



**DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL DETERMINATION UNDER  
§104 RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Maurice Orr and Southern Trustees Limited
<b>RM reference:</b>	RM130489
<b>Application:</b>	<p>Subdivision consent is sought to create six lots, four will consist of new residential building platforms (proposed Lots 1, 3, 4, and 6). Proposed Lot 2 contains an existing dwelling and proposed Lot 5 will be amalgamated with the adjoining property to the south.</p> <p>The subdivision would replace Stages 2-4 of a partially completed resource consent, RM090883 that was further varied by resource consent RM100500. That approval allows five lots, three comprising new residential building platforms.</p> <p>Access to the subdivision is proposed off Arrow Junction Road. The lots will be serviced by on site infrastructure.</p>
<b>Location:</b>	64 Arrow Junction Road Wakatipu Basin
<b>Legal Description:</b>	<p>Lots 1, 2 and 3 DP 461478 being the land known as 64 Arrow Junction Road.</p> <p>Lot 1 DP 24153 being the land known as 69 Morven Ferry Road (Proposed Lot 5 would be amalgamated with this property)</p>
<b>Zoning:</b>	Rural General
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification Decision:</b>	Publicly Notified
<b>Final Decision:</b>	<b>GRANTED SUBJECT TO CONDITIONS</b>
<b>Date Decisions Issued:</b>	12 March 2014

**SUMMARY OF DECISIONS**

1. Consent is **granted** pursuant section 104 of the Act, subject to the conditions outlined in **Appendix A** of this decision imposed pursuant to Section 220 of the Act. The consent only applies if the conditions outlined are met.
2. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's TRIM file and responses to any queries) by Blair Devlin, Resource Consent Manager, as delegate for the Council. This decision was made and its issue authorised under this delegated authority pursuant to Section 34 of the RMA on 11 March 2014.

## **1.0 PROPOSAL AND SITE DESCRIPTION**

The section 42A report prepared for the Council (attached as Appendix B) provides a full description of the proposal and the site and surrounds.

## **2.0 ACTIVITY STATUS**

### **2.1 THE DISTRICT PLAN**

The subject site is zoned Rural General and the proposed activity requires resource consent for the following reasons:

- A **controlled** activity pursuant to Rule 15.2.3.2(i) for a boundary adjustment which complies with the respective standards in Part 15 of the District Plan. The creation of proposed lot 5 (0.16ha) and amalgamation with Lot 1 DP 24153 requires consent as a controlled activity. Council's control is with regard to the location of proposed boundaries, boundary treatment and easements for services or access.
- A **discretionary** activity pursuant to Rule 15.2.3.3(vi) which requires that in the Rural General zone all subdivision and location of residential building platforms shall be a discretionary activity. It is proposed to subdivide the site into six allotments with five residential building platforms.

Lots 1, 3, 4 and 6 would comprise new residential building platforms. Lot 2 contains the existing dwelling to which a building platform area is located to encompass, part of Lot 3 contains an 80m<sup>2</sup> shed. Lot 5 is proposed to be amalgamated with another allotment.

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

### **2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH**

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

## **3.0 NOTIFICATION**

The application was publicly notified on 14 August 2013 and submissions closed on 11 September 2013.

One submission was received from the New Zealand Transport Agency (NZTA). The submission identifies that SH6 is a Limited Access Road at this location and, in the interest of carrying out its functions, the NZTA request that prior to completion of the subdivision, the consent holder obtain a notice signed by the Minister of Transport confirming that the State highway is road for the purposes of this subdivision.

## **4.0 WHETHER A HEARING BE HELD**

A decision under section 100 of the Act was made on 7 March 2014 to not hold a hearing. The decision is attached as Appendix C.

## **5.0 ASSESSMENT: EFFECTS ON THE ENVIRONMENT AND RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))**

In accordance with section 113 of the Act, the reasons for the decision to grant consent, including the principal issues in contention and the main findings on the principal issues in contention, any relevant statutory provisions including the assessment matters and objectives and policies of the District Plan are set out in the Council officer's section 42A report, attached as Appendix B.

It is concluded that adverse effects on the environment will be avoided and mitigated and the activity is consistent with the relevant objectives and policies of the District Plan.

## **6.0 PART 2 OF THE RMA**

The activity meets the intent of Part 2 of the Act. Reasons are set out in the section 42a report attached as Appendix B.

