regrassed and vegetated will stand permanently unsupported;
- Conditions requiring areas of fill to be certified are recommended;
- The site does not pose any hazards or geotech concerns.

## 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*
  - (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.*

Section 104(2) provides that

*When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect ("the permitted baseline").*

In addition, Section 104D (Particular Restrictions on non-complying activity) states that:

- (1) *Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either –*

- (a) *the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or*
- (b) *the application is for an activity that will not be contrary to the objectives and policies of-*
  - (i) *the relevant plan, if there is a plan but no proposed plan in respect of the activity; or*
  - (ii) *the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or*
  - (iii) *both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.*

Section 106 of the Act is also relevant to the subdivision proposal and states:

- (1) *A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that -*
  - (a) *the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
  - (b) *any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
  - (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.*
- (2) *Condition under subsection (1) must be –*
  - (a) *for the purposes of avoiding, remedying, or mitigating the effects referred to in subsection (1); and*
  - (b) *of a type that could be imposed under section 108.*

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 9.5 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) Effects on the Environment
- (iii) Objectives and Policies
- (iv) Other Matters
- (v) Part 2 of the Act

### **9.1 LANDSCAPE CLASSIFICATION**

Mr Denney has provided a detailed description of the site and landscape classification within his report. To avoid repetition, I refer the Commissioners to paragraphs 4 – 11 of his report. In summary, the landscape classification is deemed to be within a Visual Amenity Landscape (VAL) that is adjacent to an Outstanding Natural Feature (ONF, Ferry Hill) which includes the balance of the subject property. The classification is accepted.

## **9.2 EFFECTS ON THE ENVIRONMENT**

### **9.2.1 The Permitted Baseline and Receiving Environment**

When determining the actual and potential effects of an application for resource consent, case law directs that the 'permitted baseline' is to be considered. The permitted baseline test calls for a comparison of the potential adverse effects of the proposal against two classes of activity; first what is lawfully being undertaken on the land; secondly, what is permitted as of right under the District Plan (provided it is not a fanciful use). A consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect. Activities authorised by a current but unimplemented resource consent form part of the existing environment.

In this situation, a number of resource consents have been approved within the site, refer part 2.0 above for Site History. The resource consents listed above should be considered as part of the permitted baseline.

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. Likewise, all subdivision requires resource consent.

Permitted activities in the Rural General Zone are restricted to activities such as:

- Farming activities – agricultural and horticultural/viticulture;
- Structures of less than 2m in height and less than 5m<sup>2</sup> in area;
- Planting, specifically excluding planting which results in a continuous line of vegetation of 10m in length or more within 50m of a road;
- A fence slightly less than 2 metres high anywhere within the site; and
- Earthworks which do not breach Site Standard 5.3.5.1(vii), including less than 300m<sup>3</sup> of earth being moved, over an area of less than 1000m<sup>2</sup> (within any one consecutive 12 month period) cuts of 65° and fill of up to 2m in height.

All buildings or alterations to buildings in the Rural Lifestyle 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. Likewise, all subdivision requires resource consent.

Permitted activities in the Rural Lifestyle Zone are restricted to activities such as:

- Farming activities – agricultural and horticultural/viticulture;
- Earthworks volumes of less than 100m<sup>3</sup>, with cuts of no more than 2.4 metres high, and fill of no more than 2 metres in height;
- A fence slightly less than 2 metres high anywhere within the site;
- All planting (with the exception of wilding species) are permitted;

As illustrated in Figure 3, the wider receiving environment for the subject site comprises a number of different zones within an approximate radius of one kilometre.

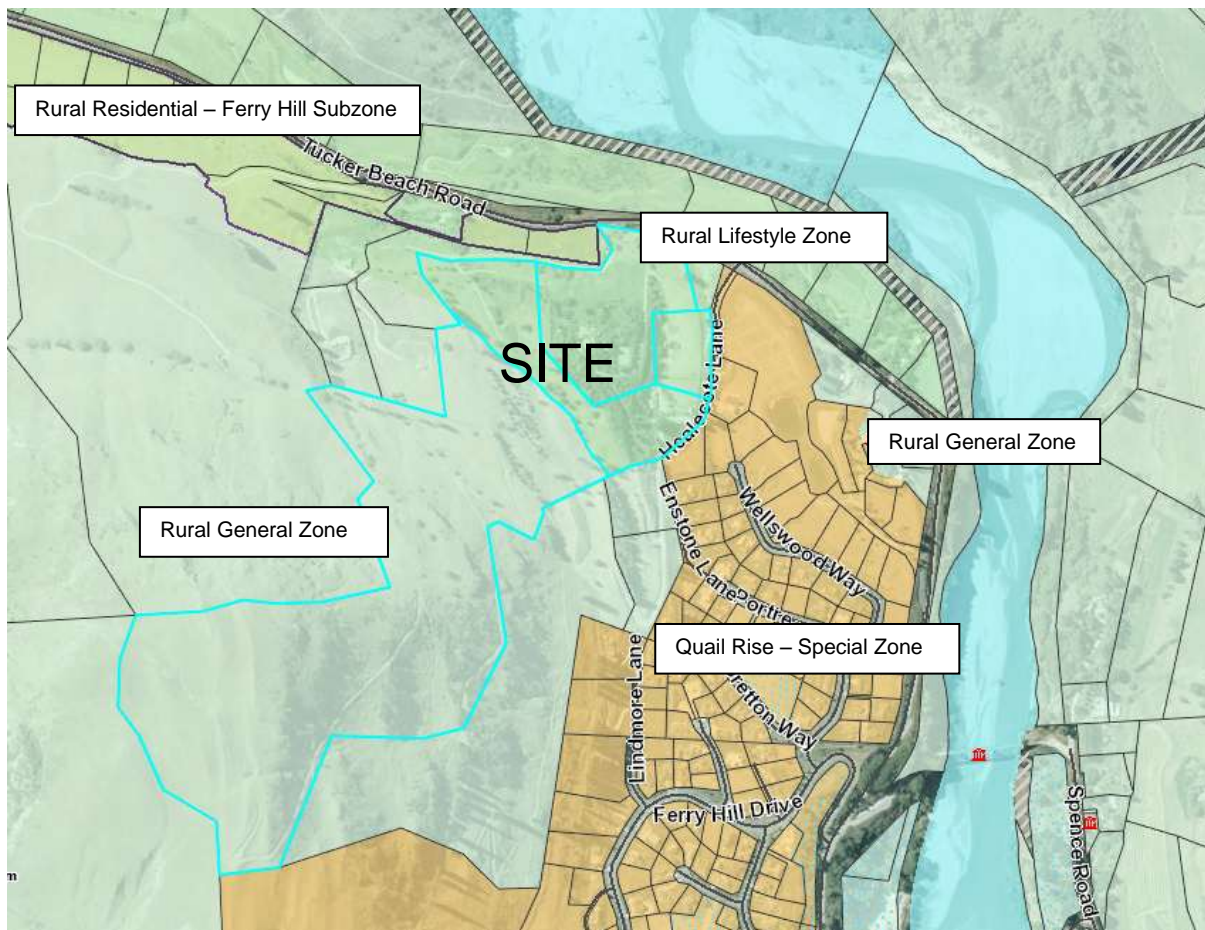


Figure 3: Map showing location of surrounding District Plan zones

The subject site, is adjacent to the land zoned Quail Rise – Special Zone. The Quail Rise Zone provides for low density residential and rural residential living within a high amenity area, in a location affording good access to sun and views of the surrounding landscape.

To the north of the Quail Rise Zone is a small section of Rural General zoned land, which is split into three residential allotments, ranging in size from 0.7 hectares to 0.5 hectares. Due to the small size of the lots, 'typical' farming activities do not occur, and instead the land is primarily utilised in a manner more suited for Rural Living Areas.

Land to the west, on the northern side of Tucker Beach Road, is zoned Rural Lifestyle. The allotment sizes range from 0.528 hectares to 3.5 hectares. The newer of the lots created in this area (farthest to the west) contain residential building platforms, with the majority containing newly constructed residential dwellings. The sites are generally located on lower a terrace, which effectively provides screening of buildings from Tucker Beach Road. Landscaping has been established.

Further to the west (along Tucker Beach Road) is land zoned Rural Residential – Ferry Hill Subzone. The subdivision (Waterston RM070256) is currently being undertaken, with title on the majority of the lots having been recently issued. Extensive landscaping has been undertaken within the sub-zone as part of the required work for the subdivision.

### 9.2.2 Actual and Potential Effects on the Environment

The application site is located within both the Rural General and Rural Lifestyle zones. Proposed Lots 5 and 7 are located within the Rural General Zone, whilst the remaining Lots are located within the Rural Lifestyle Zone. The proposed building platform within Lot 5 will be contained within the Rural Lifestyle portion of the site. Assessment for each of Parts 5 and 8 will be provided below with respect to the relevant assessment matters.

## Assessment Matters – Rural General

Proposed Lots 5 and 7 are both contained within land zoned Rural General (though it is noted that the proposed building platform on Lot 5 is within the Rural Lifestyle Zone). In determining the actual and potential adverse effects on the environment, I will assess the proposal against relevant assessment matters within Part 5 – Rural Areas.

The site has been determined by Mr Denney, Council's landscape architect, that it is within a Visual Amenity Landscape (VAL) therefore assessment matters relating to this classification will be considered.

### *Visual Amenity Landscapes*

#### *(a) Effects on natural and pastoral character*

The subject site is located adjacent to an ONF therefore it should be considered whether the proposed development will compromise the open character, or whether the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape by resulting in over domestication.

Mr Denney confirms that he adopts the following assessment provided by the applicant's landscape architect:

- *The differences between the proposed and consented building platform within Lot 7 would be minimal.*
- *Lot 7 and its building platform would have minimal adverse effect on the open character of the adjacent ONL, and the natural arcadian pastoral character of the VAL.*

Mr Denney also states that if a curtilage area was defined within proposed Lot 7, appropriate mitigation measures could be provided to reduce the spread of domestication within the site.

Should the Commission grant consent, then a condition of consent is recommended which will require a curtilage area to be identified. This will also ensure adverse effects are mitigated on the natural and pastoral character within the land zoned Rural General.

#### *(b) Visibility of Development*

In terms of visibility, the proposed development should have regard to whether it results in a loss of the natural or arcadian pastoral character. Mr Denney confirms that he adopts the following assessment provided by the applicant's landscape architect:

- *That the proposed development would not be highly visible from most public viewpoints, but would be visible from a number of public roads and most specifically Lower Shotover Road and Domain Road.*
- *In views from most public roads the existing trees on the site provide a context that would absorb the proposed development for Lot 7.*
- *Existing and proposed trees throughout the site would assist in mitigation for the proposed development.*
- *The proposed development would not constitute sprawl along the roads of the district.*

The applicant has amended the application to remove proposed Lot 8 from the development. This will ensure concerns raised by Mr Denney regarding the visibility from adjacent properties are addressed and that any significant adverse effects in terms of visibility can be reduced.

Mr Denney states that proposed Lot 7 would be visible from lower stretches of Domain Road and along Lower Shotover, but would be seen in context with the existing vegetation. This existing vegetation is considered to provide for an established treed context for a future building with the proposed residential building platform.

Mr Denney states that the proposed landscape plan does not identify the form, age and species of all the trees on the site. He further recommends that the identification of the species of trees is shown so that they can be relied on as mitigation of the development within the site. The landscape plan should exclude any species with wilding potential, and that any replacement trees (should anything die or become diseased) should be of a grade no less than 1.5m in height and be of a species typical of the rural pastoral landscape such as poplar, oak, or an indigenous trees species such as beech, ribbonwood etc. Should the Commission be minded to grant consent, then a condition of consent can be recommended to this effect.

Mr Denney states that he does not agree with the applicant's landscape assessment in terms of suggesting that the open character of the landscape starts above the Morton property to the west of the development. However the removal of proposed Lot 8 from the application will ensure that the openness within the subject site can be achieved to a greater extent.

In terms of the visibility of proposed Lot boundaries, Mr Denney recommends that all boundary fencing should be standard farming post and wire, and that there should be no boundary planting that would accentuate the fragmentation of the landscape. This will avoid defined boundaries and will reduce the overall visibility of the development.

*(c) Form and Density of Development*

In determining whether the form and density of the development is appropriate, Mr Denney has confirmed that he adopts the following assessment provided by the applicant's landscape architect:

- *That the proposed Lot 7 building platform would be located in a relatively natural depression.*
- *The proposed development would not introduce a density which reflects those characteristics of an urban area.*
- *Future additional development may lead to adverse cumulative effects.*

Further to this it is accepted that the site has a character that can absorb development of this nature due to the undulating contours and existing landscaping which can discretely screen much of the proposed development. The proposed densities, although smaller than typical lots within the Rural General Zone will maintain separation distances from other developments within the Rural General Zone. Additionally, the removal of proposed Lot 8 will provide for a larger area for proposed Lot 7. It is considered that the form and density within the Rural General Zone will be appropriate and will not introduce densities which reflect those characteristic of urban areas.

In terms of the density, Mr Denney states that the proposed platform in Lot 7 would not be located inside an existing development being two or more houses each not more than 50m apart from the nearest point of the residential building platform. Looking at alternative locations and methods, Mr Denney confirms that within a 500 metre radius of the centre of the building platform would include land within the Rural Residential, Rural Lifestyle, and Quail Rise zones. All these zones anticipate subdivision and include land within the applicant's ownership. Mr Denney states that he is not aware of any owner or occupier within 1100m radius of the proposed platforms that wishes alternative locations and methods to be taken into account.

Overall, with the removal of proposed Lot 8, it is accepted that the form and density of the development will be appropriate for the zone.

*(d) Cumulative effects of development on the landscape*

Cumulative effects should be considered when assessing whether the proposed development would result in adverse effects on the natural or arcadian pastoral character of the landscape with particular regard to domestication.

Mr Denney has confirmed that he adopts the following assessment provided by the applicant's landscape architect:

- *The two proposed building platforms and associated activities within the Rural General Zone may potentially combine with existing and consented development to create cumulative effects.*
- *That the building platform within Lot 7 has the capability to absorb development.*
- *The proposed development is not likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes.*

With the removal of proposed Lot 8, the overall site will have a greater ability to absorb development, as there will be a greater separation distance from the proposed Lot 7 building platform and the approved building platform within the adjacent Morton property. Previously Mr Denney expressed concerns of over domestication with the open character of the site being domesticated with additional built form. The removal of Lot 8 will address any potential adverse effects in terms of cumulative effects.

Overall, it is accepted that the proposed development will not result in cumulative effects as the proposed development will be adequately absorbed within the site, to ensure that adverse effects will be no more than minor.

#### *(e) Rural Amenities*

Mr Denney has provided an assessment in terms of the potential effect from the development on the rural amenity of the surrounding area. He has outlined below points adopted from the applicant's landscape assessment:

- *The proposed development within the VAL would maintain adequate and appropriate visual access to the arcadian landscape and open slopes of Ferry Hill for Lot 7 and the associated building platform.*
- *The proposed development would not compromise the ability to undertake agricultural activities on the surrounding land or require infrastructure consistent with urban landscapes.*

Proposed landscaping would consist mainly of the existing landscaping already established within the site. Mr Denney refers to these as an eclectic mix of trees which are considered to be more of a response to fragmentation of the land rather than a response to traditional farming practices. Mr Denney further states that the more recent pattern of tree planting on the site is consistent with the increased domestication patterns of the landscape downslope with the Rural Lifestyle Zone. It is accepted that the undulating contours of the site can readily absorb much of the planting to ensure that rural amenity of the Rural General zoned land can be maintained. Additionally, the increased size of Lot 7 will maintain rural amenity by providing for typical farm land within the wider allotment area and by maintaining appropriate setback distances from neighbouring properties.

Overall, it is accepted that the proposed subdivision will not result in adverse effects on rural amenity due to the existing landscaping and topography of the site will absorb the development to ensure that adverse effects are no more than minor.

#### *i General - Nature Conservation Values*

The proposed development is located within an area which has been modified over time through the establishment of exotic tree species planted throughout the site. Mr Denney mentions in his landscape assessment the need to prevent tree species from being planted which have a wilding potential. This is to avoid the spread of wilding species onto the upper slopes of the adjacent Outstanding Natural Landscape (ONL). The site does not provide for a habitat for indigenous plants and/or animals that are rare, vulnerable or endangered, or significant within the District, Region or nationally. This is due to the site not portraying any significant nature conservation values. Overall, the proposed development is not considered to pose any risk to nature conservation values within the District.



As proposed Lot 7 will be the only building platform within the Rural General Zone, it should be considered in terms of whether appropriate access can be provided to the site. Mr Hopkins has confirmed that internal roading can be provided throughout the site, and access to Lot 7 (and all other lots) can be achieved. Should consent be granted, a condition of consent has been recommended to require a consent notice to be registered on the title of Lot 7. This will require that at the time a dwelling is constructed on site, the owner for the time being shall form a vehicle access from the existing right of way access to the building platform in accordance with Council standards. Overall it is accepted that appropriate access to Lot 7 can be achieved.

#### *xxiv Nature and Scale of Activities*

The proposed development, with proposed development controls, will result in a residential development which will be compatible with the scale of other buildings and activities in the surrounding area. Although the zoning of the subject site differs from those sites adjacent (Quail Rise and Rural Residential), they will provide for a natural progression in terms of providing for a development of a similar scale which could be perceived as a creep of development. The establishment of building platforms and design controls for future buildings within each of the allotments will provide for some differentiation from dwellings located within the Quail Rise Zone. This will ensure that the proposed development maintains some separation and uniqueness from adjacent zones. Overall I consider that the proposed scale and nature of activities proposed in this application will have adverse effects which will be no more than minor.

#### *xxvii Residential Units – Discretionary and Non-Complying Activities*

Future buildings within the proposed residential building platforms should be considered in terms of the extent to which the residential activity maintains and enhances, rural character, landscape values, heritage values, visual amenity, life-supporting capacity of soils, vegetation and water, infrastructure, traffic safety, public access to and along lakes and rivers. The assessment in relevant sections of this report, and supporting landscape and engineering reports confirms that the proposed residential development within Lot 5 and 7 (more so Lot 7 as, Lot 7 is the only lot which proposes a building platform within the Rural General Zone) will meet the above objectives in terms of providing for an appropriate development.

The proposed residential activity is unlikely to adversely affect adjoining land uses given that the majority of the land surrounding is more akin for residential development given the underlying zoning. Directly upslope of the proposed building platform within Lot 7, is proposed Lot 100 which forms part of this application. This land is zoned Rural General and it is intended on being utilised for the purpose that the zone, rural activities. There is adequate separation distance between the proposed residential building platform and the adjacent land to ensure that the land use is not adversely affected.

Natural hazards have been considered below, and it is deemed that the site poses no concerns with respect to any risk associated with natural hazards.

Appropriate design controls have been proposed which will require specific height restrictions and external materials to be used on future buildings within each of the proposed building platforms. The proposed design controls will ensure that the overall bulk and form, design and overall appearance of future buildings will be appropriate for the rural area and provide certainty that adverse effects in terms of visibility, amenity and character will be no more than minor.

It has been demonstrated within the application, and further supported by Mr Hopkins, that adequate servicing can be provided to all of the proposed residential building platforms, subject to recommended conditions of consent. Earthworks required for the creation of access ways, landscaping and for the establishment of building platform areas will also be subject to recommended conditions of consent, should consent be granted. Further assessment in terms of adverse effects from earthworks will be discussed in more detail below.

## *xxviii Earthworks*

The only earthworks proposed to be undertaken within the Rural General Zone is that required for the creation of the access way to proposed Lot 100. Earthworks within the proposed building platform location within Lot 7 has been previously consented under RM120503.