## **7.0 DECISION ON SUBDIVISION CONSENT PURSUANT TO SECTION 104 OF THE RMA**

Consent is **granted** to subdivide Lots 1, 2 and 3 DP 461478 to create six allotments, including the residential buildings platforms on Lots 1, 2, 3, 4 and 6, subject to the conditions outlined in **Appendix A** of this decision imposed pursuant to Section 220 of the Act.

## **8.0 ADVICE NOTES**

### *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 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 found in Appendix B. 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.

If you have any enquiries please contact Craig Barr on phone (03) 443 0121 or email [craig.barr@qldc.govt.nz](mailto:craig.barr@qldc.govt.nz).

Prepared by



Craig Barr  
**SENIOR PLANNER**

Approved by



Blair Devlin  
**RESOURCE CONSENT MANAGER**

- APPENDIX A** – Consent Conditions
- APPENDIX B** – Section 42A Report
- APPENDIX C** – Section 100 Decision



**APPENDIX A – CONSENT CONDITIONS**

1 That the development must be undertaken/carried out in accordance with the plans:

- Subdivision Plan
- Contour Plan + Building Platform Heights
- Services Plan
- Structure Plan + Mitigation Works
- Earthworks Plan Lots 1-4
- Earthworks Plan Lot 6

Prepared by Aurum Survey titled 'Subdivision Overview, Lot 15183; Arrow Junction Road.

**stamped as approved on 7 March 2014**

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

1(a) This consent shall lapse ten years from the date of approval, being 7 March 2024..

1(b) In order to allow for the development and release of allotments in a controlled and logical manner the subdivision may be staged in any order that the consent holder sees fit provided that all residential allotments within each stage are adequately serviced and accessed in accordance with the conditions of this consent.

2 If the subdivision is staged in accordance with Condition (1a) and the consent holder submits a survey plan showing lots that are proposed to be amalgamated and no further survey plan or section 224(c) certification would be required to obtain title for those lots, then, prior to certification of that stage (pursuant to Section 224 of the Act), a consent notice shall be registered on the computer freehold register to which the allotments shall be contained within. The consent notice shall require that prior to the release of any of the allotments, all conditions relating to the lots to be amalgamated have been satisfied and development contributions have been paid.

(a) To give effect to this condition, all consent conditions related to those lots shall be completed and the conditions in the following form shall be registered on the Computer Freehold Register for the lots to be amalgamated with the balance lot in accordance with Section 221 of the Act:

- (i) Prior to cancellation of the amalgamation condition in relation to Lot X pursuant to Section 226/241 of the Act, all land use and subdivision conditions of RM130489 that apply to the lot have been satisfied. This will require the re-inspection of services and any necessary infrastructure.
- (ii) Prior to cancellation of the amalgamation condition in relation to Lot X pursuant to Section 226/241 of the Act, Development Contributions shall be paid for Lot X. Development contributions shall be paid at the rate calculated for the relevant stage under RM130489. As per the 2012 Development contribution policy, All DCN's issued after 1 July 2012 will be valid for 24 months from the date of issue and then recalculated for payment under the policy relevant at that time in order to establish the relevant development contribution payable for the release of that lot.

(b) If the Territorial Authority has confirmed in writing that it is satisfied that the conditions of (a) (i) and (ii) above have been complied with then those consent notice conditions, along with this condition, may be deemed to be expired for the purpose of Section 221(5) 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. The consent holder shall install measures where necessary to control and or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who is familiar with the Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002) report and who shall supervise the excavation procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
6. 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".
7. Prior to commencing works on site, the consent holder shall obtain and implement an approved traffic management plan from Council if any parking or traffic will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed.
8. 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 sealed vehicle crossings to the rights of way A and B from Arrow Junction Road, to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
  - b) The formation of rights of way A and B, in accordance with Council's standards.
  - c) The provision of a water supply to service the building platforms on Lots 1 – 4 and 6 in terms of Council's standards. Each lot shall be supplied with a minimum of 2,000 litres per day of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).

***To be monitored throughout earthworks***

9. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002).
10. 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.
11. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the formation of the vehicle crossing onto Lot 4.

***On completion of earthworks***

12. At the completion of the earthworks, all permanent un-retained batters shall be top-soiled and grassed/revegetated within 4 weeks.
13. On completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

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

14. 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. This shall include creating the necessary easements to protect the water supplies and pedestrian access over the bridal track.

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

15. 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, Wastewater and Stormwater 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 (8) above.
    - d) The consent holder shall submit to the Principal Resource Management Engineer at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
    - e) In the event that the test results required in Condition 15(d) above show the water supply does not conform with the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Principal Resource Management Engineer at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
      - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
- OR
- ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the dwelling an individual water treatment system shall be installed in

accordance with the findings and recommendations contained within the water treatment report submitted for the RM130489 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.

- f) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal water service infrastructure and facilities associated with the subdivision.

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.

- g) The consent holder shall provide the Principal Resource Management Engineer at Council with a copy of the operation and maintenance manuals for the private water supply or shall provide evidence that this has been made available to the management company.
- h) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- i) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- j) A suitably qualified professional shall certify that the excavated building platforms are suitable for the construction of residential buildings, and that all unretained batters over 1m high are permanently stable.
- k) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) A section 93 Government Roding Powers Act notice signed by the Minister of Transport confirming that the State Highway is road for the purposes of this subdivision.
- m) The formation of pedestrian rights of way. Public walkways shall be formed to a standard agreed by Council's Director of Parks and Open Space.
- n) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- o) The consent holder shall implement the landscape plan titled '*Structure + Mitigation Works*' approved in condition 1 of this consent. Specifically, the consent holder shall undertake the following:
- a) Undertake planting of tree species to be planted for mitigation as shown on the landscape plan with trees being of those species typical of the traditional rural landscape such as Oak, Poplars and non-wilding conifer species.
  - b) Retention of the existing large poplars along the Arrow junction road boundary, identified on the landscape plan.
  - c) The existing earth bund adjacent to the State Highway (located on Lot 6) reduced in gradient to blend into the adjacent landscape with gradient no steeper than 1:4.
  - d) No less than 3 specimen trees with mature heights of 5m or greater to be planted between the building platform on Lot 6 and the western boundary to provide separation between built form and neighbouring properties.
- p) The removal of the existing fence close to the proposed southern boundary of Lot 4. This shall not preclude the re-location of the fence to along the actual proposed southern boundary of Lot 4.

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

16. 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 15f of RM130489. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all water service infrastructure and facilities 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) Entrances to the property from Arrow Junction Road shall be located in accordance with the approved plans of RM130489 and shall not be any greater than 3m in width and shall consist of a standard timber or steel farm gate with standard post and wire fencing.
- e) The access driveways to the building platforms shall be no greater than 3m in width and be of a loose gravel of a local stone up to the curtilage area.
- f) External lighting shall be kept within the curtilage areas only and shall not be used on access driveways. External lighting shall be downward facing only and not exceed 1m from ground level. All other exterior lighting attached to buildings, shall be at height no greater than 3m above the ground, and shall be down lighting only, and shall not create light spill beyond the boundaries of the lot.
- g) The open pasture area as identified on the approved landscape structure + mitigation plan, RM130489 shall be maintained as pasture free of structures and trees and shall be grazed or mown periodically to maintain a character in keeping with the pastoral rural landscape.
- h) All external materials and colours for buildings shall be of natural tones of brown, grey or green with a light reflectivity value for the roof of between 5 and 20%, and between 5% and 35% for walls, joinery and spouting to ensure that colours are recessive in the landscape.
- i) All domestic activities and structures shall be restricted to the designated curtilage area identified on the approved landscape structure + mitigation plan, RM130489, including but not limited to clotheslines, tennis courts, swimming pools, lawns, ornamental gardens, and mown lawns.
- j) The maximum building coverage within the residential building platform shall be 60% of the building platform area.
- k) Earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002). Entered into Council records under RM130489.
- l) Buildings shall be restricted to the following height limits, referenced in accordance with the approved plan of RM130489 titled '*Contour Plan + Building Platform Heights – 64 Arrow Junction Road, Subdivision Lots 1-6*':

Lot 1	General zone	387 and platform may be excavated to 381
	Shed zone	385
	Barn zone	384.5
Lot 2		386
Lot 3	general zone	385
	Barn	384
Lot 4		383.5
Lot 6		387 and platform may be excavated to 381

- m) The plantings and earth mound undertaken in accordance with the approved landscape structure + mitigation plan, RM130489 shall be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced within the next 8 months.
- n) At the time that a dwelling is erected on Lots 1 to 4 and 6, the owner for the time being is to treat the domestic water supply (if required) by filtration and disinfection so that it complies with the Drinking Water Standards for New Zealand 2005.
- o) Lots 1, 2, 3, 4, and 6 shall not be further subdivided except for a boundary adjustment meeting the requirements to be a controlled subdivision activity under Rule 15.2.3.2(i) of the Queenstown Lakes District Plan.
- p) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an on-site secondary treatment effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by CPG, dated 10 September 2009, entered into Council records as RM130489. The proposed waste water system shall be subject to the review of the Principal Resource Management Engineer at Council prior to implementation and shall be installed prior to occupation of the dwelling.
- q) At the time a dwelling is erected on Lots 1 to 4 and 6, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the 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 water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

**Advice Note:** The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 5km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand **Volunteer** Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new dwelling.