Mr Denney confirms that much of the earthworks within Lot 7 would be difficult to view beyond the subject site due to the existing vegetation and contour of the land below, and as such accepts that adverse effects on visual quality and visual amenity values would be minimal.

The application includes the removal of the crest within proposed Lot 7. Mr Denney initially had concerns with the removal, as it was considered that it would result in adversely effects on amenity values of the landscape. However, the removal of the crest of ridge has been previously approved under RM120503, and as such should be considered as part of the receiving environment. The applicant has confirmed that they will maintain the height of the crest in accordance with Mr Denney's recommendation by ensuring that no earthworks exceed the 408m contour to retain as much of the ridge to provide a screen for a future dwelling. This is considered to be a good outcome in terms of providing for screening of a future dwelling within Lot 7, when the consented baseline would allow for this crest to be removed.

Should the Commission be minded to grant consent, then a condition of consent is recommended to ensure that earthworks are undertaken in accordance with this recommendation, as accepted by the applicant. This will ensure that appropriate screening can be provided within proposed Lot 7 to ensure that adverse effects on the character of the site are no more than minor.

The site is not known to contain any items of cultural or heritage significance. However if during the works anything is discovered, then should consent be granted a recommended condition of consent can be imposed which will direct the consent holder to the appropriate authority to notify of any items of significance.

Overall, it is considered that, with adequate site management conditions imposed, adverse effects from the proposed earthworks can be adequately mitigated and contained within the site to ensure that adverse effects are no more than minor.

## *viii Setback from Internal Boundaries*

Proposed Lot 7 has the only residential building platform to be established within the Rural General land. The most southern edge of the building platform will be within close proximity to the boundary with proposed Lot 5. This will be within the prescribed 15 metres internal boundary setback provisions for the Rural General Zone. Due to the undulating nature of the site and existing vegetation, this breach will be indiscernible from outside of the subject site, and as such will not result in an adverse effect.

## *xiii Setback from Roads*

The proposed development will be appropriately setback from all road boundaries. This will ensure that adequate parking and manoeuvring space for vehicles clear of the road is provided.

## Assessment Matters – Rural Lifestyle

Proposed Lots 1 – 4, 6, 9 - 10 are all contained within land zoned Rural Lifestyle. In determining the actual and potential adverse effects on the environment, I will assess the proposal against relevant assessment matters within Part 8 – Rural Living Areas.

### *i General - Nature Conservation Values*

The subject site does not contain any significant ecosystems or vegetation which could be adversely affected by the proposed development. The proposed development will not result in any loss of nature conservation values.

### *iii Controlled Activity - All Buildings*

The proposed locations of each of the residential building platforms are such that they take into account the existing landscaping and topography of the site. Mr Denney states that a future building within the building platform within proposed Lot 5 (within the Rural Lifestyle portion of the site) could potentially break the skyline and views of Coronet Peak, when viewed from the south. The location of trees within the foreground of the subject site may grow to a level which may provide some screening which Mr Denney states would eventually screen this view. The location of these trees have not been shown on the proposed landscape plan, which Mr Denney argues is a good outcome as they could eventually have an adverse effect on the property to the south. It is considered that the trees in this location could have a greater effect than a building which slightly breaks the skyline in terms of dominance.

Mr Denney also confirms that the proposed building platform on Lot 11 would break the backdrop of the northern Remarkables, and the skyline as viewed from Tucker Beach Road. However he accepts that this breach would be for only short distances and fleeting. Specific design controls and height limits have been placed on a future dwelling within Lot 11 which will help to mitigate adverse effects in terms of its visibility.

Specific design controls have been proposed on all of the proposed residential building platforms. This will ensure that future buildings will be designed in accordance with the specific topography and landscape in which it is to sit. Differing height limits for many of the lots will provide adequate mitigation in terms of reducing the overall adverse effects of buildings in this location. As such it is considered that the proposed development will be appropriate for the rural setting.

### *viii Setback from Internal Boundaries*

In some cases the proposed building platforms are located closer to the proposed boundaries than required by the Rural Lifestyle Zone. Where this has occurred it is generally in locations where existing vegetation and landform can provide mitigation in terms of making the distance between the residential building platform and the adjacent site appear larger. Additionally many of the boundaries will be internal to the site and will not create adverse effects beyond the immediate vicinity. The proposed building platform within Lot 4 breaches the six metre internal boundary setback. This is separated by Healecote Lane and an existing hedgerow, which will ensure that the visibility and bulk of future residential activity within the building platform would be mitigated from these views, and will also provide for a more usable space within the proposed lot. The location of Healecote Lane will separate the site with the adjacent Quail Rise Zone, and will further ensure that adverse effects from the internal boundary breach are reduced. Overall it is considered that the internal boundary setback breaches internally within the site will be indiscernible, whilst proposed Lot 4 will be adequately mitigated through landscaping and the location of Healecote Lane.

### *ix Access*

Adequate access can be provided to all proposed lots; this has been demonstrated by the applicant and accepted by Councils engineer Mr Hopkins. Should consent be granted, recommended conditions of consent can be imposed to ensure that adverse effects can be avoided in terms of access to each of the proposed lots.

### *x Scale and Nature of Activities*

The scale and nature of the proposed activities will be consistent with other activities within adjacent lots, albeit to a lesser scale in terms of intensified residential developments as seen in the adjacent Quail Rise Zone. The proposed lots will be used for residential purposes, with activities associated with rural living areas. It is unlikely that the extent of the activities will result in noise or visual impacts which would be to a degree that would be visible or noticeable from public places. Traffic generation as a result of the additional allotments will increase from what could be anticipated within the zone. This is due to the number and size of the proposed allotments being below the minimum density for the Rural Lifestyle Zone. However, as there are a number of different access points within the overall development, the increase in the scale of traffic movements will be able to be absorbed into the existing roading network without resulting in adverse effects on any of the adjacent property owners. There is unlikely to be adverse effects in terms of cumulative traffic effects as a result of the increase

in vehicle movements to and from the proposed allotments. This is also due to the access points being spread out over the entire site which will reduce adverse effects.

Mr Denney states that the scale and nature of the proposed Lots 4 and 3 (being the smallest lots) would not be appropriate given the zoning and context of the site. However due to the site vegetation, he accepts that these lots have the ability to mitigate adverse effects by generally screening these sites from view.

It is accepted that, although the lot sizes are somewhat smaller than anticipated, the scale and nature of the proposed activity will have similar effects to that of the adjacent properties and not result in adverse effects which would be detrimental to the site or surrounds.

#### *xiii Setback from Roads*

All of the proposed lots have the ability to provide adequate parking and manoeuvring space for vehicles clear of the road. Appropriate setbacks will be maintained.

#### *xiv Earthworks*

The proposed earthworks will be relatively minor in relation to the entire site. Adverse effects from the proposed works will be adequately controlled within the site due to the proposed site management plan which will provide for mitigation or sediment runoff, dust control and any other associated effects. On some of the proposed platform areas there are large cuts proposed. However any visual effect from this will be screened by the construction of a future dwelling. Mr Denney also confirms that the proposed earthworks would be minor, and states that there are a number of existing consents for earthworks within the site which have added to the modification of the natural landform.

The site is not known to contain any item of cultural or heritage significance, however if anything is discovered through the process, a condition of consent, should consent be granted, is recommended which would require the consent holder to contact the appropriate authority if anything is discovered.

Overall, adverse effects will be no more than minor as a result of the proposed earthworks, as adverse effects will be adequately contained within the site.

### General Assessment Matters

#### *Natural Hazards – General (both zones)*

Consideration of whether the proposed development will exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips, should be considered to determine the appropriateness of the development. Council's engineer, Mr Alan Hopkins, has reviewed the QLDC Hazard Register Maps, and has confirmed that it shows the subject lots being within the LIC1 liquefaction hazard category. This is within an area which has been assessed as having a liquefaction risk being "Nil to Low". Based on this hazard category, Mr Hopkins states that he is satisfied that the future buildings within the proposed residential building platforms are unlikely to be at risk of liquefaction in a seismic event. He further recommends that standard foundations as required under NZS 3604:2011 for timber framed buildings would be sufficient in avoiding any associated risks. It is accepted that should consent be granted, appropriate consideration to the requirements required for foundations of any future buildings can be addressed at the individual resource consent stage.

Mr Hopkins has identified that an area to the south of the subject site has been shown on QLDC hazard maps as being susceptible to shallow debris flows during episodes of heavy rainfall. The proposed subdivision falls outside of the area identified as being at risk, but Mr Hopkins considers that due to the close proximity of the subject site to the shallow debris flows hazard and possible mass movement from the hill slopes, further assessment has been undertaken to address any potential risks to the proposed development, specifically the proposed residential building platforms.

Mr Hopkins has confirmed that the risk from upslope instability is low. This is due to the location of the proposed building platforms, and the majority of the slopes above which fall in a north east direction. Mr Hopkins accepts that all of the proposed building platform locations are adequately setback to avoid any risk from steep hill slopes above, with the exception of Lot 7 which is located near the toe of Ferry Hill. Mr Hopkins states that the building platform located on Lot 7 is at the base of a hill slope

which is separated from the steep upper catchment by an approximate 50m wide bench of relatively low gradient (15 degrees approx.). The location of the bench areas provide an area of run out to prevent any associated risks for any failure of the relatively limited steep upper slopes.

Overall Mr Hopkins accepts that he is satisfied the proposed development is not at obvious risk from instability from the hill slopes above, as such, adverse effects in terms of hazards within the site will be no more than minor.

#### Assessment Matters – Subdivision

##### *(b) Subdivisions of Land in the Rural General and Rural Lifestyle Zones*

The proposed subdivision and location of proposed residential building platforms will create lots which are smaller than anticipated within both zones, with the average allotment size within the Rural Lifestyle Zone aligning more with what is anticipated within the Rural Residential Zone. That being said, the overall property has some ability to absorb development of this nature due to the extensive landscaping throughout the site, and undulating topography in which a number of the proposed building platforms have been located amongst. This will help to contain visual amenity within the site. Mr Denney has also confirmed that this is the case, and that this would occur more so in the eastern portion of the site where there is more ability to absorb the more intensive development.

The upper part of the site which is zoned Rural General will maintain a more open character with proposed Lot 7 encompassing a larger area of land which will be maintained in its natural state. This will ensure the rural character is protected on slopes which are more visually prominent from outside of the site. Mr Denney confirms that the western part of the site has a more open character and therefore leads itself towards having a greater effect in terms of the proposed density. He further states that from some views, future buildings may appear as if they are stacking up upon each other given the rising terrain and and relative closeness of proposed platforms (for example proposed platforms within lots 6, 9 and 10).

Following Mr Denney's assessment, the applicant has made some minor changes to the building platform locations, by shifting the building platform within proposed Lot 9 more towards the east. In terms of the receiving environment, it should also be considered that proposed Lot 10 already contains an existing building platform (RM050235) which this application seeks to cancel. A building platform is also existing within proposed Lot 7 (Rural Lifestyle portion of lot) which will also be cancelled, but would be seen in conjunction with that in proposed Lot 10. The proposed building platform within Lot 7 is located back towards the southern part of the site in an area which is to be flattened and reduced in height. Therefore the proposed building platform with Lot 7 would end up being in a better location than the existing building platform in terms of visibility and stacking effects.

Additionally, height restrictions have been proposed on all of the lots, and specifically on Lot 6 it is 4.5 metres, Lot 9 it is 4.5 metres and Lot 10 it is 5.5 metres. This will provide some certainty in terms of what the extent of building form could be built within the site, together with the proposed earthworks within each of the sites to create level building areas which will be reduced in height.

Mr Denney has also confirmed in his report that the western side of the subject site is more open in character and that the proposed development would be more readily visible. As proposed Lot 7 now takes in a greater portion of the western side of the site, a more open character can be maintained, which also will reduce the need for further landscaping to screen any further residential building platforms, which would in turn result in more fragmentation of the landscape. The removal of Lot 8 from the application has resolved concerns relating to this.

Overall the pattern of development within the site will not have typical Rural Lifestyle characteristics, which Mr Denney states is more aligned with the Rural Residential Zone to the west; and on the lower slopes to the east more aligned with the Quail Rise zone on the east/south. Although this would be a consistent approach to the extension of development on either side of the subject site, consideration should be given to the implications that this extension would have on the District Plan in terms of merging zone boundaries. As previously mentioned, the site has the capacity to absorb the development at a higher level than some sites, due to the topography and existing landscaping. Additionally, by maintaining an open character in the upper slopes of the site, the appearance of the increased density can also help to mitigate adverse effects. The more open pastoral character of the western side (now with the removal of Lot 8) will reduce the overall domesticating effects which could

otherwise occur. To ensure this, the applicant has volunteered an area which is to be retained as open pastoral land. This is shown on the proposed landscape plan and would restrict planting from occurring within the open space area on the western site of the site. This would reduce any adverse effects which could result from fragmentation of the landscape through additional landscaping. Overall it is considered that the line of development would form a natural progression in terms of where the natural topography forms a line, and where the zone boundary is located to ensure that development could occur without having implications on the District Plan.

The proposed subdivision will create an increase in traffic volumes as a result of the increase in residential units. Access to each of the proposed allotments will generally be taken off existing access points and not all from the one location. This will allow the increase in vehicle movements to be spread over the entire site, and not create an increase in the demand on one access point only. This will ensure that adverse effects can be reduced from the proposed traffic increase.

Written approvals have been provided by a number of the adjacent land owners (as shown on Figure 2 above). One submission was received initially as part of the original application, but has been subsequently withdrawn and written approval provided from this landowner. It is considered that the locations of the proposed building platforms are located such that adverse effects on neighbouring properties can be reduced. Additionally, as mentioned above, access points to each of the allotments are located at different locations around the site to ensure that the increase in traffic on those adjacent neighbours can be reduced. Overall, adverse effects from the proposed subdivision are likely to result in adverse effects on neighbours which will be less than minor.

It has been demonstrated by the applicant, and subsequently confirmed by Council engineer Mr Hopkins, that the proposed subdivision can be adequately serviced by a potable water supply, reticulated sewerage, telecommunications and electricity.

The applicant has volunteered restrictions on the Rural General zoned balance lot (Lot 100) to ensure that no further development can occur in this location. This is considered appropriate and provides certainty that this land will remain in its natural state in the long term. No other lots have had this restriction volunteered on them, which is also considered acceptable given the size and locations of each lot.

#### *i Lot Size and Dimensions*

From a landscape perspective, Mr Denney states that with the exception of proposed Lots 3 and 4, all of the proposed lots would be of sufficient area and dimensions to fulfil the intended purposes. Lots 3 and 4 would be small and of a similar character to the adjacent Quail Rise Zone. However Mr Denney confirms that the established vegetation around Lots 3 and 4 would largely screen views of the residential development from outside the site. This will reduce the overall appearance of the smaller lot size.

Proposed Lot 6 is a long and narrow shape which would mean that a future building within the proposed building platform would be within close proximity to three common property boundaries with adjoining lots (Lots 1, 7 and 9). The proposed access will separate the boundary between Lot 7, and therefore there will be a visual break between the two lots. This will not be seen from outside the site, as the location is centrally located within the site, hidden by topography and landscaping. Lot 1 and 9 is owned by the applicant and therefore it need not be considered any further.

Mr Denney also states that proposed Lots 6, 9 and 10 and associated platforms are within close proximity to a more open landscape (Rural General land above), and would result in patterning which would be similar to properties located within the Rural Residential land to the west of the site. As mentioned previously, proposed Lots 6, 9 and 10 when viewed from downslope may appear stacked. As there is an existing baseline in terms of building platforms having already been established under previous consents, it is considered that the proposal would not alter significantly from what has been previously approved. With the volunteered design controls and height restrictions, it is considered that any stacking issues would be seen from a distance and only from limited viewpoints. Although the proposed lot sizes and dimensions may appear similar to the adjacent development within the Rural Residential Zone, it would be a natural progression which would not be out of context with the surrounding environment.

As mentioned previously, it has been demonstrated that each of the allotments can be adequately serviced. Therefore it is accepted that each lot is of sufficient size to meet the requirements in terms of servicing.

#### *Subdivision Design – Assessment Matters for Resource Consents*

The relationship and size of the lots will provide for good opportunities for solar gain, although some lots will be shaded by some of the existing landscaping which is sought to be protected by the proposed landscaping plan.

Provisions for pedestrian access have not been provided as part of this application. This will not result in any adverse effects as the site is not within a direct link to the Shotover River or any other public amenity which may need public access provided.

No defined edges exist between each of the zone boundaries, in relation to the orientation of lots, or boundary treatments with land in the adjoining zones. This is largely due to the structural planting that has occurred within the site which makes it more aligned with the adjacent residential lots, rather than typical rural living as seen in other areas. The mix of structure planting throughout the site portrays a more domesticated landscape, rather than a landscape with an open pastoral character. The only defined boundary edge is that with the Rural General land on the up slope from the subject site. The boundary between the Rural General and Rural Lifestyle is defined largely by the contour and gradient of the slope. This will be maintained to a certain extent through the restriction on the areas to be retained as open pastoral land.

The proposed residential building platforms are located throughout the site, with earthworks proposed to further sit them into the site to provide for screening opportunities. The proposed subdivision will not affect the opportunities for views from properties in the vicinity as the residential building platforms are located within natural depressions within the site, and/or within areas where landscaping can provide for screening of future buildings. This will ensure that no future buildings within any of the proposed allotments will create any dominance effects.

The effects of the scale and nature of the earthworks proposed for the subdivision will be relatively minor in comparison with the overall site area. It is important to note that there are a number of existing consents approved within the site which allow for earthworks to be undertaken within the site. At the date of this report, a large volume of those earthworks areas have been undertaken. Existing conditions of consent have been imposed, with further conditions of consent recommended should consent be granted. It is accepted that the level of mitigation with the site management plan will ensure that adverse effects from earthworks as a result of the subdivision will be mitigated.

With respect to the safety and efficiency of the roading network and the proposed roading pattern, Council's engineer Mr Hopkins has confirmed that with appropriate conditions of consent, the internal roading network, in terms of roading hierarchy, standards of design, construction for roads and private access can be achieved.

Should consent be approved, then it is also recommended that new vehicle accesses are installed prior to any future building being constructed within any of the allotments. This will ensure that new accesses created by the subdivision will adequately address any concerns on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.

Council's engineer Mr Hopkins have confirmed that adequate provisions for servicing can be achieved within the site to ensure that there will be no adverse effects on infrastructure at the time any future buildings are constructed. Should consent be approved, a number of conditions of consent are recommended which would require the appropriate connection to services to occur prior to new titles being issued.

#### Affected Persons

As identified within Section 5.0 above, and as shown on Figure 2 above, a number of the adjacent property owners have provided written approval with respect to the proposed development. It is therefore considered that adverse effects on those persons identified above in Section 5.0 can be disregarded.

In terms of other neighbouring properties who have not provided written approval, it is considered that the proposed development will be well contained within the site to ensure that adverse effects can be mitigated. Views of some future buildings within building platforms are likely to be seen, but as confirmed by Mr Denney, these views will be fleeting and at a long distance which will reduce the overall visibility. In terms of lot sizes, the overall vegetation and existing topography will be able to absorb the development to an extent where adverse effects on adjacent properties will be less than minor.

Overall no person has been deemed to be adversely affected. Additionally, the application has been publicly notified therefore it is considered that all property owners would have been given the opportunity to submit on the application.

#### Contaminated Soils

All applications for resource consents which change the use of land are required to be considered under the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health.

The applicant has provided what is considered to be a sufficient history of the site in terms of what activities have been undertaken on the site. The applicant (and owner of the property for some time) confirms that the site has not had any sheep dips located anywhere within the site or locality. The applicant has also confirmed that the Otago Regional Council have advised that their records show no contaminated sites within the subject site, or within the vicinity of the property. The applicant has also reviewed the QLDC records, and has also confirmed that there are no hazardous activities or building, as shed/cattle yards or woolshed which may have contained such activities.

Based on the information provided by the applicant, it is considered that there is no evidence to suggest that the land is subject to this applicant included a use on the HAIL list. Therefore it is considered highly unlikely that there would be a risk to human health as a result of the proposed development.

#### Positive Effects

The resulting subdivision will allow for a development which will form a natural progression along the existing area of development in a location which can adequately absorb the additional development. In addition, it will provide more residential allotments within this area to provide for Rural Lifestyle living areas.

#### *Summary of Effects on the Environment*

In summary, it has been demonstrated above that the proposed development will be appropriate for the site in terms of being assessed against the relevant assessment matters within Parts 4, 5, 8 and 15. The removal of proposed Lot 8 and associated building platform provides for more open space within the Rural General zoned land in the upper part of the site. The existing topography and landscaping within the site helps to provide for an area which has the ability to more readily absorb development of this scale, by providing appropriate screening to future buildings within the proposed building platforms. Appropriate design controls and height restrictions have been volunteered by the applicant which allow for future buildings to be further absorbed within the site. This will also help to mitigate adverse effects from the appearance of building 'stacking' from some viewpoints. The distance and separation from a number of locations where the site will be visible, will also help in reducing adverse effects in terms of visibility and to decrease the appearance of residential density within the site.

Adverse effects from the proposed earthworks within the site will be mitigated through appropriate site management conditions, with the majority of the cut areas being mitigated by the construction of future buildings within each of the building platform areas. Nuisance effects such as dust and sediment runoff will be adequately contained within the boundaries of the site through appropriate conditions of consent.

Furthermore, recommended conditions of consent can be imposed which would require the appropriate service connections to occur prior to new titles being issued. It has been demonstrated



that each of the sites can be serviced. This has been accepted by Council's engineer and considered that, with the recommended conditions of consent, adverse effects on infrastructure can be avoided.

Overall, Council's landscape architect considers that the development would result in an intensification of built form within the landscape, with an increased prominence of residential activities in relation to the lot size. With the application being amended to remove proposed Lot 8 from the application, it is accepted that the overall site has more ability to absorb the level of intensification. Proposed earthworks within Lot 7 will reflect those already approved by RM120503, whereby the crest of the ridge would be removed to reduce the overall mitigation within that allotment. However as the building platform is to be located within a natural depression, a future building within Lot 7 would still be able to be well screened by topography and existing vegetation.

Lots 3 and 4, being the smaller of the lots within the development, will appear more aligned with the adjacent development within Quail Rise. The established hedgerow along the proposed boundary will provide for screening of these lots, with the location of Healecote Lane providing for some separation between the two developments.

Lot 5 and Lot 11 would result in fleeting views of built form within the building platform. Existing vegetation would help to provide mitigation of these minor adverse effects.

Overall it is anticipated that the proposed development will provide for adequate mitigation to ensure that adverse effects will be no more than minor on any person or the environment.

### **9.3 OBJECTIVES AND POLICIES**

Relevant objectives and policies are contained within Parts 4 (District Wide Issues), 8 (Rural Living), 5 (Rural Areas) and 15 (Subdivision) of the District Plan.

#### **Part 4 – District Wide Issues**

##### **Objective:**

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

##### **Policies:**

#### **1 Future Development**

- (a) *To avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation.*

The site has the potential to be vulnerable to degradation due to its visual prominence from some view points, and the resulting configuration of the proposed allotments, being smaller than anticipated for the zones. However the existing landscaping and topography of the site will ensure that adverse effects can be successfully avoided, remedied or mitigated. The proposal will not be contrary to the above policy.

- (b) *To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.*

The existing landscaping provides for extensive screening within the site, meaning that the proposed subdivision can be absorbed within the site to ensure that it does not detract from landscape and visual amenity values. The increased density of buildings within the site could mean that the proposal will not be adequately absorbed into the site and surrounding areas, but as previously mentioned, the existing landscaping and topography of the site, along with proposed landscape and design controls, will ensure that the development will be successfully absorbed, and such will not be contrary to the above policy.

- (c) *To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.*

The proposed subdivision will utilise the existing topography to its advantage to ensure that the overall development is in harmony with the surrounding land uses and topography. Where it has been identified that Lot 5 and 11 will breach the skyline, it is considered that these breaches would be minor in scale given the overall distance from adjacent sites, vegetation and topography which will provide mitigation. Overall the proposal will not be contrary to the above policy.

#### **4. Visual Amenity Landscapes**

- (a) *To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:*
- *highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and*
  - *visible from public roads.*
- (b) *To mitigate loss of or enhance natural character by appropriate planting and landscaping.*
- (c) *To discourage linear tree planting along roads as a method of achieving (a) or (b) above.*

The combination of the existing landscaping and undulating topography will provide adequate mitigation to ensure that the site is not highly visible and there is no significant loss to the natural character of the site. Some linear planting exists within the site where hedgerows have been planted, but due to the contour of the site, the appearance of the linear form is reduced to ensure that a level of naturalness will be maintained. Overall the proposal will not be contrary to the above policies.

#### **5. Outstanding Natural Features**

*To avoid subdivision and/or development on and in the vicinity of distinctive landforms and landscape features, including:*

- (a) *in Wakatipu; the Kawarau, Arrow and Shotover Gorges; Peninsula, Queenstown, Ferry, Morven and Slope hills; Lake Hayes; Hillocks; Camp Hill; Mt Alfred; Pig, Pigeon and Tree Islands;*  
- *unless the subdivision and/or development will not result in adverse effects which will be more than minor on:*
- (i) *Landscape values and natural character; and*
  - (ii) *Visual amenity values*

The proposal will retain an area of open pastoral land within proposed Lot 100 which will provide a buffer between the proposed subdivision and the ONF. This will ensure that the landscape value, natural character and visual amenity values are protected.

- *recognising and providing for:*

- (iii) *The desirability of ensuring that buildings and structures and associated roading plans and boundary developments have a visual impact which will be no more than minor in the context of the outstanding natural feature, that is, the building etc is reasonably difficult to see;*
- (iv) *The need to avoid further cumulative deterioration of the outstanding natural features;*

The proposal will not visually impact on the adjacent ONF, or provide any further cumulative deterioration of the ONF due to proposed Lot 100 providing a buffer zone between the development land and the ONF.

## **7. Urban Edges**

*To identify clearly the edges of:*

- (a) Existing urban areas;*
- (b) Any extensions to them; and*
- (c) Any new urban areas*
  - by design solutions and to avoid sprawling development along the roads of the district.*

An urban edge exists along the boundary of the Quail Rise Zone where there is a visual separation between the residential and rural areas. Increased density within the subject site could result in an extension to the urban development, which would in turn result in an unclear boundary between the edges of the existing urban area. However as the subject site has extensive landscaping throughout it, it appears less akin to the rural living character seen in other areas. The proposed boundaries and heavily vegetated site will still provide for some separation between the zones to ensure that the urban area remains visually separated. As such the proposal will promote the policy above.

## **8. Avoiding Cumulative Degradation**

*In applying the policies above the Council's policy is:*

- (a) to ensure that the density of subdivision and development does not increase to a point where the benefits of further planting and building are outweighed by the adverse effect on landscape values of over domestication of the landscape.*
- (b) to encourage comprehensive and sympathetic development of rural areas.*

Although the increased density as a result of the proposed subdivision will be visible from some surrounding view points, it will be from a distance and at fleeting intervals which will reduce overall adverse effects. The site portrays a level of domestication as a result of the existing buildings and landscaping throughout. The existing domestication within the site will assist in ensuring that the proposed subdivision can be successfully absorbed into the existing vegetation and topography. This will ensure that the development can be sympathetic with the rural area. The proposed area in the upper part of the site, where open pastoral land is to be maintained will ensure that the rural character can be maintained in the more visible parts of the site. Therefore, the proposed development will not be contrary to the above policies.

## **9. Structures**

*To preserve the visual coherence of*

- (a) outstanding natural landscapes and features and visual amenity landscapes by:*

The proposed development will be in harmony with the line and form of the landscape as it will utilise the existing topography within the site to ensure that future buildings are appropriately mitigated.

Existing vegetation within the site will help to provide mitigation of adverse effects where future buildings may breach the skyline, ridges or slopes within the site. Volunteered design controls will ensure that future buildings and structures complement the dominant colours in the landscape.

- (b) visual amenity landscapes*

As previously mentioned the existing vegetation within the site will provide screening of future buildings and structures from roads and other public places where possible to maintain and enhance the naturalness of the environment.

- (c) All rural landscapes by*
  - providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads.*

The proposed building platform within Lot 4 will result in the closest residential activity to a road, being adjacent to Healecote Lane. Healecote Lane is a low volume road which provides access to properties further along the lane. Lot 4 contains an existing hedgerow running along the length of the boundary with this road. A condition to restrict the height of this hedge to 2.5 metres will ensure that amenity values along this road are maintained. Overall, the proposed subdivision will not be contrary to this policy.

#### **4.8 Natural Hazards**

##### **Objective 1**

***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 *To ensure that within the consent process any proposed developments have an adequate assessment completed to identify any natural hazards and the methods used to avoid or mitigate a hazard risk.*

The site is shown on the QLDC Hazard Register Maps as being potentially subject to liquefaction, and as Council's engineer has also identified being located within an area which is subject to shallow debris flows during episodes of heavy rainfall. These risks have been adequately addressed in terms of providing certainty that the proposed development will not result in adverse effects from these hazards. Specific conditions have been recommended by Council's engineer Mr Hopkins to ensure that the adequate mitigation measures are put in place to meet the appropriate standards.

Overall, providing the recommendations above are adhered to, the proposed allotments and building platforms will be suitable for residential development and will not be subject to, or exacerbate any, hazards.

#### **4.10 Earthworks**

*Objective – seeks to avoid, remedy or mitigate the adverse effects from earthworks on, water bodies, the nature and form of existing landscapes and landforms, land stability and flood potential of the site and neighbouring properties, the amenity values of neighbourhoods, cultural heritage sites, including waahi tapu and waahi taoka and archaeological sites, and the water quality of the aquifers.*

Policies 1 – 3 seek to minimise sediment run-off into water bodies through the adoption of appropriate mitigation measures, by avoiding earthworks close to water bodies, by minimising the area of exposed earth and the length of time it remains exposed. Appropriate site mitigation measures can be adopted to ensure that adverse effects as a result of the proposed earthworks can be adequately contained within the site boundary.

Policy 4 seeks to avoid or mitigate adverse visual effects of earthworks on outstanding natural landscapes and outstanding natural features. The extent of the proposed earthworks will be contained within the site, and will be mitigated at such time a dwelling is constructed within each of the proposed building platforms. As such, it is considered that the proposed earthworks will be adequately mitigated on the adjacent ONF and as such will meet this policy.

Policies 5 – 7 seek to avoid earthworks on steeply sloping sites and land prone to erosion or instability, to protect the existing form and amenity values of residential area by restricting the magnitude of filling and excavation, and by adopting techniques to minimise dust and noise effects. Although the site is steep in parts, the proposed locations of each of the building platforms has taken this into account to ensure that the locations are sympathetic with the existing topography to ensure that fill areas and cut heights are minimised.

Policies 8 – 12 seek to ensure that the appropriate authorities are consulted with, and contacted if required during the work in the event of any item of cultural or heritage significance is discovered. Recommended conditions of consent will ensure that this occurs, if consent is granted.

The proposal is not contrary to the above policies in relation to earthworks, and will overall not be contrary to the Part 4 objectives and policies as they relate to the application.

## **Part 5 – Rural Areas**

The Rural Area provisions build upon the District Wide objectives and policies relating to landscape which have been discussed in detail above. For this reason, an assessment against the relevant Part 5 objectives and policies is summarised below.

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 resource in a sustainable manner, but not utilising land with potential values to be used inappropriately.

Proposed Lots 5 and 7, the associated residential building platform within Lot 7, and Lot 100 will be the only lots which will be contained within the Rural General zoned portion of the site. The proposed building platform within Lot 7 is located within a natural depression of the site, and within an area where extensive earthworks have been undertaken under previous resource consents, therefore the location is considered to be appropriate. Its location will enable the remainder of Lot 7 to be included within an area which will be retained as open pastoral land. Lot 100 will continue to be utilised as pastoral grazing to ensure that land with potential rural values is not lost.

Objective 3 - *Rural Amenity* seeks to avoid, remedy or mitigate adverse effects 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 which may result in a loss of rural amenity values, while appropriate setback distances are maintained between residential dwellings and property boundaries, given the topography of the site.

The proposed residential development will result in an additional dwellings being located within an existing node of landscaping which provides for a site which appears to have a higher level of domestication. As mentioned above, the proposed building platform within Lot 7 will be set into an existing natural depression which has been subject to previous consented earthworks. However the location of the proposed building platform will be well setback from internal boundaries in relation to the adjoining lots, to ensure that there is no loss of rural amenity to adjacent sites.

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

## **Part 8 – Rural Living Area**

Objective 1 – *Rural Living* seeks to establish low density rural living sites which are managed and contained in both extent and location.

Policies 1.1 – 1.2 require the identification of areas for rural living activity, having regard to self-sufficiency of water and sewerage services, and by recognising and providing for rural living development. The application demonstrates that the site is capable of providing appropriate water supply to each allotment and by ensuring appropriate connections are made to Council's reticulation to dispose of wastewater. Each of the proposed allotments will afford a rural living character by providing for a lot configuration which can meet the overall objective of the zone, even with lower than anticipated lot sizes for the zone.

Objective 2 – *Rural Amenity* seeks to avoid, remedy and mitigate adverse effects of activities on rural amenity.

Policies 2.1 recognises that permitted activities associated with farming in rural areas may result in effects such as smell, noise, dust and traffic generation, which will be noticeable to residents in the rural living areas. The proposed subdivision and development is unlikely to change what exists within the site now, other than in the upper parts of the site in which permitted 'rural' activities can occur.

Policy 2.2 seeks to remedy or mitigate adverse effects of activities, buildings and structures on visual amenity. Proposed building platforms are located within existing vegetation and landforms to ensure that visibility of future buildings within these areas are mitigated. From some viewpoints buildings may be seen, but in conjunction with the volunteered design controls and height restrictions, future buildings will result in minimal effects in terms of visual amenity within the site.

Policy 2.3 seeks to ensure residential dwellings are set back from property boundaries, so as to reduce adverse effects from activities on neighbouring properties. Where building platforms are to be located within the internal boundary setback, established vegetation will provide an appropriate screen to reduce overall adverse effects. Additionally the proposed subdivision has been designed in accordance with the existing vegetation and topography of the site to ensure that the proposed building platforms are located in the most suitable locations. Overall the proposal will not be contrary with the above policies.

## **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. Council's engineer has assessed the proposal and confirms that the proposed access to each of the allotments will be feasible, subject to recommended conditions of consent requiring some remedial works to be undertaken on the access road. 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 no new access points being created onto any of the external roads. 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. Council's engineer has confirmed 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.

Council's engineer has confirmed that the disposal of stormwater within the site will be feasible, but will be subject to further design by an engineer at such a time a dwelling is constructed within each lot. 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.

Appropriate connections to Council's reticulated wastewater system can be made. 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. Although some of the lots sizes are below that anticipated by the Rural Lifestyle Zone, it is considered that each lot will be utilised in a functioning manner to ensure that anticipated land uses can occur within each lot. Lots within the Rural General Zone will have an area to be retained as open pastoral land. This will protect the rural amenity within the Rural General zoned portion of the site.

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 change in that there will be a number of new residential properties located in an area previously void of development. The existing vegetation within the site sets a level of domestication which allows for the subdivision to utilise the existing patterns within the site to ensure that the node of development is maintained in the lower parts of the site, and the upper slopes maintained in its natural state.

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 generally follows the natural line of topography, and vegetation, to 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, but at access points which are located at different points around the site. This will help to alleviate any pressures in terms of the additional traffic generation from the proposed development. The proposed increase is not considered to result in 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. No archaeological sites of significance have been identified within the site, however if anything is discovered during the earthworks then conditions are recommended to ensure that the appropriate authority is contacted.

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

### **Summary of Objectives and Policies**

As outlined above, the proposed development, when assessed against the relevant objectives and policies within Part 4 – *District Wide Issues*, Part 5 – *Rural Areas*, Part 8 – *Rural Living Areas*, and Part 15 – *Subdivision, Development and Financial Contributions*, will not be contrary to the objectives and policies outlined above. When considered overall, the proposal is considered to be an appropriate subdivision and development within the subject site.

## **9.4 OTHER MATTERS**

### **9.4.1 Precedent Effects**

The subject site is located within an area which is surrounded by a number of different zones which provide for different land use activities. The subject site appears to provide a buffer between the lower density development within the Quail Rise Zone to the east, the Rural Residential Zone to the west and the Rural General Zone located above the site to the south. The site is unique in that the property boundaries align with the zone boundary, which means that there is limited scope for future development to extend beyond the subject site. This will ensure that the potential for a precedent effect is low. The proposed subdivision will utilise the existing landform and is likely to bring the level of development within the site to its threshold, where no further development in this area would be appropriate.

It is my opinion that for these reasons, 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 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.*

Section 5(2) of the Resource Management Act 1991 details the purpose of the Act in promoting the sustainable management of natural and physical resources. The proposal promotes sustainable management of natural and physical resources. The applicant is able to provide for their social, economic and cultural well-being by being able to undertake development on their land. The life supporting capacity of air, water, soil and ecosystems of the surrounding area is not significantly affected by the proposed subdivision and development. In addition, the proposal maintains and enhances existing amenity values and the quality of the existing environment through appropriate lot configuration and by utilising the existing landscape and vegetation within the site.

Overall, it is considered that the proposal promotes the overall purpose of the Act.

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.*

Although the subject site is adjacent to an Outstanding Natural Feature, it will not contain any matters of national importance relevant to this proposal.

Under Part 2 of the Act, regard must be had to the relevant matters of Section 7 – Other Matters, including:

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (f) *the maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon*
- (i) *the effects of climate change*
- (j) *the benefits to be derived from the use and development of renewable energy*

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 and 220.

Having regard to section 104 of the Act and the assessment set out in this report, it is concluded that the adverse effects of the development will be adequately avoided, remedied or mitigated and the proposed development will not detract significantly on amenity, views and outlook, nor will it significantly change the character of the existing environment. The existing environment (vegetation and topography of the site) will have the ability to absorb the proposed development.

The combination of the existing vegetation and undulating topography within the site, and proposed and recommended mitigation measures will ensure that future buildings within each of the proposed building platforms will result in adverse effects which will be no more than minor.

Adverse effects from earthworks will be adequately mitigated within the site to ensure that adverse effects will be no more than minor.



The proposed lot configuration and sizes will be adequately contained within the existing contours of the site to ensure that the smaller lot sizes are absorbed. Adverse effects in terms of lot size will be no more than minor.

Adequate provisions for open space will be provided to ensure that the pastoral character in the upper slopes of the site is maintained.

The overall scale and nature of the development will be in keeping with surrounding land uses within adjacent sites.

No persons are considered adversely affected by the proposal.

The proposal is not considered to be contrary 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 the recommended conditions in Appendix 4.