### **Recommended Advice Notes**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
2. The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the management group for the lots, and the results forwarded to the Principal: Environmental Health at Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.



**APPENDIX B – SECTION 42A REPORT**

FILE REF: RM130489

**TO** Manager, Resource Consenting - Blair Devlin  
**FROM** Craig Barr, Senior Planner  
**SUBJECT** Report on a publicly notified resource consent application.

#### SUMMARY

**Applicant:** Maurice Orr and Southern Trustees Limited

**Location:** 64 Arrow Junction Road Wakatipu Basin

**Proposal:** Subdivision consent is sought to create six lots, four will consist of new residential building platforms (proposed Lots 1, 3, 4, and 6). Proposed Lot 2 contains an existing dwelling and proposed Lot 5 will be amalgamated with the adjoining property to the south.

The subdivision would replace Stages 2-4 of a partially completed resource consent, RM090883 that was further varied by resource consent RM100500. That approval allows five lots, three comprising new residential building platforms.

Access to the subdivision is proposed off Arrow Junction Road. The lots will be serviced by on site infrastructure.

**Legal Description:** Lots 1, 2 and 3 DP 461478 being the land known as 64 Arrow Junction Road.

Lot 1 DP 24153 being the land known as 69 Morven Ferry Road (Proposed Lot 5 would be amalgamated with this property)

**Zoning:** Rural General

**Public Notification Date:** 20 August 2013

**Closing Date for Submissions:** 11 September 2013

**Submissions:** One, from the New Zealand Transport Agency (NZTA). The NZTA neither supports nor opposes the application, however seeks that conditions are imposed on any consent granted.

#### Implications For:

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

#### RECOMMENDATIONS

1. That subject to the conditions set out in Appendix 1 being imposed, consent is granted.

## REPORT

### 1.0 INTRODUCTION

My name is Craig Barr. I am a senior planner at the Queenstown Lakes District Council. I hold the qualifications of Bachelor of Science (Geography) and Master of Planning from the University of Otago. I am a graduate member of the New Zealand Planning Institute. I have worked with the Council and previously Lakes Environmental Limited for sixteen months.

I have over seven year's full time experience as a resource management planner. My previous work experience includes processing resource consent applications of a similar nature and scale for the Christchurch City and Auckland Councils'.

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

### 2.0 INTERNAL REPORTS

The following reports have been prepared to assist the author and Decision maker:

- A report and recommended conditions of consent from the Council's landscape architect Mr Richard Denney. Mr Denney's report is attached as Appendix 2.
- A report and recommended conditions of consent from the Council's resource management engineer, Ms Lyn Overton. Ms Overton's report is attached as Appendix 3.

### 3.0 PROPOSAL

#### *Introduction*

This applicant seeks consent to create an additional freehold allotment that would contain a rectangular shaped, 700m<sup>2</sup> in area residential building platform (RBP). The proposed lot, identified on the application scheme plan as 'Lot 6' would be located in the northern part of the site which adjoins State Highway 6 on its northern boundary.

The application site is subject to a resource consent which approved the subdivision of the site into five lots, of which, Lot 2 includes an existing dwelling, and Lots one, three and four contain new three building platforms (RM090883).

The proposed Lot 6 and the 700m<sup>2</sup> building platform would be similar to a proposed lot which was part of a previous resource consent application, however the lot and RBP was withdrawn by the applicant at some point after the circulation of the Council officers' Section 42A report and prior to the hearing. This application seeks approval for this lot and RBP. The history of the site and details of proposed activity are set out below.

#### *Site History*

Resource consent RM090883 approved the subdivision of the site into four lots with approved building platforms, one of which comprised an existing dwelling. The application was processed on a notified basis. Subsequently, a variation to the consent (RM100500) was approved involving a boundary adjustment between the site to the south (Lot 1 DP 24153) and an area of 1600m<sup>2</sup> (Proposed Lot 5).

The variation moved the location of the building platform on Lot 4 to the south, away from the State Highway 6. The variation also amended the size and shape of the previously approved building platforms and associated conditions. Resource consent RM100500 was approved on a non-notified basis.

The approved consents on the application site, that have been partially given effect to by way of staging, comprising the following:

Table 1: Status of the existing resource consents on the application site.