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**Prepared by:**



Lucy Millton  
**PLANNER**

**Reviewed by:**



Adonica Giborees  
**SENIOR PLANNER**

**Attachments:**

|            |   |
|------------|---|
| Appendix 1 | Applicant's Assessment of Effects       |
| Appendix 2 | Landscape Architect's Report            |
| Appendix 3 | Engineering Report                      |
| Appendix 4 | Recommended Draft Conditions of Consent |

**Report Dated:** 10 October 2013

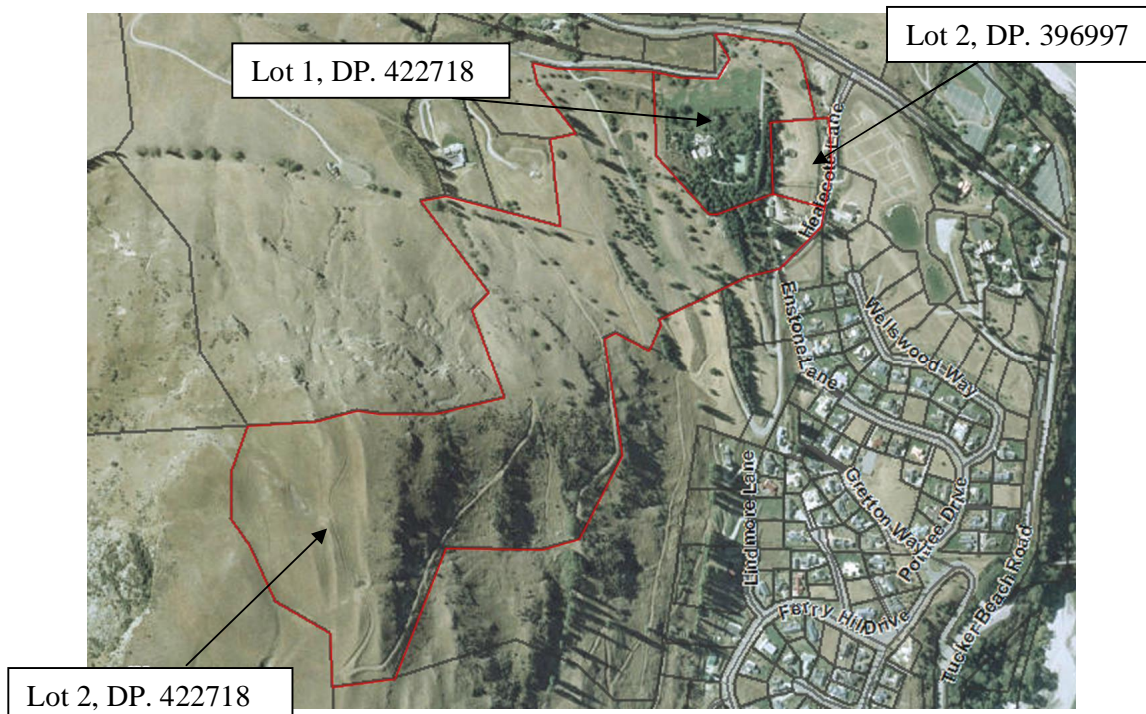
**[A] ASSESSMENT OF EFFECTS**  
**D. AND E. BROOMFIELD**

This Assessment of Effects on the Environment accompanies an application for resource consent under Section 88 of the Resource Management Act 1991 by D. And E. Broomfield to create an eleven lot subdivision with an identified residential building platform within each lot; and associated earthworks and landscaping. This assessment has been prepared in accordance with the Fourth Schedule of the Act in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

**(a) A detailed description of the proposal**

*(i) Site and Locality Description*

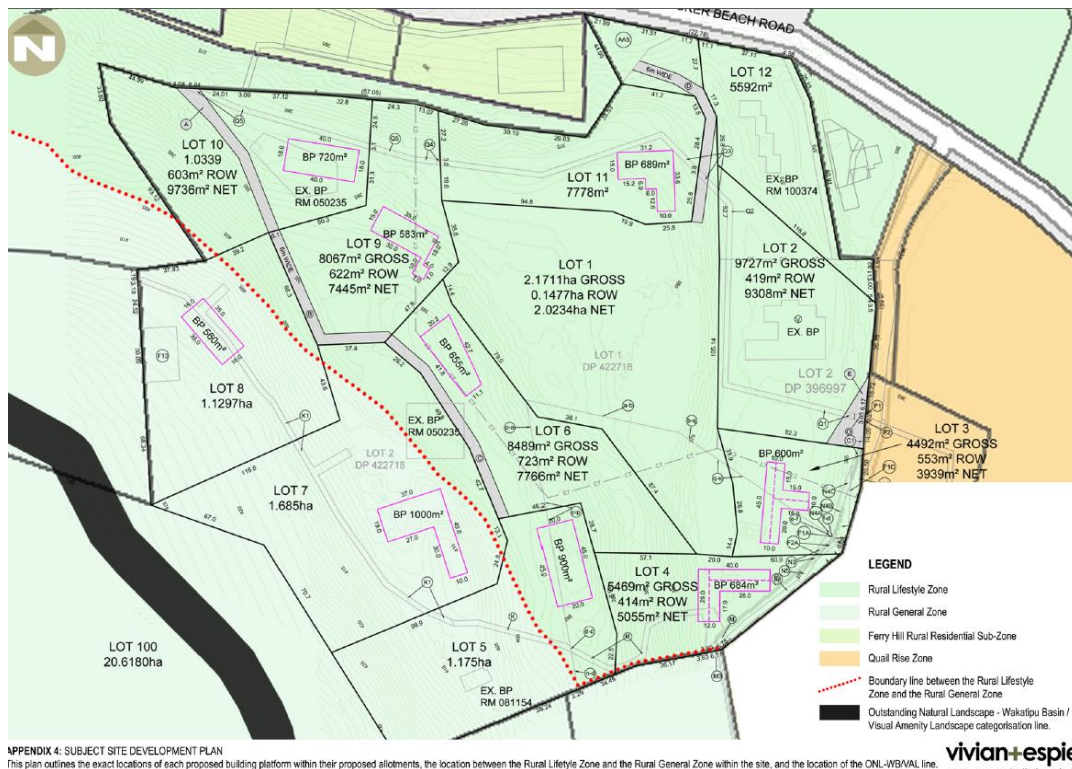
The application site is located above Tucker Beach Road on the lower, eastern slopes of Ferry Hill. The site is currently contained within three legal titles and is a total of approximately 33 hectares in size. The three lots include Lot 1, DP. 422718, which is approximately 4 hectares in size. This site contains an established residential dwelling. Lot 2, DP. 422718 is approximately 28 hectares in size and currently contains two approved residential building platforms. The adjoining lot to the east, Lot 2, DP. 396997 is approximately 1.008 hectares in size. This lot contains an established residential dwelling.



*Aerial view of the application site (Source: QLDC Website)*

The site includes the summit of Ferry Hill which is at 694 masl and contains land of steep topography falling from the summit down to the Shotover River to the north east. The site is mainly covered in grass, with scattered trees and shrubs. The undeveloped portions of the site are currently grazed by sheep via a lease arrangement with a local farmer.

The application site is located partially within the Rural General zone and partially within the Rural Lifestyle zone; as shown on the plan below – the red dotted line denotes the boundary between the two planning zones.



*Lower portion of application site detailing District Plan zones and the location of proposed building platforms*

The land surrounding the application site is predominantly a rural living zoned area, which adjoins Quail Rise to the east, the Rural General zoned land of Ferry Hill to the south and west, and the Ferry Hill Rural Residential sub-zone to the north. Ferry Hill itself is identified in the District Plan as being an Outstanding Natural Feature and is also within an Outstanding Natural Landscape - Wakatipu Basin. The lower portions of the site have been identified as being within a Visual Amenity Landscape. The black line on the above plan denotes the landscape boundary.

(ii) *Resource Consent History*

The site has been the subject of a number of resource consents, of which the following are considered to be particularly relevant to the current proposal:

Resource consent RM020631 subdivided the site into three lots, and created residential building platforms on Lots 1 and 4.

RM050235 approved the further subdivision of the RM020631 site into a total of six lots, including the establishment of three additional building platforms - the platform on Lot 2, DP. 382896, which has now been developed and two building platforms within Lot 5.

RM060784 approved land use consent to undertake earthworks in the area of the building platform on Lot 5. This consent required that a covenant be registered on the title of Lot 2, DP. 422718 which states that for the purpose of determining the height of any future buildings on the platform, ground level shall be as shown on the survey plan prepared prior to the earthworks being undertaken.

RM081154 gave approval for a building platform for an accessory building, to be located near the south boundary of Lot 5.

RM100374 approved subdivision consent to subdivide the three existing lots into five lots, and to undertake associated earthworks.

In November 2011, RM110704 varied conditions of the approved RM100374 subdivision to alter the building platform and amend the building height limit for Lot 2. The amended subdivision plan that was approved as part of this variation application also created new water easements over Lots 1, 2 and 3 and altered the sizes of these lots.

RM120503 was approved to reduce the size of Lot 4 and increase the size of Lot 5. This variation consent also included a new easement for stormwater purposes which also caused a change in the location of the approved building platform within Lot 4. A land use consent for associated earthworks was also approved as part of this consent.

In February 2013 resource consent RM120797 approved the variation of the earlier subdivision consent RM100374, to enable the subdivision to be developed in two stages; with Lots 1- 3 and a balance lot being developed as Stage 1, with Lots 4 and 5 being developed as Stage 2.

A copy of the applicable Computer Freehold Registers and legal encumbrances are contained in Attachment **[B]**.

(iii) *Introduction to the proposal*

Consent is sought to undertake an eleven lot subdivision with each lot containing a residential building platform. The proposal provides for nine future residential dwellings, as two of the lots – Lot 1, DP. 442718 and Lot 2, DP.396997, already contain established dwellings. All of the proposed new building platforms are within the parts of the site identified as a Visual Amenity Landscape. The portion of Ferry Hill which has been identified as an Outstanding Natural Feature will be held in Lot 100 which will be amalgamated with Lot 1, and will remain in pastoral use. Lot 12 is not included in this application as a separate title is soon to be issued for this site.

The plans detailing the proposed new subdivision and proposed building platforms are included in Attachment **[C]**. The dimensions for the proposed new lots and building platforms are as follows:

| LOT                          | LOT SIZE  | BUILDING PLATFORM SIZE   | ACCESS  |
|------------------------------|---|--|---|
| 1<br>(181 Tucker Beach Road) | 2.02 hectares net<br>(plus the remainder of Lot 2 on the upper slopes of Ferry Hill, which becomes Lot 100 and is 20.6 hectares in size). | Already consented and contains an established dwelling. This lot will be amalgamated with the upper portion of Lot 2, which will become Lot 100. | Access already exists, via Tucker Beach Road and a private Right of Way.                      |
| 2<br>(4 Healecote Lane)      | 9308m <sup>2</sup> net  | Already consented and contains an established dwelling.  | Access already exists, via Healecote Lane.  |
| 3                            | 3939m <sup>2</sup> net  | 600m <sup>2</sup>  | Access will be via Healecote Lane.  |
| 4                            | 5055m <sup>2</sup> net  | 684m <sup>2</sup>  | Access will be via Healecote Lane.  |
| 5                            | 1.17 hectares net   | 900m <sup>2</sup>  | Access will be via an existing ROW over Lot 10 and then a proposed new ROW over Lots 6 and 9. |
| 6                            | 7766m <sup>2</sup> net  | 655m <sup>2</sup>  | Access will be via an existing  |



|  |                        |   |   |
|--|------------------------|---|---|
|  |                        |   | ROW over Lot 10 and then a proposed new ROW over Lot 9.   |
| 7  | 1.68 hectares net      | 1000m <sup>2</sup><br>Note that RM050235 approved a building platform located partially within Lot 7, which will be cancelled.  | Access will be via the existing Right of Way over Lot 10 and then a proposed new ROW over Lots 6 and 9. |
| 8  | 1.13 hectares net      | 560m <sup>2</sup><br>Note that a no development area within Lot 8 is detailed on the proposed subdivision plans as F13.   | Access will be via an existing ROW over Lot 10 and then a proposed new ROW over Lot 9.                  |
| 9  | 7445m <sup>2</sup> net | 583m <sup>2</sup>   | Access will be via the existing ROW over Lot 10.  |
| 10   | 9736m <sup>2</sup> net | 720m <sup>2</sup><br>Note that Variation RM120503 approved a building platform in a similar position to that now proposed for Lot 10 and this earlier building platform will also be cancelled. | Access will be via the existing ROW over Lot 10.  |
| 11   | 7778m <sup>2</sup> net | 689m <sup>2</sup>   | Access will be via a ROW over Lot 1.  |
| Remainder of Lot 2, DP. 422718 will be amalgamated with Lot 1. | 20.6 hectares          | A covenant will prohibit any future development on the newly created Lot 100.   | This lot will continue to be used for farming purposes with lots located nearby.                        |

All of the proposed new building platforms are 1000m<sup>2</sup> or less in size. The building platforms proposed for Lots 1, 2, 3, 4, 5, 6, 9, 10 and 11 are located within the Rural Lifestyle zone. The platforms for Lots 7 and 8 are located within the Rural General zone, as detailed on the attached plans.

All of the proposed new building platforms will have set height limits above finished subdivision ground level, to reduce the visibility of the future dwellings within each building platform and to comply with the District Plan and Consent Notice requirements that relate to the site. The height limits are detailed on the subdivision plan in Attachment [C]. The building platform finished ground levels are also detailed on the earthworks plans in Attachment [C]. The proposed height limits prescribed for the future buildings within each building platform are as follows:

- Lots 3 and 4 – 5.5 metres at the dashed ridge line and 3.5 metres along the edge of the building platform;
- Lots 5, 7 and 10 – 5.5 metres;
- Lots 6, 8 and 9 – 4.5 metres;
- Lot 11 – 4 metres.

It is noted that these height limits are less than the 8 metre height limit set for the Rural General and Rural Lifestyle zones in the District Plan and are also less than what has been approved for the existing building platforms on the site via the previous resource consent decisions and encumbrances that apply to the approved building platforms. Consent notice conditions specify a 7 metre height limit for most.

Some of the proposed new building platforms are closer than the 10 metres internal setback requirement from adjoining lots within the proposed subdivision due to the site topography and location of existing vegetation. The building platform on Lot 4 is approximately 8 metres from the inside of the Healecoate Lane private Right of Way. Consent is sought for these breaches as they are all minor in scale and will not create adverse environmental effects. None of the proposed building platforms breach the setback requirements adjoining any neighbouring sites.

As this application provides for a comprehensive development of the site it will supersede previously approved resource consent decisions and consent notices applicable to the site. The two building platforms approved via resource consent RM050235, as varied by RM120503 on Lots 7 and 10 will not be exercised.

A building platform for an accessory building below Lot 5 that was created via consent RM081154 will remain. Work to exercise this consent has recently commenced in accordance with the approved consent conditions.

(iv) *Amalgamation of Lot 1 with Lot 100*

The upper slopes of Lot 2, DP. 422718 will form Lot 100 and this lot will be amalgamated with Lot 1. The intention is for Lot 100 to remain in pastoral farm use, in conjunction with land located nearby which is utilised for this purpose. To ensure that no development occurs on Lot 100 the following condition of consent is proposed:

- *The consent holder shall immediately after the commencement of this consent register a covenant on the Computer Freehold Register to prohibit any further subdivision or buildings from being established on Lot 100.*

A condition requiring the lot to be amalgamated with Lot 1 is also suggested, as follows:

- *Lots 1 and 100 hereon are to be held in the same Computer Freehold Register (CSN request number to be confirmed).*

(v) *Design Controls*

The following design controls are proposed to ensure that any future dwellings within the building platforms are appropriately recessive in the receiving environment, and to be consistent with the design controls that have been applied to other dwellings in the vicinity:

- *All external cladding of future buildings shall be of local schist stone, unpainted or painted timber weatherboards or solid plaster. Colours shall be recessive and in the natural range of browns, greens and greys.*
- *All roofing of future buildings shall be of slate, timber shingles, Steel Tray Roofing or Colorsteel. Colours shall be recessive and in the natural range of browns, greens and greys.*
- *Spouting and downpipes and joinery shall match or be darker than selected roof and wall colours.*
- *All fencing located within the open pastoral land, as outlined on the Structural Landscape Plan shall be post and wire fencing only, including deer fencing.*

If it is considered warranted, a design control relating to lighting could also be included, although it is noted that any building within an identified building platform will require a controlled activity resource



consent and lighting is more appropriately dealt with at this later stage. A proposed condition on lighting is:

- *There shall be no exterior lighting associated with future dwellings or associated outdoor areas other than down cast bollard lighting or sensor operated security lighting.*

(vi) *Staging of the Development*

The applicant seeks that the application be staged and volunteers that the following condition be placed on the consent to provide for this:

- *The subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:*
  - *Stage 1: Lots 1, 3, 4 and 100;*
  - *Stage 2: Lots 6, 9; 10 and 11,*
  - *Stage 3: Lots 5, 7 and 8.*

*All necessary subdivision works (such as servicing, provision of formed access and other works required to satisfy conditions of this consent) shall be completed for each stage prior to certification being issued as necessary under sections 223 and 224(c) of the Resource Management Act 1991.*

(vii) *Access*

The closest public road is Tucker Beach Road, which provides the access to the site. The development proposes that Lots 2, 3 and 4 be accessed from the existing sealed private Right of Way called Healecote Lane. Lots 1 and 11 will be accessed from a sealed Right of Way that currently provides access to Lot 1. The remainder of the lots – Lots 5 to 10 will be accessed from the existing 6 metre wide Right of Way over Lot 10 and then a newly created 6 metre Right of Way which extends over Lots 6 and 9. Lots 6 and 9 will contain easements for the adjoining lots, 5, 6, 7, 8 and 9 to have Right of Way access over the newly created access. Details relating to access to the new lots is contained in the Services Report in Attachment [E].

(viii) *Earthworks*

To create the access ways to each lot, earthworks are required in some areas to provide a suitable gradient. Earthworks are also proposed for site landscaping purposes. This includes earthworks to lower the height of some of the building platforms and to create earth bunds to ensure privacy between lots and obscure views of the future buildings from adjoining areas. Some depressions on parts of the site will be filled so that the earth cut to create the building platforms does not require removal from the site. The access ways to most of the building platforms already exist, mainly as farm tracks, although some are currently not sealed. The earthworks plans are included in Attachment [C]. These plans also detail the earthworks that have been previously approved via resource consent RM100374, as varied by RM120503. The total earthwork volume proposed is approximately 18,985 cubic metres. No earth will be removed from the site, as any excess fill will be utilised for site landscaping purposes. An earthworks site management plan is included in the appendices in Attachment [E]. The earthworks volumes are detailed below:

| Lot                    | Total Volume               |
|------------------------|----------------------------|
| 4                      | 790m <sup>3</sup>          |
| 5                      | 520m <sup>3</sup>          |
| 6                      | 1550m <sup>3</sup>         |
| 7, including driveway  | 3120m <sup>3</sup>         |
| 8, including driveway  | 2350m <sup>3</sup>         |
| 9, including driveway  | 4660m <sup>3</sup>         |
| 10, including driveway | 1510m <sup>3</sup>         |
| 11                     | 3015m <sup>3</sup>         |
| ROW over Lots 6 and 9  | 1270 m <sup>3</sup>        |
| Lot 100 access         | 200m <sup>3</sup>          |
| <b>TOTAL</b>           | <b>18,985m<sup>3</sup></b> |

The maximum fill height will be approximately 3 metres. The maximum cut will be approximately 5 metres. All the proposed earthworks are within a central part of the site and are not located close to any adjoining properties.

All of the site earthworks will be carried out in accordance with the attached site management plan and standard erosion and sediment control measures, to avoid soil erosion or any sediment entering any water body, in accordance with NZS 4404:2004 and "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. Appropriate dust control

measures to avoid nuisance effects of dust beyond the site boundary will also be implemented. The loading and stockpiling of earth and other materials will be confined to the site subject to this application.

It is proposed that the subdivision be staged, as outlined above. The staging of the development will reduce traffic movements and associated construction effects, as only a few of the lots will have earthworks occurring on them at any one time.

(ix) *Landscaping*

*Structural Landscape Plan*

The structural landscaping proposed for the development is included on the plans in Attachment [D]. It is noted that the site already contains a significant amount of landscaping, particularly on Lots 1, 4 and 6. The intention of the structural landscaping proposed is firstly to retain the existing vegetation on the site. The areas of existing vegetation are identified for protection on the Structural Landscape Plan. Secondly additional landscaping is proposed to screen the future dwellings on Lots 9, 10 and 11 from adjoining areas. The intention is to plant Portuguese Laurel hedging in the locations identified on the Plan. Thirdly, the Plan requires that existing hedges that are situated close to the boundaries of Lots 2, 3, 4 and 8 be retained. The Plan specifies the minimum height for these hedges to ensure that future dwellings within the building platforms are visually screened from adjoining areas. Lastly, the Plan identifies the portions of the site to be kept as open pastoral land. This includes all of proposed Lot 100 and the upper portions of Lots 5, 7, 8 and 10. All of the parts of the site within the Outstanding Natural Feature of Ferry Hill are to be retained in pastoral farm land.

The intention is that the additional landscaping will complement the existing landscaping on the site, to ensure the character of both the site and the surrounding locality is retained.

*Landscape and Visual Effects Assessment Report*

The Landscape and Visual Effects Assessment report is also included in Attachment [D]. This report confirms that Ferry Hill is categorised as an Outstanding Natural Landscape, with the portion of the site in which all the new building platforms are proposed, being within an area identified as a Visual Amenity Landscape (Refer to pages 4 and 5 and Appendix 3 of the Assessment report).

With regard to the two building platforms proposed on Lots 7 and 8 within the upper part of the site, in the Rural General zone, the report concludes that due to the location, low height, site topography and

landscaping, the two platforms will be rendered invisible from most public places. The dwellings within the platforms will not break the line and form of any skylines, ridges, hills or prominent slope. The report concludes on page 13 that “ *the minimal non-prominent visibility of the proposed building platforms on Lots 7 and 8 will bring a small increase in the cumulative effects of development within the landscape....[however] ...these effects are concentrated within areas of the subject site that have a high potential to absorb development.*” The conclusion is that these two platforms will not create inappropriate domestication of the surrounding landscape.

The building platforms within the Rural Lifestyle portion of the site are of a similar density to those on the neighbouring sites. The assessment report states that the site topography and vegetation, within the surrounding visual context allow the seven proposed new building platforms to be well mitigated and will be consistent with the existing patterns of development in the locality. The report concludes on page 22 that “ *... while the proposed development in the Rural Lifestyle Zone will increase density, it will fit within existing patterns of development that have been created by the Quail Rise Zone, the Ferry Hill Rural Residential Sub Zone and some small lot subdivision within the Rural General Zone. As such, while it will lead to some minor cumulative effects, it will not alter the amenity and landscape appreciation that observers currently enjoy.*”

(x)      *Site servicing*

The Services Report in Attachment [E] sets out the servicing details for the proposed development. It recommends conditions to ensure that the development will not generate any adverse environmental effects in terms of infrastructure. A summary of the report is as follows:

*Stormwater Disposal*

The Services report recommends that all run-off from impervious areas created by the subdivision be disposed on site, to ground. Each new allotment will have an individual on-site stormwater treatment and disposal system designed by a suitably qualified person at the time a dwelling is erected in each platform. The report states that the lots are of suitable size, topography and geology to ensure that these measures will be adequate.

*Water Supply*

The property is connected to the QLDC Quail Rise water scheme and it is proposed that the new lots also connect to this system. The Services report recommends consent conditions relating to the supply, including fire-fighting supply. A water line and easement running through the middle of the proposed

building platform on Lot 8 will require relocation to ensure easy access to the water pipe for future maintenance. It is proposed that this water line and easement, shown as 'K1' on the proposed subdivision plan be moved at the time of subdivision. This also applies to the water supply easement on Lot 4 which will also require re-location at the time of subdivision. The report suggests conditions be placed on the consent on this matter.

#### *Wastewater*

The application site is connected to the Council reticulation system, which services Tucker Beach Road and the Quail Rise Special zone and discharges to the Shotover Waste Water Treatment Plant. The Services report states that adding the lots proposed in this application to the existing network is not considered to be a concern, as the system has sufficient capacity for this. The proposed servicing plan is attached in the appendices to the Services report.

#### *Access*

The Services Report notes that adequate sight line distances are achieved at the intersection of the existing private access with Tucker Beach Road. The report details the proposed alterations to the internal access ways, to provide access to each new lot, including the proposed access widths and provision for passing bays. The report concludes that the proposed access arrangement provides a good traffic outcome, with slightly narrower, sealed access ways calming traffic and providing a 'country lane' aesthetic to the development.

#### *Power Supply and Telecommunications*

Letters confirming that the nine proposed new building platforms can be provided with both power and telecommunication services are included in the appendices in Attachment [E].

#### *(xi) Natural Hazards*

Council's hazards information has confirmed that the lower portion of the application site is within Liquefaction Investigation Category LIC1, which indicates there is a nil to low risk of liquefaction on the lower portion of the subject site. The upper portions of the site within the Rural General zone have been categorised as not being susceptible to liquefaction. There are no other known hazards affecting the site. This information is included in Attachment [F].

(xii) *Contaminated Site Issues*

All applications for resource consents are required to be considered under the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health. Under these regulations, land is considered to be actually or potentially contaminated if an activity or industry on the Hazardous Activities or Industries List (HAIL) has been, or is more likely than not to have been undertaken on that land. The land use history is the trigger in determining whether land requires further assessment under the NES.

With regard to the application site, the applicant has advised on the location of sheep dips in the locality and confirmed that no sheep dips have ever been located on the application site.

The Otago Regional Council Environmental Data Officer advised via email on 11 April 2013, included in Attachment [F], that an investigation of their records indicates that there are no contaminated sites located on, or in, the vicinity of the application site. A review of all the QLDC consents registered against the site, as attached, also does not identify any hazardous activities or buildings, such as sheep/cattle yards or woolsheds, which may have contained such activities.

In conclusion, based on the above research, there is no evidence to suggest that the land subject to this application included a use on the HAIL list. It is considered highly unlikely that there would be a risk to human health resultant from the development of the site as proposed.

**(b) An assessment of the actual or potential effect on the environment of the proposed activity.**

(i) *Statutory Consideration*

Section 88A of the Resource Management Act 1991 (herein referred to as 'the Act') requires an application received to be processed and completed as an application for the type of activity specified in the plan or proposed plan existing at the time the application was made.

(ii) *Relevant District Plan Provisions*

The subject site is partially situated within the Rural General zone and partially within the Rural Lifestyle Zone under the Operative District Plan.

The objectives for the Rural General Zone are described in Part 5 of the District Plan as follows:

**REPORT TO:** Lucy Milton, Planner

**FROM:** Richard Denney, Landscape Architect

**REFERENCE:** RM130386, Broomfield, Queenstown

**SUBJECT:** Landscape Report

**DATE:** Tuesday 3 September 2013

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## **INTRODUCTION**

1. An application has been received for resource consent to subdivide three existing lots into 11 separate lots, and for associated earthworks. The site is located at Tucker Beach Road, Queenstown. The site is legally described as Lots 1 and 2, DP 442718 and Lot 2 DP 396997. In terms of the Queenstown Lakes District Council - District Plan (the District Plan) the site is partially zoned Rural General and partially Rural Lifestyle. Following advice from council's planner I understand that the application is a discretionary activity.
2. I have read the applicants landscape assessment by landscape planner, Paul Smith. The following report is my review of the applicant's landscape assessment.
3. A detailed description of the proposal is contained within the application.

## **SITE DESCRIPTION and LANDSCAPE CLASSIFICATION**

4. A detailed description of the landscape is not provided within the report. Determination of landscape category for the rural general zone land is required by three step process outlined within section 5.4.2.1 of the District Plan. The report writer has relied upon the Environment Court decision C169/2000 in his determination of landscape classification. I have provided a brief description and landscape classification below.
5. The subject site is located upon the north eastern slopes of Ferry Hill, a prominent roche moutonnée landform within the Wakatipu Basin. The hill rises some 300m above the Shotover River to the north. To the south the hill merges into a broader massif of rolling glacial scoured hill country that forms the upland area between Lake Wakatipu, the Shotover River and '*The Gorge*' to the west. The subject site has a north west through to easterly aspect. It is located on the lower slopes where the steepness of the upper slopes tapers off into a shallower gradient and a more depositional landform. The broader hill is almost cone shaped as viewed from the north. There is finer grained landform on the lower slopes consisting of small gullies and ridges shaped around the underlying tilted schist rock strata as typical for much of the undulating schist landforms within the Wakatipu Basin.
6. Upon this is a rural pastoral vegetation pattern. On the upper slopes the land is dominated by rough open pasture with scattered matagouri amongst steep slopes and rock bluffs. Mid slope there is distinct traditional rural pattern of long established

lineal planting of poplars that cross the slopes amongst open pasture. This is intermixed with an increasing concentration of a more recent planting overlay consisting of mixed plantings of hedges, shelterbelts, amenity planting, and small groves of assorted exotic trees. The land use pattern becomes increasingly domestic in nature and scale. The hill slope displays a clear zonation of cultural patterns from top to bottom. There is a more naturalistic open highland countryside upon the upper slopes. On the lower slopes it becomes more enclosed with an increased intensity of introduced vegetation, built forms and a general complexity of landscape pattern with more of a domestic scale.

7. The subject site is located upon the fringe of the open naturalistic landscape of the upper slopes and drops through an undulating landscape of moderately wooded areas and open rough pasture.
8. The Ferry Hill landform is highly visible example of roche moutonnée landform. The scale and form of this landform feature can be appreciated from top to bottom. The peak of the hill is a focal point within the broader landscape and its naturalistic qualities is associated more with the surrounding high country mountains rather than the rural domesticity of the basin below. The changing light on the upper slopes with its relative openness enables a legibility of the landform that is pronounced and at times dramatic. The structural planting of the mature poplars that cut across the slope provide a sense of long established and mature pastoral land use. It is the more recent plantings and built form that has incrementally crept up the slopes that begins to erode its naturalistic qualities and intrude upon the drama of the landform. This begins within the subject property around the 430m to 455m contour but this line varies beyond the property.
9. I like to make the distinction between landform and landscape in that the subject site is upon the slopes of the distinct and highly legible natural landform of Ferry Hill which extends from the summit to the Shotover River. It is very good example of the effects of glaciation on the landscape that have shaped and defined the dramatic landforms in the Wakatipu Basin.
10. Upon this raw form is draped the cultural landscape overlay which in the case of the subject site is one of a pastoral landscape with trees, scattered buildings, hedgerows and smaller fields of open pasture. Upslope this overlay becomes thinner and transitions into open steep terrain where the land is defined by the more natural patterns from erosion, exposure and steep terrain which is part of the outstanding natural feature of Ferry Hill. I consider the subject site falls within a visual amenity landscape (VAL) that is adjacent to an outstanding natural feature which includes the balance of the subject property.
11. In regards to the subject site this is generally in concurrence with Appendix 8A-Map 2 of the District Plan.

## **ASSESSMENT**

12. I have reviewed the landscape assessment provided by the applicant, and have carried out a site visit. I concur with the assessment in parts. In those parts which I consider there is disagreement I have noted and discussed these matters below. The order of assessment matters generally follows that within the applicant's landscape assessment.

### **Section 5.4.2.2 (3) Visual Amenity Landscape**

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

13. I concur with the report on the following :



- The differences between the proposed and consented building platform within Lot 7 would be minimal.
  - Lot 7 and its building platform would have minimal adverse effect on the open character of the adjacent ONL, and the natural arcadian pastoral character of the VAL.
  - The proposed building platform on Lot 8 will have a small adverse effect on the open character of the ONL.
14. I differ to the report in that I consider a future building and associated domestic activity on Lot 8 would compromise the natural or arcadian pastoral character of the surrounding VAL to a moderate degree. This would be due to the proximity of the Morton property building platform within 50m of the site and the relative openness of this part of the landscape enabling views to an increase in built form and domestication.
15. There are no curtilage areas defined within proposed lot 7 or 8. I consider the inclusion of such could assist in mitigation of adverse effects on the natural and pastoral character of the landscape by containing the spread of domestication.

#### *Visibility*

16. I concur with the report on the following :
- That the proposed development would not be highly visible from most public viewpoints, but would be visible from a number of public roads and most specifically Lower Shotover Road and Domain Road.
  - In views from most public roads the existing trees on the site provide a context that would absorb the proposed development for Lot 7.
  - Existing and proposed trees throughout the site would assist in mitigation for the proposed development.
  - The proposed development would not constitute sprawl along the roads of the district.
17. For proposed Lot 8 and its building platform I consider that in views from the Lower Shotover Road, Domain Road and to much lesser and more restricted degree from Littles Road that existing vegetation has limited ability to screen the proposed development. From Littles Road a future building would occupy a ridgeline of Ferry Hill with a backdrop of the lower slopes of the northern Remarkables. This view however would be fleeting and sporadic between roadside vegetation, and would be from about 2km distant. Therefore I consider adverse effects would be minimal.
18. From the lower stretches of Domain Road and along Lower Shotover Road near the junction with Domain Road the subject site is more prominent. Lot 8 and its proposed platform would be identifiable as would Lot 7 and its platform. It would be seen in context of the surrounding eclectic mix of tree plantings that have been established on the site in the last 15 years or so. This does provide an establishing treed context for future buildings.
19. It is noted from the neighbouring dwelling to the west of Lot 8, the Mathieson property, and from the consented building platform on the Moreton property a future dwelling could be visible on Lot 8. From the Mathieson property a building would be located upon the ridgeline with the backdrop of the northern Remarkables. This breach would be small and would be significantly smaller than a potential building within the Moreton property adjacent.
20. From the Moreton property a future dwelling would sit downslope potentially some 50m distant with associated domestic land use around the dwelling. I consider the proposed development within Lot 8 would detract from views otherwise characterised by natural and arcadian pastoral landscapes to a moderate degree from the Moreton property, and for the Mathieson property to a small degree. This

could be mitigated to a limited degree by containment of associated domestication of the landscape through a curtilage area around the Lot 8 building platform.

21. The identification of the form, age and species of all the trees on the site is not provided on the landscape plan. Given the reliance on existing trees for mitigation I recommend the identification of the species of trees so that they can be effectively monitored as part of the consent if granted. It appears that many of the existing trees may be wildling pine species which would be a high risk in this location in terms of spread into the adjacent ONL. I consider that protection of wildling species through a mitigation plan would not be acceptable. The landscape plan should be amended to note that any future planting must avoid wildling species. I also recommend that any replacement trees should be of a grade no less than 1.5m in height and be of a species typical of the rural pastoral landscape such as poplar, oak, or an indigenous trees species such as beech, ribbonwood etc. and of a species without wildling potential.
22. I do not agree that the qualities of openness start above the Moreton property as suggested by the report. The Moreton property and the area to the west of proposed building platform within Lot 8 are within an area of 'open' pastoral landscape. The approved Moreton building platform within this landscape would decrease the level of existing openness to some degree once development occurs as anticipated by that consent. The addition of a proposed building platform within Lot 8 within 50m of the existing Moreton building platform would diminish the openness of the landscape to a small degree.
23. The proposed Lot boundaries potentially give rise to further fragmentation of the landscape. I recommend that all boundary fences be standard farming post and wire only and that there shall be no boundary planting that would accentuate divisions across the landscape.

*Form and density of development*

24. I concur with the report on the following :
- That the proposed Lot 7 building platform would be located in a relatively natural depression.
  - The proposed development would not introduce a density which reflects those characteristics of an urban area.
  - Future additional development may lead to adverse cumulative effects.
25. Proposed platforms in lots 7 and 8 would not be located inside an existing development being two or more houses each not more than 50m apart from the nearest point of the residential building platform. Looking at alternative locations and methods within a 500 metre radius of the centre of each building platform this would include land within the rural residential, rural lifestyle, Quail Rise zones. All these zones anticipate subdivision and include land within the applicant's ownership. I am not aware of any owner or occupier within 1100m radius of the proposed platforms that wishes alternative locations and methods to be taken into account.

*Cumulative effects on the landscape*

26. I concur with the report on the following :
- The two proposed building platforms and associated activities within the rural general zone may potentially combine with existing and consented development to create cumulative effects.
  - That the building platform within Lot 7 has the capability to absorb development.

- The proposed development is not likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes.
27. Proposed Lot 8 and its building platform would be in close proximity to an approved building platform on the Moreton property. I consider building platform 7 would lead to further domestication of the landscape such that the existing building platform on the Moreton property represents the threshold with respect to the vicinity's ability to absorb change. I consider that the proposed Lot 8 and its building platform would exceed the threshold.
28. Lot 8 has limited ability to contain development as it is upon an open slope without any established planting for mitigation.
29. As suggested above adverse effects of the proposed development within Lot 8 could be mitigated to a limited degree by a defined curtilage area to contain development. I don't believe however there is any other potential to avoid, remedy or fully mitigate the cumulative adverse effects of the proposed development on the landscape.

#### *Rural Amenities*

30. I concur with the report on the following
- The proposed development within the VAL would maintain adequate and appropriate visual access to the arcadian landscape and open slopes of Ferry Hill for Lot 7 and the associated building platform.
  - The proposed development would not compromise the ability to undertake agricultural activities on the surrounding land or require infrastructure consistent with urban landscapes.
31. Landscaping would be generally that of the already existing trees. These are an eclectic mix of trees which I consider to be more of a response to fragmentation of the land rather than a response to traditional farming practices. The proposed Portuguese laurel hedge along the proposed Lot 8 boundary would be domestic in scale and nature. The more recent pattern of tree planting is consistent with the increased domestication patterns of the landscape downslope.
32. The proposed building platform on Lot 8 I consider is not set back sufficiently from property boundaries to avoid remedy or mitigate the potential effects of new activities on the existing amenities of the Moreton and Mathieson properties. Lot 8 platform would be within 50m and in sight of the consented Moreton platform. Its proximity would appear relatively close in the rural general zone and given the wider landscape has some ability to absorb development there is no such ability between the proposed platform and the Moreton platform. I consider the views and privacy of the Moreton platform and property would be compromised by the placement of the proposed Lot 8 platform.

#### **Section 5.4.2.3 Assessment Matters General**

I will only provide comment on those assessment matters not previously addressed in the report.

#### *Earthworks*

33. Much of the earthworks proposed within Lot 7 would be difficult to view beyond the subject site due to the extent and maturity of existing trees on the site and the neighbouring sites downslope. Adverse effects on the visual quality of the landscape, and the visual amenity values of surrounding sites would be generally minimal.

34. I consider however the amenity values of the landscape would be adversely affected as proposed earthworks within Lot 7 would remove the crest of the ridge that contains the depression to which the bulk of the building platform would be located. This would degrade the natural landform, and increase the visibility of a future dwelling to some degree from Domain Road and Lower Shotover Road. I consider the removal of the crest would create an area inconsistent with the character of the surrounding landscape and increase the visibility of a future building to a small degree. I recommend that the proposed removal of the crest above the 408m contour should be avoided and instead it should be retained in its current form to maintain the natural topography and assist in mitigating a future dwelling.
35. A proposed new access drive would be cut into the slope on Lot 8 to provide a new access to the proposed building platform. This would likely require the removal of some of the trees in the small avenue running along the existing farm track access to the platform. These trees are not identified on the landscape plan to be retained. This cut would be visible from beyond the site, although once batter slopes are grassed this would be less prominent. The proposed cut track would also link to an existing farm track further upslope. The cut for the platform formation would be over 4m and would also be visible from beyond the site. This cut however would potentially be screened by a future dwelling. I recommend that all areas of exposed earth are grass seeded within 3 months of completion of earthworks to enable landform modifications to blend with the surrounding pastoral landscape.