<b>Allotments created by RM090883 and RM100500</b>	<b>Current Status</b>
Lot 1 - 1.3 ha with a 1000m <sup>2</sup> RBP with a 60% coverage restriction within (600m <sup>2</sup> )	The subdivision of this lot has been completed and is legally described as Lot 1 DP 461478.
Lot 2 - 2.0 ha with a 1000m <sup>2</sup> RBP around an existing 590m <sup>2</sup> dwelling. The RBP has a building restriction of 600m <sup>2</sup> .	The subdivision of this lot has been completed and is legally described as Lot 2 DP 461478.
Lot 3 - 1.0 ha with a RBP a 700m <sup>2</sup> with a 60% coverage restriction. Within this lot, is a separate 80m <sup>2</sup> RBP for a sleep out and barn approved by resource consent RM090750.	Lots 3 and 4 are held in one allotment legally described as Lot 3 DP 461478.
Lot 4 - 4.0 ha with a 900m <sup>2</sup> RBP with a 60% coverage restriction.	The subdivision of Lot 4 has not been given effect to.

To date, no building platforms have been registered on any of the allotments.

For clarification, the approved plans of RM090893 and RM100500 are attached as Appendix 4.

### *Proposal*

The crux of this application compared to the previous approvals is that consent is sought to create a 2.97 ha Lot which contains a 700m<sup>2</sup> RBP. The lot would be located at the northern part of the site and the north boundary adjoins State Highway 6/Lake Hayes Arrow Junction Highway and the eastern boundary adjoins Arrow Junction Road. Vehicle access to the lot will be from Arrow Junction Road, approximately 220 metres from the corner of these two roads.

The proposed lot, identified as Lot 6, would be located in the northern half of approved Lot 4 of resource consent RM090893 and variation RM100500, referred to hereafter as the 'existing consent'.

The existing consent contains various conditions which relate to giving effect to the subdivision and ensuring the mitigating elements of the consent are given effect to. One of these is condition 12 O) which states:

*There shall be no further subdivision of Lots 1-4 except for boundary adjustments which do not result in any saleable lots.*

The application was initially lodged under s127 of the Act to vary/cancel the condition. However, because the applicant had already lodged the survey plan, they were not able to request to vary/cancel a condition of consent. Furthermore, the applicable consent notice had not been issued and the applicant/owner of the land (being the same person in this instance) could not apply under s221 of the Act to vary/cancel the consent notice.

As the consent had been partially given effect to, in this instance the applicant was advised by the Council to lodge a separate application for subdivision consent to enable five freehold lots with RPBs and Lot 5 to be amalgamated with the property to the south (Lot 1 DP 24153), notwithstanding that all of these lots, aside from Proposed Lot 6 and the 700m<sup>2</sup> RBP within it already exist by way of prior approvals.

A landscape plan for the site forms part of the proposal. The plan identifies areas to be retained in open pasture, evergreen tree planting and curtilage areas. No common planting or cropping areas are proposed. Therefore each separate Lot owner would be responsible for the management and maintenance of landscaping and open space their own site.

It is also proposed to establish a bridle path through the creation of a pedestrian ROW easement in favour of the Queenstown Lakes District Council and on behalf of the Wakatipu Trails Trust. The easement is proposed adjacent to SH6 running the length of the subject site and will complete a part of the public recreational trail network linking Morven Ferry Road to Arrow Junction Road.

It is proposed to obtain potable water for each lot from a bore within the site and water for irrigation purposes from the Arrow Irrigation Scheme. On-site wastewater disposal is proposed for each lot. Power and telecommunication reticulation is available for the proposed residential building platforms and stormwater will be disposed of directly to ground.

These two aspects were for the most part established by the previous consents RM090883 and have not been requested to be altered by way of this application.

A lapse period of 10 years is sought.

## **4.0 SITE & ENVIRONMENT**

### **4.1 Site Description**

The site is located on the corner of State Highway 6 and Arrow Junction Road. Access to the site is from Arrow Junction Road. The Council's landscape architect Mr Richard Denney has provided a comprehensive description of the application site and surrounds as follows:

*The subject site is located within the eastern extent of the Wakatipu basin between the Crown Terrace to the east and the Roche Moutonnee landform of Morven Hill to the west. The Arrow River (Kimiakau) flows in a general north to south direction to the east of the subject site. To the south east of the site the Arrow river joins the Kawarau River prior to heading south through the narrow gorge and into the Gibbston Valley.*

*The landform of the basin floor in this area is convoluted with a mixture of flatter depositional alluvial forms with protrusions of hummocks of exposed schist rock. The Arrow River is incised deeply into the basin floor creating a gorge which varies between steep vegetated slopes and vertical rock bluffs. The subject site is separated from the river by schist hummocks which are clustered in the local area to the immediate west of the river. These give way to the north of the site to a flat basin between the Bendemeer Hills and the river. The subject site occupies undulating hummocky terrain to the south and eastern margins with generally flatter terrain to the north and west.*

*The vegetation is predominantly exotic with large traditional rural trees of poplars lining much of the Arrow Junction road running along the eastern boundary of the site. Hawthorn hedgerows are intermixed with the boundary planting and create an established rural character to the Arrow Junction road. The well-established rural trees within the undulating hummock terrain creates an intimate scale of landscape towards the eastern side of the site. Much of the site is raised above the adjacent Arrow Junction road behind a series of hummocks that generally border the road. It is an interesting and intimate landscape setting with a mixture of strong landform of schist outcrops and long established exotic rural trees. The north and west of the site flattens out with generally open pasture bordered to the west by a cluster of exotic trees. A water race runs near the northern and western boundary. State Highway 6 runs along the northern boundary and is slightly elevated on a formed, raised platform on which the road has been constructed. The more open nature of the northern part of the site enables views into the site. More recent landform modification in the form of earth bunds and the recent planting of trees, generally of smaller tree species of cherry and birch towards the south of the lot have created a more domestic scale and character to the landscape.*

### **4.2 Existing Unimplemented Consents in the Area (Receiving Environment) and Properties with Recent Subdivisions/Approval for Residential Building Platforms in the Area**

An important component relating to the merits of this application are the adverse effects on the environment with regard to the density of residential development in the Rural General Zone. To assist with the assessment of this matter, a brief description follows identifying a number of Rural General zoned properties in the vicinity of the application site that hold unimplemented resource consents, and/or have registered building platforms.

*RM120162 – Perry and Vidal*

This property is located directly to the east, on the opposite side of Arrow Junction Road. Resource consent was approved to subdivide the 2.9409 site into two new sites and the creation of a 426m<sup>2</sup>

building platform in addition to the existing dwelling located near the bend in SH6, which is identifiable by a prominent timber paling fence. The application was processed on a notified basis.

*RM120213 – Andrews – 33 Rapley Close*

Resource consent was approved on 28 June 2012 for substantial additions to the existing dwelling at the property located directly to the south of the 'Perry and Vidal' property. The 3.5ha site is located in the Rural Lifestyle zone. The application was processed on a non-notified basis.

*RM110219 – Pope & Kunath*

This application was to subdivide the site into two lots, each have existing building platforms/dwelling on each lot. The property is located to the north of application site and has frontage to McDonnell Road. The application was processed on a non-notified basis.

*RM110057 - Murphy*

This resource consent was approved to subdivide the property at 443 McDonnell Road into three lots and establish a residential building platform on each lot. The application was processed on a notified basis.

*RM060640 – Sew Hoy*

Resource consent was granted to subdivide the property to create a 4.2ha and 7.4ha property with residential building platforms. The application was processed on a notified basis.

*RM051214 – Monaghan Holdings Ltd*

Resource consent was granted to subdivide the property to create a 4.2ha and 7.4ha property with residential building platforms. The application was processed on a notified basis.