### **Rural Lifestyle**

36. I concur with the report on the following:
- The average lot size for proposed lots within the rural lifestyle zone is 0.9 hectares, the zone standard is the average to be no less than 2 hectares and a minimum lot size of 1 hectare.
  - The proposed development when viewed within the wider landscape would appear at a similar density to existing development to the west of the subject site.
  - Lot shapes have in general been designed to take account of site topography and existing features with building platforms located to take advantage of solar gain, views and reduced visibility of future dwellings from public places.
  - That the increase in density would not be visible from Tucker Beach Road.
  - The vegetation and topography on the subject site and the adjacent built form within the Quail Rise zone would generally screen views towards proposed building platforms from Quail Rise.
  - From Lower Shotover Road and Domain Road the proposed development would generally be seen in context of an established and establishing treed context and within terrain with some undulation that has the ability to absorb much of the development without significant prominence. (With the exception of proposed building platforms within Lots 9, 10 and 11).
  - From further afield, including Slopehill, Speargrass Flat Road, Coronet Peak and Littles Roads, and the Remarkables ski field road future built form would not be prominent.
  - From public areas where the proposed development is visible the increase in built form would incur some cumulative (adverse) effects.

### General – Nature Conservation Values

37. The proposed development would not result in opportunities for the protection and enhancement of indigenous ecosystems.

### *Controlled Activity – All Buildings*

38. From the Satterwaite property to the south and adjacent to proposed Lot 5 a future building within the proposed building platform could potentially break the skyline and views towards Coronet Peak. There are some foreground trees which appear to be young conifers planted as a boundary planting within the subject property. These trees would eventually screen this view but these trees are not identified on the landscape plan and arguably should not be as they would have an eventual adverse effect on the Satterwaite property.
39. The proposed building platform on Lot 11 would break the backdrop of the northern Remarkables, and the skyline as viewed from Tucker Beach Road. The breach would be for only short distances and fleeting.

### *Scale and Nature of Activities*

40. Lots 4 and 3 would be of a scale very similar to that of the adjacent Quail Rise zone, would be residential in land use character. The other lots are relatively small in scale and would be proportionally more residential in land use character. While there are some proposed controls to maintain open pasture in parts of Lots 5 and 10, the balance of the land is highly fragmented small parcels of land with at times convoluted lot boundaries. The activity on the sites would lend themselves more to residential land use rather than rural activities. The existing planting, especially towards the east is already of an intensity and scale that differs from the more open pastoral type character to the west. The proposed change to a more intensive rural residential type character has been anticipated by the more recent tree plantings to accommodate this. Overall I consider the scale and nature of the proposed Lots 4 and 3 the smallest lots would not be appropriate but the site vegetation has the ability to mitigate adverse effects by generally screening these sites from view.
41. With the increased density of dwellings and associated residential land use the life supporting capacity of soils would be reduced.

### *Earthworks*

42. Proposed earthworks would be generally relatively minor. Where there are areas of large cuts, these would be screened by a future dwelling from views outside the site. There are number of existing consents for earthworks within the site and there is evidence of site of modification of the natural landform.

### **Section 15 Subdivision, Development and Financial Contributions**

43. There are no identified archaeological sites identified within the subject property by the New Zealand Archaeological Association, nor areas of significant indigenous vegetation.
44. The proposed development would have relatively smaller lots than anticipated by the rural lifestyle zone. The building platforms would have a proportionally greater domesticating effect on the landscape. The rural character of the site would not change a lot towards the east of the site where there is the topography and established trees that would largely absorb the relative intensity proposed. Towards the western side of the site the landscape is generally more open with more expanses of pasture. The aspect of the site enables clear views from the general

Domain and Lower Shotover Road area. Because of this the proposed density and smaller lots size would be more legible. In some views future buildings would appear almost stacking up upon each other given the rising terrain and relative closeness of proposed platforms (for example proposed platforms within lots 6, 9 and 10). I consider the eastern side of the site would have a shift in rural character towards a higher rural density more associated with rural residential development. The western side would also have such a shift but the topography and established vegetation has greater ability to absorb adverse effects created by this shift.

45. The pattern of development would be more consistent with the rural residential to the west and to some degree the Quail Rise zone with a swathe of built form linked across the lower slopes of Ferry Hill. To my understanding whilst this would be maintaining a consistency across the lower slopes as identified by the landscape architects report it would deviate as to the intent of the zone, which creates a buffer of lower density rural living between two higher density zones.

#### *15.2.6.4 Assessment Matters for Resource Consents*

##### *i Lot Size and Dimensions*

46. All proposed lots except lot 3 and 4 I consider would be of sufficient area and dimensions to fulfil the intended purposes. These lots are small and would be dominated by a residential land use. However the established hedge around these lots would largely screen the lots from view outside the subject property.
47. The relationship of the proposed lots towards the east, as mentioned above is filtered through an established framework of existing trees. This enables to some degree, in combination with topography, some separation and independence from one another. Lots 3 and 4 however are more aligned to Quail Rise patterning with a relatively intensive and concentrated pattern of built form dominance. Lot 6 and its proposed platform would be in very close proximity to the existing dwelling within Lot 1 but this is the applicant's property and home and therefore has not been further considered. Lots 6, 9 and 10 and associated platforms are within close proximity within a more open landscape. There patterning would be somewhat similar to the existing neighbouring lots to the west although the platforms locations within proposed lots 6, 9 and 10 would be closer and as viewed from downslope would appear almost stacked .

#### *15.2.7.3 Assessment Matters for Resource Consents*

48. Lots would be on the north-eastern flanks of Ferry Hill and would have good opportunities for solar gain although some lots such as Lot 5 would be shadowed by existing trees that are to be protected via the landscape plan.
49. The ability to create an attractive and interesting edge between the zones would be less well defined as the proposed development would generally merge all zones. There is no clear demarcation between zones and the structural planting to date is relative intense, eclectic and diverse which are characteristics I consider reflect more of a residential domestic type pattern rather than a traditional rural one. This pattern creates an area of visual complexity around the centre of the subject site that in some regards enables a change in land use to a more residential nature without significant shift in visual complexity. Because of this the edge between zones as such is diffused, the proposed development would enhance this blending. In this regard I consider the proposed development would not create an interesting or attractive edge between zones.
50. Properties towards the west of the subject site would experience an increased intensity of built form and domestic activity which would affect views from these properties. Seen in conjunction with development along Tucker Beach Road Lots 8,

10, 9 and 6 would result in a greater prominence of built form. This may be anticipated to some degree by the rural living zones however I consider in this instance the openness of this landscape and the aspect of the slope enable visibility of built form. I suggest that further mitigation in the form of planting, relocation of some platforms and design controls should be applied to minimise built form prominence.

## CONCLUSION

51. The subject site is characterised by an undulating terrain upon the north eastern slopes of Ferry Hill. There are established trees on much of the eastern side of the site with a more open pastoral landscape towards the west. The development would result in an intensification of built form within the landscape, with an increased prominence of residential activities in relation to lot size. Whilst the eastern side of the site has some ability to absorb this level of intensification the western side has less. Lot 8 and its proposed platform would be located within very close proximity to an approved platform on the neighbouring property and would create an intensity of built form and associated domestic activity that would have adverse visual effects from the neighbour's point of view and as seen from the Domain Road and Lower Shotover Road area.
52. Lots 6, 9 and 10 would be in relatively close proximity to one another and given the sloping aspect of the sites built form would result in stacking up on one another creating prominence of built form. Lot 7 earthworks would remove a crest of a ridge that would be of mitigation value and is part of natural character of the location. The balance of the platform would be sited within a natural depression that would be relatively well screened by topography and existing vegetation.
53. The platform on Lot 5 would impede on views towards Coronet Peak from the neighbouring property to the south. These views are relatively constrained currently by existing trees that if left would likely screen such views from that property.
54. Lots 4 and 3 are more in character with the residential density of the Quail Rise zone but would be generally screened by an existing hedge that runs along the access roadside.
55. Lot 11 would incur breaches of the skyline and distant northern slopes of the Remarkables as seen from Tucker Beach road. The breach would be visible but fleeting along this route and with additional landscape planting could be softened to integrate into the broader landscape context.
56. Overall the density of the development would have more in common with neighbouring higher density zones and would result in small to moderate adverse effects on the landscape characteristics expected within the rural general and rural lifestyle zones. The adverse landscape effects on the Lots to the east can and should be further mitigated, sites towards the west less so. Lot 8 could not be mitigated unless the platform is shifted more towards the east. Lots 10, 9 and 6 could be partially mitigated by further planting and possible earthworks to integrate these platforms into the landscape and diminish their prominence, or alternatively a reduction of platforms and lots from 3 to 2 in this cluster.

## RECOMMENDATIONS

57. Should consent be granted I recommend the following conditions be included:
  - i. All areas of exposed soil shall be reseeded within 3 months upon completion of earthworks. Reseeded areas shall be maintained and reseeded as required to

achieve a healthy sward of grass with complete coverage within 1 year of completion of works.

- ii. All boundary fences be standard farming post and wire only and that there shall be no boundary planting that would accentuate divisions across the landscape

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

- iii. The landscape plan 'Structural Landscape Plan, D & E Broomfield', dated 20/05/13 submitted with the application shall be amended and resubmitted to the Landscape Architect, Queenstown Lakes District Council for certification prior to development commencing on site. In this instance the landscape plan shall achieve the following objectives:

- Define existing vegetation in terms of a general description including heights, density, and species to ensure effective monitoring can be carried out.
- Define a curtilage area no higher than the 410m contour within Lot 7 and confined within the less steep areas within the small gully the platform would occupy.
- Additional planting within Lot 11 to provide a visual backdrop and foreground softening of the building platform as viewed from Tucker Beach Road

- iv. Earthworks as shown on the submitted earthworks plan shall be amended to exclude earthworks above the 408m contour within Lot 7 to retain the ridge as form of screening of a future dwelling.

To be completed and registered to individual Lot titles via a consent notice prior to 244(c) certification.

- v. The certified landscape plan shall be implemented and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased, or in the opinion of council's landscape architect becomes defective it shall be replaced within 8 months. All replacement trees to replace existing trees as identified on the certified landscape plan shall be of an equivalent species or an indigenous species with a mature height of no less than 6m, and shall be planted at grade of no less 1.5m height. Planting shall be at a density to maintain the extent of existing planting within 7 years. Replacement planting shall exclude all species of wilding potential as defined within the District Plan.
  - vi. All boundary fences are to be standard farming post and wire only. There shall be no boundary planting such as hedges and shelterbelts. This is to avoid the domestic scale of fragmentation of the landscape created by the lots.
-



Memo prepared by  
**QUEENSTOWN LAKES DISTRICT  
COUNCIL**

Reviewed by



Richard Denney  
**LANDSCAPE ARCHITECT**



Helen Mellsop  
**LANDSCAPE ARCHITECT**

## ENGINEERING REPORT

**TO:** Lucy Milton

**FROM:** Alan Hopkins

**DATE:** 16/08/2013

**CONSENT REF:** RM130386

**APPLICANT NAME:** Broomfield

| Application details                              |  |
|--|--|
| <b>Description</b>                               | 11 Lot subdivision of and identification of building platforms                       |
| <b>Physical Address</b>                          | Tuckers Beach Road, Queenstown (legal Lots 1 & 2 DP442718)                           |
| <b>Type of Consent</b>                           | Subdivision  |
| <b>Zoning</b>                                    | Rural General and Rural Lifestyle (split)  |
| <b>Reference Documents</b>                       | Application dated June 2013<br>Clarke Fortune McDonald Ltd services report June 2013 |
| <b>Date of site visit</b>                        | July 2013  |
| <b>Comment required from QLDC Transport</b>      | No   |
| <b>Comment required from QLDC 3 waters</b>       | No   |
| <b>Previous consents relevant to this report</b> | RM100374 Underlying 5 lot subdivision (plus associated earthworks)                   |



## **SERVICES**

### **Water**

The subject lots are currently connected to Council's reticulated water supply network via two 50mm rider mains which come off the existing 150mm diameter main in Healecote Lane and the 100mm main at the end of Enstone Lane. Both rider mains are currently one ended and given their elevation relative to the Quail Rise reservoir are low pressure at the higher site elevations. Under table 6.7 of NZS4404, a maximum of 7 houses should be served from a 1 ended supply. To improve the level of service the applicant proposes to connect the two one ended 50mm rider mains to provide a looped supply.

The subject lots were included within Council's water supply scheme through a recent approval to extend the scheme boundary. Council's Three Waters Manager approved this inclusion noting that the scheme has capacity to supply however not during peak periods. Connections in this area were therefore approved as low pressure supplies subject to certain criteria to eliminate the adverse effects of the increased demand during peak periods. The required criteria were as follows-

- That the connections be restricted to 2.1m<sup>3</sup> per day.
- That a flow balancing tank be installed on each allotment at the time a dwelling is constructed.

I have confirmed on site that sufficient flows exist for the proposed restricted connections. I am satisfied that the proposed lots can feasibly be provided with 2100 litres/day of low pressure potable water from Council's reticulated network.

I recommend a consent condition that prior to the commencement of works the consent holder shall provide for approval designs for the extension of Council's water supply network to provide a low pressure supply to the building platform on Lots 3-11. The design provided shall include the installation of a flow restrictor to limit each supply to approximately 2100 litres/day.

I recommend a consent notice be registered on the title of each lot that at the time a dwelling is constructed on site the owner for the time being shall install a flow balancing (buffering) tank.

### **Fire Fighting**

The greater site does not have access to Council reticulated fire fighting supply. The applicant therefore proposes to service each lot through the installation of a minimum 20,000 litres of static storage within a tank installed at time a dwelling is constructed on site. I accept this approach and recommend a consent notice be registered on the title of Lots 3-11 that at the time a dwelling is constructed on site a minimum 20,000 litres of static fire fighting storage shall be installed in accordance with SNZ PAS4509:2008.

### **Wastewater**

The greater site is currently connected to QLDC's reticulated wastewater network via a 150mm gravity main running from Healecote Lane parallel to the north property boundary. The applicant proposes to service Lots 3 & 9-11 via 100mm lateral connections directly to this main. Lots 6-8 will likewise be serviced via a new 150mm branch off this existing main and lateral connections.

The applicant proposes to service Lots 4 & 5 via 100mm lateral connections to an existing 150mm Council main and associated manhole located on Healecote Lane and flowing back towards Enstone Lane.

The applicant has not provided network modelling to confirm capacity for the proposed additional allotments. However, the service report from Clarke Fortune McDonald Ltd correctly notes that C5.3.5.5 of NZS 4404:2004 comments that a catchment not exceeding 250 dwelling units, and where no pumping station is involved, DN 150 pipes laid within the limits of table 5.4 will be adequate without specific hydraulic design. Quail Rise catchment is below 250 dwellings and includes no pump stations and I therefore accept that capacity of the existing networks is not a concern and does not require specific modelling.

To ensure the proposed laterals and minor extension to Council's network are correctly designed I recommend a consent condition that prior to the commencement of works the consent holder shall

provide for approval detailed design plans for the provision of a sewer lateral connections from the building platform on Lots 3-11 to Council's wastewater network.

### **Stormwater**

No Council reticulated stormwater disposal is available to the site. The applicant proposes to dispose of all stormwater runoff from impervious areas associated with dwellings through engineered soak pits and infiltration to ground. The applicant's engineer has identified the site as having relatively free draining soils and has referenced Otago Regional Council Grow Otago maps in this regard. Observation of recent excavation on the subject and neighbouring sites indicate a varying depth of glacial till overlaying highly weathered schist bedrock. I accept based on the low density of development that soakage to ground is feasible but note that due to the potential for shallow bedrock specific engineering input will be required to design and locate. I therefore recommend a consent notice be registered on the title of each lot that at such a time a dwelling is constructed a suitable stormwater disposal system shall be designed by an engineer and approved by Council's engineers.

The proposed access ways will result in stormwater runoff. I therefore recommend a consent condition that prior to the commencement of works the consent holder shall provide for approval design and calculations for soak pits associated with the disposal of stormwater runoff from all access ways constructed.

### **Power & Telecommunication**

The applicant has provided provisioning letters from Aurora and Chorus that confirm power and telecommunication connections can be made available to the proposed building platforms. I recommend a consent condition that prior to 224c certification the consent holder shall provide proof that a suitable power and telecommunication connections have been provided to the building platform on each lot.

## **TRANSPORT**

### **Unnamed Access Road (off Tucker Beach Rd).**

The majority of the proposed lots will be accessed via an existing unnamed right-of-way access road off Tucker Beach Road. On completion of this subdivision the number of dwellings using the existing un-named access road will be 12. This access currently consists of an approximate 4.0m sealed carriageway with roughly grassed shoulders and swales. Currently the intersection with Tuckers Beach Road is widened to approx. 7.0m and there is localized widening of the first bend.

The applicant does not intend to alter the existing unnamed road and Clarke Fortune McDonald have sighted NZS4404:2010 in this regard stating-

*'In the new standard, it is proposed that more houses should be serviced from narrower roads. Similarly the Rural Roding corridors policy endorses no-exit roads being constructed at 5.5m or lower widths and should be considered where vehicle numbers are low or due to aesthetic characteristics. In our view the proposed access arrangement is a good traffic outcome. The slightly narrower sealed width calms traffic. Again the aesthetics of a 'narrow country lane' are important in this environment.'*

I disagree that the existing access road from the Access 1 (ACC1) to Access 2 (ACC2) is suitable for servicing 10 properties as proposed. NZS4404:2010 table 3.2 states that an access servicing 1 to 20 rural lifestyle houses shall have a movement lane of 5.5-5.7m. Council's current subdivision standard NZS4404:2004 states that up to 10 rural properties in a rolling hill location can be accessed via either a 3.5m+ (single lane) with passing provision at maximum 100 metre spacing or a 5.5m (2 lane) road. In this case the existing road is formed to 4m width with no formal provision for passing for approximately 200m. The existing access road rises towards the ACC2 intersection and does not provide clear line of sight between the existing localised widening on the bend and the ACC2 intersection. In its current form there is a significant risk of a vehicle meeting another opposing vehicle and having to reverse. It is therefore recommended that either the existing unnamed access road shall be widened to 5.5m width from the intersection of Tucker Beach Road to the entrance to Access 2 (ACC2) or a passing bay of 5.5m shall be installed at the midway point between the existing localised widening on the bend and the Access 2 (ACC2) intersection.

It is noted that the current QLDC amendments to NZS4404:2004 require roads serving more than 10 lots to vest in QLDC. Therefore the first 30m of this unnamed road could be required to vest in QLDC. However given this road is already protected by private easement and is currently privately maintained the vesting of this piece of road is deemed unnecessary and undesirable to Council.

The inclusion of new properties accessed off this road will trigger the need for this as yet unnamed private road to be named under Council's road naming policy. I therefore recommend a consent condition that prior to 224c the currently unnamed access road off Tucker Beach Road shall be named in accordance with Council's road naming policy.

### **Internal Access**

#### *Access 1 (ACC 1)*

The applicant has stated that Access 1 (ACC 1) will serve 2 dwellings, this appears to be incorrect as the access will cater for 3 dwellings (1 existing, 1 approved, 1 proposed). The proposed formation of ACC 1 is 3.5m sealed within a 6.0m legal easement. I am satisfied that the proposed formation and legal width is suitable to service three lots in accordance with Council standards.