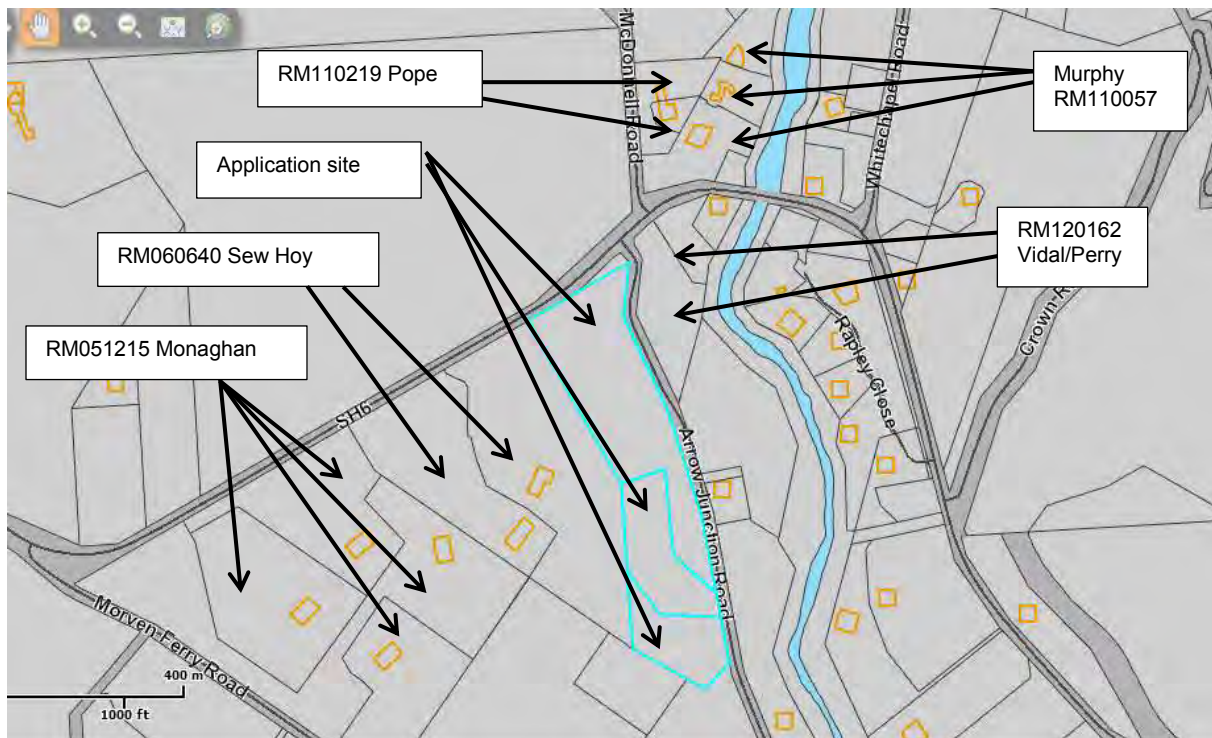


Figure 1. QLDC Mapviewer image of the site and surrounding area with noteworthy resource consents.

As illustrated by the orange squares that denote the location of registered building platforms, the majority of the subdivisions have been completed, the exception is RM120162 (Vidal/Perry). The expiry date to give effect to the subdivision and register the building platform is 14 December 2017.

### **4.3 Existing Consents/Approvals on the Application Site (The Existing Environment)**

As set out in part 3 above, resource consent RM090883 approved the subdivision of the site into four lots with approved building platforms, one of which comprised an existing dwelling. The application was processed on a notified basis. Subsequently, a variation to the consent (RM100500) was a boundary adjustment between the site to the south involving an area of 1600m<sup>2</sup>, altered the layout of the lots, size and shape of some of the approved RBPs and landscaping.

This consent has been partially given effect to and as evident in Figure 1, the subdivision of Lots 1-3 has been completed.

### **4.4 Landscape Description and Characterisation**

When considering applications in the rural areas of the district, Part 5.4.2.1 (Landscape Assessment Criteria – Process) of the District Plan sets out the determination of a landscape category. Once the landscape categorisation is determined, an application can then be assessed against the relevant assessment matters of the District Plan. The relevant landscape classifications are:

- Outstanding Natural Landscape (Wakatipu Basin) and/or Outstanding Natural Features – District Wide
- Outstanding Natural Landscape (District Wide) (ONL)
- Visual Amenity Landscape (VAL)
- Other Rural Landscape (ORL)

Mr Denney describes the landscape as follows:

*The landscape is very much arcadian in character with established rural hedgerows and avenue of mature poplars interspersed with a naturally rolling terrain creating a sense of enclosure to the land that is comfortable in the human scale. To the east is the outstanding natural feature of the Arrow River and gorge, with the Crown Terrace and Morven Hill outstanding natural landscapes close by. The landscape of the subject site is part of a Visual Amenity Landscape.*

Mr Denney's opinion of the landscape classification is reinforced by the previous application on the site, (RM090883 and a recent application for subdivision and creation of a building platform on a site located nearby to the east (RM120162 Vidal/Perry), in which these applications were assessed on the basis the site was located within a visual amenity landscape.

## **5.0 SUBMISSIONS**

### **5.1 NOTIFICATION SUBMISSION**

The application was publicly notified on 14 August 2013 and submissions closed on 11 September 2013. Notice of the application was served on surrounding properties within the vicinity of the application site and a number of entities who may be adversely affected by the proposal.

The persons served notice of the application are listed in the applicable section 95 (notification) report which is attached as Appendix 5 to this report.

One submission has been received from the NZTA. The submission identifies that SH6 is a Limited Access Road at this location and, in the interest of carrying out its functions, the NZTA request that prior to completion of the subdivision, the consent holder obtain a notice signed by the Minister of Transport confirming that the State highway is road for the purposes of this subdivision.