#### *Access 2 (ACC 2)*

Access 2 (ACC 2) will service 6 dwellings and is proposed to have a 3.5m sealed carriageway with 5.5m widening on bends for provision of passing. The proposed legal easement is nominally 6.0m in width. I am satisfied the proposed formed width complies with Council standards. The proposed legal width is smaller than the 10m recommended within QLDC amendments to NZS4404:2004 but this is deemed acceptable as the majority of services are located outside of the right-of-way easement and 6.0m caters for the required carriageway and swale.

I recommend a consent condition that prior to the commencement of works the consent holder shall provide for approval detailed design plans for the provision of all internal roading. Access 1 (ACC1) shall be 3.5m formed within a 6m legal width and Access 2 (ACC2) shall be 3.5m formed with 5.5m on bends and a legal width of 6m.

The formation of Access 2 (ACC 2) services 6 allotments and therefore triggers the need for road naming under Council's road naming policy. I therefore recommend a consent condition that prior to 224c Access 2 (ACC 2) shall be named in accordance with Council's road naming policy.

I recommend a consent notice be registered on the titles of Lots 5-7 and Lots 9-12 that at the time a dwelling is constructed on site the owner for the time being shall form a vehicle access from the existing right of way access to the building platform in accordance with Council standards.

Access to the proposed building platform on Lot 8 is relatively complex due to steep grades and the presence of existing and proposed water reticulation. It is likely that easements and detailed engineering design will be required to form the access from Access 2 (ACC2) to the building platform on Lot 8. The potential location of this access appears relatively limited and due to the likely complexity should be the responsibility of the developer to form. I therefore recommend a consent condition that a minimum 3.5m wide access constructed of 150mm depth of AP40 gravel shall be formed to the building platform on Lot 8 in accordance with Council standards.

### **Healecote Lane**

Lots 3, 4 & 5 are proposed to access off existing private Healecote Lane. This proposal would increase the total number of allotments on Healecote lane to 10. Healecote lane is approximately 5.5m width for its length from Tucker Beach Road and adjacent the subject property. I am satisfied that the existing formation of Healecote Lane is sufficient to access the proposed three additional lots in accordance with Council standards.

I recommend a consent notice be registered on the titles of Lots 3-5 that at the time a dwelling is constructed on site the owner for the time being shall install a vehicle access from Healecote Lane to the building platform in accordance with Council standards.

## **EARTHWORKS**

### **Proposal**

The applicant proposes to undertake a total of 33,120m<sup>3</sup> of earthwork to provide level building platforms and construct accesses. This volume will consist of 16,560m<sup>3</sup> of cut and 16,560m<sup>3</sup> of fill. The maximum cut depth is 5m. The maximum fill height is 3m.

I have assessed the proposed cut and fill batters and am satisfied that if grassed/vegetated they will stand permanently unsupported. I therefore recommend a consent condition that on completion of earthworks the consent holder shall topsoil and grass/vegetate all exposed areas.

### **Site Management**

The applicant has provided an earthworks site management plan for the proposed works. I accept the proposed management measures and recommend a consent condition that site management measures are installed prior to the commencement of earthworks in accordance with NZS4404 and the Clarke Fortune McDonald Ltd site management plan provided with the consent application.

### **Geotechnical**

The applicant proposes to place fill within a number of the proposed building platforms. I therefore recommend a consent condition that on completion of earthworks the consent holder shall provide Schedule 2A certification for all building platforms.

## **HAZARDS**

The QLDC Hazard Register Maps show the subject lots as falling within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being "Nil to Low". Based on this hazard category, I am satisfied that the proposed buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient. Foundation requirements for the buildings will be addressed under the related building consent and no conditions are necessary.

An area to the south of the subject site is identified on QLDC hazard maps as being susceptible to shallow debris flows during episodes of heavy rainfall. This subdivision falls outside of the area identified as being at risk. However given the proximity of this site to the shallow debris flows hazard and possible mass movement from the hill slopes above I have undertaken an initial site based assessment of the potential risk to the proposed platforms to determine if thorough investigation by a geo professional is required.

The risk from upslope instability affecting building platforms is low because of their aspect relative to the building platform locations, the majority of the slopes above fall towards the north and east.

From my site inspection it was identified the majority of the platforms (Lots 3-6 and 9-11) are well offset (40m plus) from the toe of Ferry Hill and are therefore are not deemed to be at risk from the steep hill slopes above. The proposed platforms on Lots 7 & 8 were identified as being located at or near the toe of Ferry Hill. The building platform located on Lot 8 has a relatively low gradient (10-15 degrees) bench of approximately 150m width off setting it from the steep hill slopes to the south. The building platform located on Lot 7 is at the base of a hill slope which is separated from the steep upper catchment by an approximate 50m wide bench of relatively low gradient (15 degrees approx.). These areas of benching between the platforms and steep hill slopes provide an area of run out for any failure of the relatively limited steep upper slopes.

Tonkin & Taylor Ltd have recently provided a geotechnical assessment for subdivision of the land directly to the south of the subject site under consent applicant RM130059. In regards to the risk of the hill slopes above this report notes '*Historical ground instability has been identified up slope of the proposed building lots. The risk posed to the proposed lots from this movement is assessed to be low*'.

Based on my initial site assessment and previous professional assessments of neighbouring land I am satisfied the proposed development is not at obvious risk from instability from the hill slopes above.

## **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. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 "Land Development and Subdivision Engineering".
3. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition **(1)**, to detail the following engineering works required:
  - a) The provision of a water supply to the building platform on Lots 3-11 in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve with a restrictor that shall limit the supply to each lot to a maximum of 2100 litres/day. The costs of the connections shall be borne by the consent holder. Where required this shall include the relocation of existing water reticulation outside of the proposed building platforms.
  - b) The provision of a foul sewer connection from the building platform on Lots 3-11 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot.
  - c) The provision of secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 3-11, and no increase in run-off onto land beyond the site from the pre-development situation.
  - d) The formation of Access 1 (ACC 1) to a minimum 3.5m formed width within a minimum 6m legal width, in accordance with Council's standards. This shall include provision for the disposal of stormwater runoff.
  - e) The formation of Access 2 (ACC 2) to a minimum 3.5m formed width within a minimum 6m legal width, in accordance with Council standards. This shall include the provision of localised widen to 5.5m on bends and provision for the disposal of stormwater runoff.
  - f) The formation of the intersection of the existing unnamed access road and Access 2 (ACC 2), in accordance with diagram 2 appendix 7 of the District Plan.
  - g) The formation of a minimum 3.5m wide access constructed of 150mm depth of AP40 gravel shall be formed from Access 2 (ACC 2) to the building platform on Lot 8 in accordance with Council standards.
  - h) **Either** the existing unnamed access road off Tucker Beach Road shall be widened to 5.5m width from the intersection of Tucker Beach Road to the entrance to Access 2 (ACC2)

**or**

A passing bay of minimum 5.5m width shall be installed on the unnamed road at the midway point between the existing localised widening at the first bend and the Access 2 (ACC2) intersection.



- i) 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 Roads, Water and Wastewater reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.

***To be completed prior to the commencement of earthworks***

4. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and the site management plan submitted with the consent application. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

***To be monitored throughout earthworks***

5. 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.
6. No earthworks, temporary or permanent, are to breach the boundaries of the site except where prior written approval has been obtained from the affected landowner.

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

7. Prior to the Council signing the Survey 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 Survey Plan and shall be duly granted or reserved.
  - b) The naming of the existing unnamed private access road off Tucker Beach Road. The naming shall be in accordance with Council's road naming policy and shall be shown on the survey plan.
  - c) The naming of Access 2 (ACC 2). The naming shall be in accordance with Council's road naming policy and shall be shown on the survey 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***

8. 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 Resource Management Engineer at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water and Wastewater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan / Land Transfer Plan shall be submitted to the Principal Resource Management Engineer at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The completion and implementation of all certified works detailed in Condition **(3)** above.
  - d) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure.



The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- e) 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 building platform on Lots 3-11 and that all the network supplier's requirements for making such means of supply available have been met.
- f) 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 building platform on Lots 3-11 and that all the network supplier's requirements for making such means of supply available have been met.
- g) The newly constructed section of foul sewer main shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main.
- h) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (2) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads, Water and Wastewater reticulation). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- j) On completion of earthworks and prior to 224c a suitably qualified engineer experienced in soils investigations shall provide certification to the Principal Resource Management Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the approved building platforms. Note this will require supervision of the fill compaction by a chartered professional engineer.
- k) All exposed earthworked areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) 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**

- 9. 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) All lot owners are required to be part of the management entity as required by Condition 5d of RM130386. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading and service infrastructure associated with the development.
  - b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
  - c) All future buildings shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
  - d) At the time a dwelling is erected on Lots 3-5, the owner for the time being shall install a vehicle access from Healecote Lane to the building platform in accordance with Council standards.
  - e) At the time a dwelling is erected on Lots 5-7 and Lots 9-12, the owner for the time being shall install a vehicle access from the existing right-of-way access to the building platform in accordance with Council standards.

- f) At the time a dwelling is erected on Lots 3-11, 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 Council prior to implementation.
- g) As per agreement with Council Lots 3-11 are restricted to a maximum 2100 liters per day of low pressure supply. At the time a dwelling is constructed on site the owner for the time being is required to install buffering storage.
- h) At the time a dwelling is erected on Lot 3-11, domestic water buffering 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. 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 Central North Otago Area Manager is obtained for the proposed method.

The fire fighting and potable buffering water supply tank shall be installed prior to the occupation of the building.

#### **Advice Note:**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
2. Prior approval from Council's Three Waters Manager and use of a backflow prevention device will be required to prevent contamination of Council's potable water supply if this water supply is to be utilised for dust suppression during earthworks.

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Prepared by:

A handwritten signature in blue ink, appearing to read 'Alan Hopkins', with a stylized, cursive script.

**Alan Hopkins**  
**ENGINEER**

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Steve Hewland', with a stylized, cursive script.

**Steve Hewland**  
**PRINCIPAL:ENGINEERING**

## **Decision – Land Use**

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
  - ‘Proposed Earthworks Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 06\_01;
  - ‘Structural Landscape Plan Ref 0838 SLP3 dated 27.09.13;

**stamped as approved on 10 October 2013**

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

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

### General Conditions

#### ***To be completed prior to the commencement of earthworks***

3. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and the site management plan submitted with the consent application. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

#### ***To be monitored throughout earthworks***

4. 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.
5. No earthworks, temporary or permanent, are to breach the boundaries of the site except where prior written approval has been obtained from the affected landowner.

All areas of exposed soil shall be reseeded within three (3) months upon completion of earthworks. Reseeded areas shall be maintained and reseeded as required to achieve a healthy sward of grass with complete coverage within one (1) year of completion of works.

6. All boundary fences are to be standard farming post and wire only and that there shall be no boundary planting that would accentuate divisions across the landscape
7. All exposed earthworked areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.

8. This consent shall expire 10 years from the date of this decision, being **XX** October 2013.

### **Decision – 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:
  - 'Subdivision Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 05\_01
  - 'Scheme Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 05\_02;
  - 'Proposed Earthworks Plan for Lots 1 – 7, 9 – 12, & 100 being a proposed subdivision of Lots 1 & 2 DO 422718 & Lot 2 DP 396997; Rev H, Drawing No. 06\_01;
  - 'Structural Landscape Plan Ref 0838 SLP3 dated 27.09.13

**stamped as approved on 10 October 2013**

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.

#### **General**

3. 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***

4. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 "Land Development and Subdivision Engineering".
5. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following engineering works required:
  - a) The provision of a water supply to the building platform on Lots 3-11 in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve with a restrictor that shall limit the supply to each lot to a maximum of 2100 litres/day. The costs of the connections shall be borne by the consent holder. Where required this shall include the relocation of existing water reticulation outside of the proposed building platforms.

- b) The provision of a foul sewer connection from the building platform on Lots 3-11 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot.
- c) The provision of secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 3-11, and no increase in run-off onto land beyond the site from the pre-development situation.
- d) The formation of Access 1 (ACC 1) to a minimum 3.5m formed width within a minimum 6m legal width, in accordance with Council's standards. This shall include provision for the disposal of stormwater runoff.
- e) The formation of Access 2 (ACC 2) to a minimum 3.5m formed width within a minimum 6m legal width, in accordance with Council standards. This shall include the provision of localised widen to 5.5m on bends and provision for the disposal of stormwater runoff.
- f) The formation of the intersection of the existing unnamed access road and Access 2 (ACC 2), in accordance with diagram 2 appendix 7 of the District Plan.
- g) The formation of a minimum 3.5m wide access constructed of 150mm depth of AP40 gravel shall be formed from Access 2 (ACC 2) to the building platform on Lot 8 in accordance with Council standards.
- h) Either the existing unnamed access road off Tucker Beach Road shall be widened to 5.5m width from the intersection of Tucker Beach Road to the entrance to Access 2 (ACC2).

**or**

A passing bay of minimum 5.5m width shall be installed on the unnamed road at the midway point between the existing localised widening at the first bend and the Access 2 (ACC2) intersection.

- i) 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 Roads, Water and Wastewater reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.
6. The landscape plan ' Structural Landscape Plan, D & E Broomfield', dated 20/05/13 submitted with the application shall be amended and resubmitted to the Landscape Architect, Queenstown Lakes District Council for certification prior to development commencing on site. In this instance the landscape plan shall achieve the following objectives:
- Define existing vegetation in terms of descriptions including heights, density, and species to ensure effective monitoring can be carried out.
  - Define a curtilage area no higher than the 410m contour within Lot 7 and confined within the less steep areas within the small gully the platform would occupy.
  - Additional planting (including description of heights, density and species) within Lot 11 to provide a visual backdrop and foreground softening of the building platform on this lot as viewed from Tucker Beach Road
  - Earthworks as shown on the submitted earthworks plan shall be amended to exclude earthworks above the 408m contour within Lot 7 to retain the ridge as form of screening of a future dwelling.

***To be completed prior to the commencement of earthworks***

7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and the site management plan submitted with the consent application. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

***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 prior written approval has been obtained from the affected landowner.

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

10. Prior to the Council signing the Survey 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 Survey Plan and shall be duly granted or reserved.
  - b) The naming of the existing unnamed private access road off Tucker Beach Road. The naming shall be in accordance with Council's road naming policy and shall be shown on the survey plan.
  - c) The naming of Access 2 (ACC 2). The naming shall be in accordance with Council's road naming policy and shall be shown on the survey 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]*

**Amalgamation**

11. The following amalgamation condition shall be shown on the Survey Plan:
  - a) That Lot 1 and Lot 100 hereon be held in the same Computer Freehold Register (CSN to be advised).

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

12. 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 Resource Management Engineer at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water and Wastewater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan / Land Transfer Plan shall be submitted to the Principal Resource Management Engineer at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.

- c) The completion and implementation of all certified works detailed in Condition (5) above.
- d) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- e) 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 building platform on Lots 3-11 and that all the network supplier's requirements for making such means of supply available have been met.
- f) 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 building platform on Lots 3-11 and that all the network supplier's requirements for making such means of supply available have been met.
- g) The newly constructed section of foul sewer main shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main.
- h) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- 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 Roads, Water and Wastewater reticulation). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- j) On completion of earthworks and prior to 224c a suitably qualified engineer experienced in soils investigations shall provide certification to the Principal Resource Management Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the approved building platforms. Note this will require supervision of the fill compaction by a chartered professional engineer.
- k) All exposed earthworked areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) 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***

- 13. 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) All lot owners are required to be part of the management entity as required by Condition 5d of RM130386. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading and service infrastructure associated with the development.



- b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
- c) All future buildings shall be contained within the Building Platforms as shown as Covenant Areas X as shown on Land Transfer Plan XXXXX.
- d) At the time a dwelling is erected on Lots 3-5, the owner for the time being shall install a vehicle access from Healecote Lane to the building platform in accordance with Council standards.
- e) At the time a dwelling is erected on Lots 5-7 and Lots 9-12, the owner for the time being shall install a vehicle access from the existing right-of-way access to the building platform in accordance with Council standards.
- f) At the time a dwelling is erected on Lots 3-11, 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 Council prior to implementation.
- g) As per agreement with Council Lots 3-11 are restricted to a maximum 2100 litres per day of low pressure supply. At the time a dwelling is constructed on site the owner for the time being is required to install buffering storage.
- h) At the time a dwelling is erected on Lot 3-11, domestic water buffering 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. 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 Central North Otago Area Manager is obtained for the proposed method.

The fire fighting and potable buffering water supply tank shall be installed prior to the occupation of the building.

- i) The certified landscape plan shall be implemented and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased, or in the opinion of Council's landscape architect becomes defective it shall be replaced within 8 months. All replacement trees to replace existing trees as identified on the approved landscape plan shall be of an equivalent species or an indigenous species with a mature height of no less than 6m, and shall be planted at grade of no less 1.5m height. Planting shall be at a density to maintain the extent of existing planting within 7 years. Replacement planting shall exclude all species of wilding potential as defined within the District Plan.
  - j) All boundary fences are to be standard farming post and wire only. There shall be no boundary planting such as hedges and shelterbelts. This is to avoid the domestic scale of fragmentation of the landscape created by the lots.
14. The consent holder shall register a land covenant on the Computer Freehold Register to prohibit any further subdivision or buildings from being established on Lot 100. The final wording will be subject to the approval from Council.

### ***Staging of the Development***

15. The subdivision may be staged. For the purposes of issuing approvals under sections 223 and 224(c) of the Resource Management Act, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages in any order:
- Stage 1: Lots 1, 3, 4 and 100;
  - Stage 2: Lots 6, 9; 10 and 11,
  - Stage 3: Lots 5, 7 and 8.

All necessary subdivision works (such as servicing, provision of formed access and other works required to satisfy conditions of this consent) shall be completed for each stage prior to certification being issued as necessary under sections 223 and 224(c) of the Resource Management Act 1991.

### ***Advice Notes:***

- i. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
- ii. Prior approval from Council's Three Waters Manager and use of a backflow prevention device will be required to prevent contamination of Council's potable water supply if this water supply is to be utilised for dust suppression during earthworks.





**LEGEND**

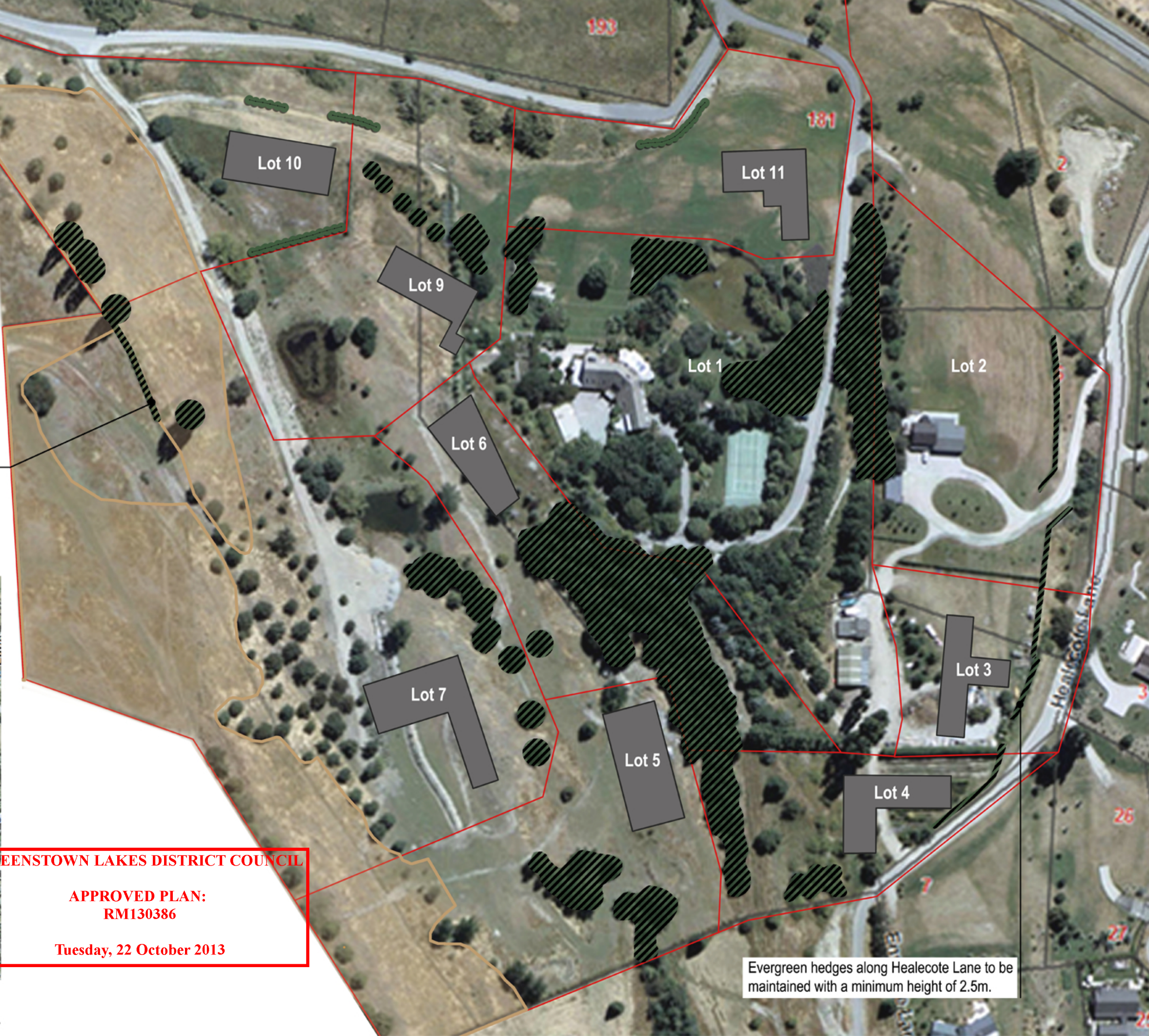
- Property boundaries
- Lot Proposed building platforms
- Areas to be retained as open pastoral land.
- Proposed Portuguese laurel hedge.
- Areas to be retained in a densely treed state. Existing trees in these areas may only be removed incrementally and if replaced by new trees of similar species . Overall, these areas must be vegetated and maintained so as to provide dense visual screening of future dwellings.

The conifer hedge within Lot 7 is to be maintained with a minimum height of 2.5m.



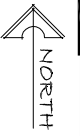
This map outlines the entire area of the subject site that is to be retained as open pastoral land.

**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**APPROVED PLAN:**  
**RM130386**  
**Tuesday, 22 October 2013**



Evergreen hedges along Healecote Lane to be maintained with a minimum height of 2.5m.





LEGEND

Below ex. ground

-5.0m to -4.0m

-4.0m to -3.0m

-3.0m to -2.0m

-2.0m to -1.0m

-1.0m to 0.0m

Above ex. ground

0.0m to 1.0m

1.0m to 2.0m

2.0m to 3.0m

3.0m to 4.0m

AREAS WITH  
EXISTING  
EARTHWORKS  
CONSENT  
RM100374

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM130386

Tuesday, 22 October 2013

REVISION F - CLIENT REVIEW 25.06.13

Clark Fortune McDonald & Associates

Licensed Cadastral Surveyors - Land Development - Planning Consultants

309 Lower Shotover Road, P.O.Box 553 Queenstown

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| Rev. | Date     | Revision Details      | By |
|------|----------|-----------------------|----|
| B    | 10.05.13 | Add cross sections    | JK |
| C    | 29.05.13 | Add access to Lot 100 | JK |
| D    | 06.06.13 | Amend BPs             | JK |
| E    | 11.06.13 | Amend BPs             | JK |
| F    | 25.06.13 | Amend BP Lot 7        | JK |
| G    | 1.10.13  | Amend Lot 9           | CH |
| H    | 1.10.13  | Remove Lot 8          | CH |

PROPOSED EARTHWORKS PLAN FOR  
LOTS 1 - 7, 9 -12 & 100 BEING A PROPOSED SUBDIVISION OF  
LOTS 1 & 2 DP 422718 & LOT 2 DP 396997

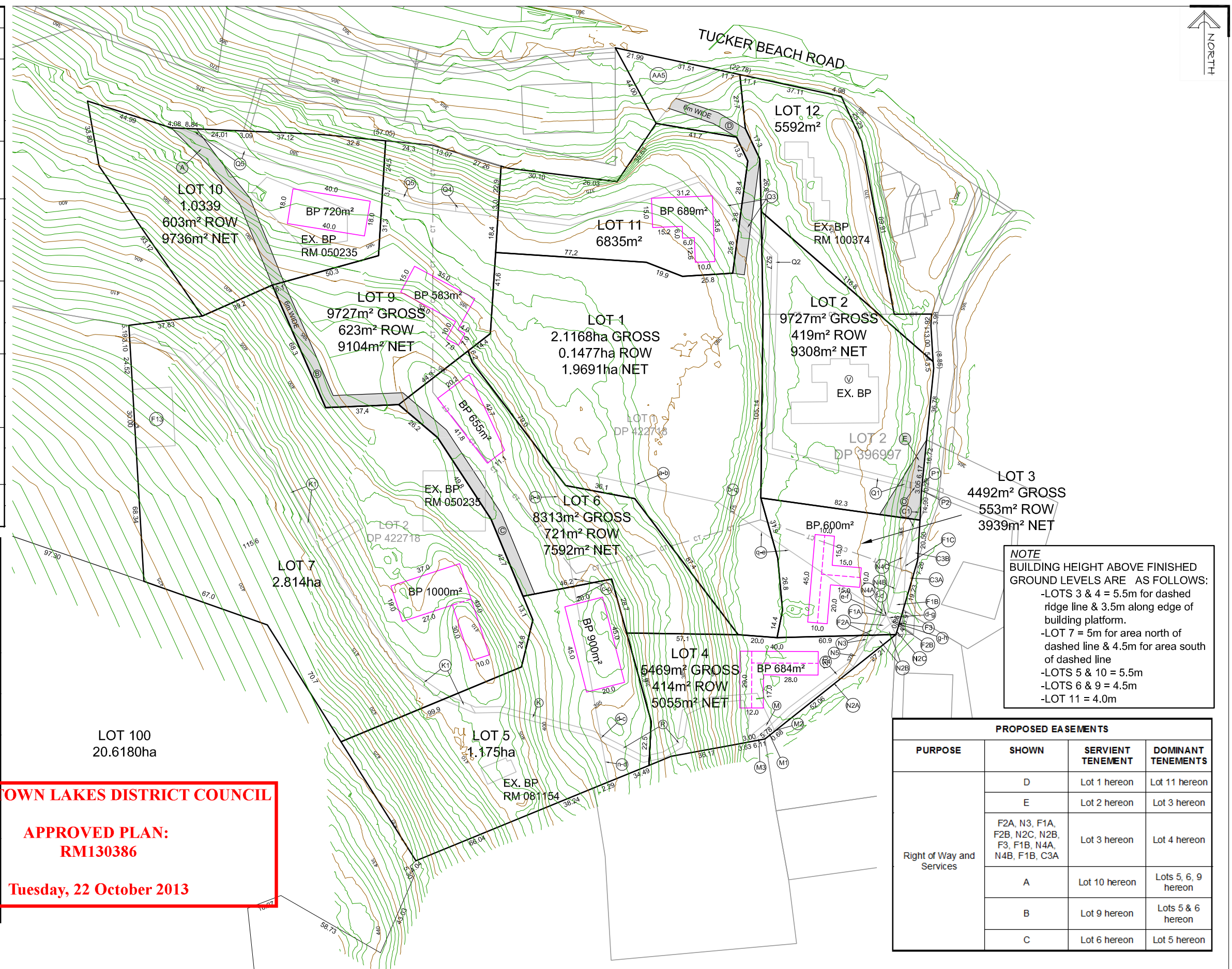
| Client  | Surveyed | Signed | Date     | Job No.           | Drawing No.                |
|---|----------|--------|----------|-------------------|----------------------------|
| DAVID BROOMFIELD  | -        | -      | -        | 10829             | 06_01                      |
| Notes:<br>All dimensions shown are in meters unless shown otherwise.<br>Any person using Clark Fortune McDonald drawings and other data accepts the risk of:<br>- Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions.<br>- Ensuring the information is the most recent issue.<br>- Copyright on this drawing is reserved. | Drawn    | Signed | Date     | Scale             | 1:1000 @ A1<br>1:2000 @ A3 |
|   | JK       | -      | 08.05.13 | Datum & Level     | Rev.                       |
|   | Designed | Signed | Date     | Mt Nic 2000 & MSL | H                          |

S:\JOBS\10800\10829\acad\10829\_6\_RevH\_Earthworks Plan.dwg Plotted: 01.10.2013



| EXISTING EASEMENTS   |  |                   |                                  |
|--|--|-------------------|----------------------------------|
| PURPOSE  | SHOWN  | SERVIENT TENEMENT | CREATING DOCUMENT                |
| Right to take and convey water                                     | n-d, d-c, c-p  | Lot 5 hereon      | E.C 951825.8                     |
|  | c-p, p-a, a-b  | Lot 6 hereon      |                                  |
|  | a-b, b-q, q-e  | Lot 1 hereon      |                                  |
|  | q-e, e-f, f-d, d-g, g-h                                  | Lot 3 hereon      |                                  |
| Right of Way<br>Right to convey power and telecommunications       | AA5  | Lot 1 hereon      | E.C 5023387.11                   |
| Right to convey water  | K1   | Lot 8 hereon      | E.C 5023387.11<br>E.I 5721911.14 |
|  | K1   | Lot 7 hereon      |                                  |
|  | K, K1, R   | Lot 5 hereon      |                                  |
|  | R, M, M1, M2, M3   | Lot 4 hereon      |                                  |
| Right of Way<br>Right to convey electricity and telecommunications | F2A, N3, F1A, F2B, N2C, N2B, F3, F1B, N4A, N4B, F1B, C3A | Lot 3 hereon      | T.5089772.3                      |
|  | M1, M2, M3, N4, N2A, N5, N3, N2B, F2A                    | Lot 4 hereon      |                                  |
| Right of Way   | F2A, N3, F1A, F2B, N2C, N2B, F3, F1B, N4A, N4B, F1B, C3A | Lot 3 hereon      | E.I 6665653.12                   |
|  | M1, M2, M3, N4, N2A, N5, N3, N2B, F2A                    | Lot 4 hereon      |                                  |
| Right of Way<br>Right to convey electricity and telecommunications | P1, P2, C1   | Lot 2 hereon      | T.5089772.3                      |
|  | C1, C3B, N4C, F1C  | Lot 3 hereon      |                                  |
| Right of Way   | P1, P2, C1   | Lot 2 hereon      | E.I 6665653.12<br>E.I 9176675.5  |
|  | C1, C3B, N4C, F1C  | Lot 3 hereon      |                                  |

| EXISTING EASEMENTS IN GROSS                 |                |                   |                   |
|---|----------------|-------------------|-------------------|
| PURPOSE                                     | SHOWN          | SERVIENT TENEMENT | CREATING DOCUMENT |
| Right to transmit and transform electricity | N4A, N4B, N3   | Lot 3 hereon      | T.983504.9        |
|   | N3, N4, N5, M1 | Lot 4 hereon      |                   |
| Right to transmit telecommunications        | N4A, N4B, N3   | Lot 3 hereon      | T.983504.11       |
|   | N3, N4, N5, M1 | Lot 4 hereon      |                   |
| Right to drain foul sewage                  | P2, O, Q1      | Lot 2 hereon      | T.5023387.8       |
|   | Q2, Q3         | Lot 1 hereon      |                   |
|   | Q3             | Lot 11 hereon     |                   |
|   | Q4, Q5         | Lot 9 hereon      |                   |
|   | Q5             | Lot 10 hereon     |                   |
| Right to convey telecommunications          | AA5            | Lot 1 hereon      | T.5023387.12      |
| Right to convey power                       | AA5            | Lot 1 hereon      | T.5023387.12      |
| Right to transmit and transform electricity | P1, P2, C1     | Lot 2 hereon      | T.983504.9        |
|   | C1, N4C        | Lot 3 hereon      |                   |
| Right to transmit telecommunications        | P1, P2, C1     | Lot 2 hereon      | T.983504.11       |
|   | C1, N4C        | Lot 3 hereon      |                   |



REVISION D - CLIENT REVIEW 25.06.13

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309 Lower Shotover Road, P.O.Box 553 Queenstown  
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

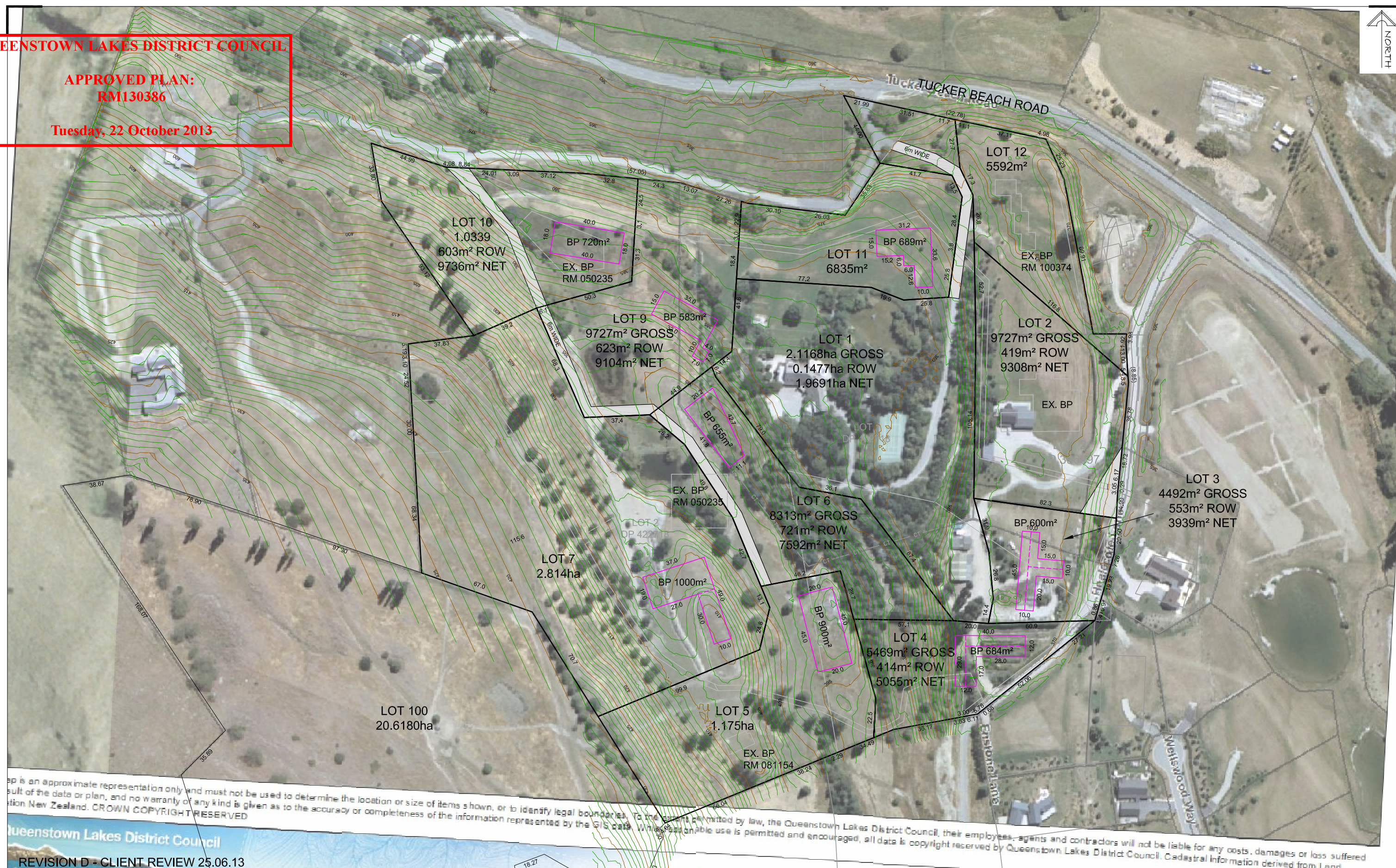
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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

| Rev. | Date     | Revision Details               | By |
|------|----------|--------------------------------|----|
| B    | 06.06.13 | Amend Building Platforms       | JK |
| C    | 11.06.13 | Amend Building Platforms       | JK |
| D    | 25.06.13 | Amend Building Platform Lot 7  | JK |
| E    | 18.09.13 | Amend Building Platform Lot 9  | CH |
| F    | 26.09.13 | Amend Building Platform Lot 10 | CH |
| G    | 26.09.13 | Remove Lot 8                   | CH |
| H    | 27.09.13 | Amend Boundaries               | CH |

**LOTS 1 - 7, 9 - 12 & 100 BEING A PROPOSED SUBDIVISION OF  
LOTS 1 & 2 DP 422718 & LOT 2 DP 396997**

| Client           | Surveyed | Signed | Date     | Job No.           | Drawing No. |
|------------------|----------|--------|----------|-------------------|-------------|
| DAVID BROOMFIELD |          |        |          | 10829             | 05_01       |
|                  | Drawn    | Signed | Date     | Scale             |             |
|                  | JK       |        | 10.05.13 | 1:1000 @ A1       |             |
|                  | Designed | Signed | Date     | Datum & Level     | Rev.        |
|                  |          |        |          | Mt Nic 2000 & MSL | H           |






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REVISION D - CLIENT REVIEW 25.06.13

|   |  |  |  |   |  |                  |          |        |          |                   |             |
|---|--|--|--|---|--|------------------|----------|--------|----------|-------------------|-------------|
|  <b>Clark Fortune McDonald &amp; Associates</b><br>Licensed Cadastral Surveyors - Land Development - Planning Consultants<br>309 Lower Shotover Road, P.O.Box 553 Queenstown<br>Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz |  | Shotover Design Limited trading as           |  | Client  |  | DAVID BROOMFIELD | Surveyed | Signed | Date     | Job No.           | Drawing No. |
| Shop 2, Otago House, 475 Moray Place, P.O. Box 5960<br>Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz  |  | Rev. Date Revision Details By                |  | Notes:  |  |                  | Drawn    | Signed | Date     | Scale             |             |
|   |  | B 06.06.13 Amend building platforms JK       |  | All dimensions shown are in meters unless shown otherwise.  |  |                  |          |        |          | 1:1000 @ A1       |             |
|   |  | C 11.06.13 Amend building platforms JK       |  | Any person using Clark Fortune McDonald drawings and other data accepts the risk of:  |  |                  |          |        | 10.05.13 | 1:2000 @ A3       |             |
|   |  | D 25.06.13 Amend Building Platform Lot 7 JK  |  | - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. |  |                  |          |        |          | Datum & Level     | Rev.        |
|   |  | E 18.09.13 Amend Building Platform Lot 9 CH  |  | - Ensuring the information is the most recent issue.  |  |                  |          |        |          | Mt Nic 2000 & MSL | H           |
|   |  | F 26.09.13 Amend Building Platform Lot 10 CH |  | Copyright on this drawing is reserved.  |  |                  |          |        |          |                   |             |
|   |  | G 26.09.13 Remove Lot 8 CH                   |  |   |  |                  |          |        |          |                   |             |
|   |  | H 27.09.13 Amend Boundaries CH               |  |   |  |                  |          |        |          |                   |             |

LOTS 1 - 7, 9 - 12 & 100 BEING A PROPOSED SUBDIVISION OF  
LOTS 1 & 2 DP 422718 & LOT 2 DP 396997