A copy of the submission is located in the 'submission' section attached as Appendix 6 to this report.

## **6.0 CONSULTATION AND WRITTEN APPROVALS**

The following persons have provided their written approval to the application and pursuant to section 104(3)(a)(ii) of the Act any effects on these persons shall be disregarded.

<b>Person</b>	<b>Address/location</b>
<b>A Perry &amp; S Vidal</b>	Lot 1 DP 307112, Lot 1 DP 21572 and Section 120 Block VIII Shotover Survey District. Located to the east of the application site.

The applicant also provided communication from Patricia Sewhoy, the owner of the adjoining property to the west. A email letter dated 4 August 2013 appears to be a written approval, however the author states that they do not have access to a printer to enable them to sign the prescribed written approval forms. The email also contains a request for a written approval associated with fencing a property boundary.

The letter is repeated here as follows and has been appended as part of the application document on the Council's file:

*Dear Maurice,*

*Access to a printer is impossible here ! .*

*Best I can do is leave it to you on my behalf, to say everything is o.k. regarding your subdivision. Any chance you would re-fence your front boundary alongside the Highway to make it align with Michael Davies, Nolans' and mine, thereby making it easier for walkers going to/from the wonderful Trail on the corner of Arrow Junction Road ?*

*This is possibly asking too much but no harm in asking.....?*

*All the best with future plans.*

*Sincerely .  
Pat Sewhoy.*

The letter is not accepted as a written approval for various reasons including that it is conditional upon the applicant agreeing to undertake fencing, which the applicant does not appear to have proposed as part of this application and, Ms Sewhoy has not completed the prescribed written approval form or at least confirmed they have sighted the plans.

Notice of the application was served on this person and no submission was received.

## **7.0 DISTRICT PLAN PROVISIONS**

### **7.1 THE DISTRICT PLAN**

The site is zoned Rural General under the District Plan.

Section 5.3.1.1 of the District Plan states that the purpose of the zone is:

*...to manage activities so they can be carried out in a way that:*

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



The activity requires the following resource consents:

*Part 15 – Subdivision, Development & Financial Contributions*

- A **controlled** activity pursuant to Rule 15.2.3.2(i) for a boundary adjustment which complies with the respective standards in Part 15 of the District Plan. The creation of proposed lot 5 (0.16ha) and amalgamation with Lot 1 DP 24153 requires consent as a controlled activity. Council's control is with regard to the location of proposed boundaries, boundary treatment and easements for services or access.
- A **discretionary** activity pursuant to Rule 15.2.3.3(vi) which requires that in the Rural General zone all subdivision and location of residential building platforms shall be a discretionary activity. It is proposed to subdivide the site into six allotments with five residential building platforms.

Lots 1, 3, 4 and 6 would comprise new residential building platforms. Lot 2 contains the existing dwelling to which a building platform area is located to encompass, part of Lot 3 contains an 80m<sup>2</sup> shed. Lot 5 is proposed to be amalgamated with another allotment.

## 8.0 STATUTORY CONSIDERATIONS

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

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

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

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").*

Following assessment under Section 104, the application must be considered under Section 104B of the Act. Section 104B states:

*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.*

Section 106 of the Act enables a consent authority to refuse a subdivision in certain circumstances relating to hazards or whether legal or physical access has been provided.

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 220 of the Act empowers the consent authority to impose conditions on a resource consent.

## **9.0 ASSESSMENT**

### **9.1 LANDSCAPE CLASSIFICATION**

As set out in part 4.4 of this report the activity is located within a visual amenity landscape. The applicable assessment matters are contained in part 5.4.2.2 of the District Plan (*Rural Areas – Rules, Assessment Matters, (3) Visual Amenity Landscapes*).

### **9.2 EFFECTS ON THE ENVIRONMENT**

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

The permitted baseline in the Rural General zone is limited to planting (with specific exclusions), fencing and earthworks which do not breach the applicable standards in rule 5.3.5.1 of the District Plan. In terms of subdivision, there is no permitted baseline because subdivision is a controlled activity and subdivision involving residential building platforms, and the creation of building platforms in the Rural General zone are provided for as a discretionary activity.

Unimplemented consents on the application site comprising the existing environment, and existing unimplemented consents on neighbouring properties comprising the receiving environment have been identified in part 4 of this report.

The construction of residential buildings and accessory buildings within the approved building platforms that have been approved by the subdivisions on the application site and surrounding area as set out in part 4 above can be expected to occur.

#### **9.2.2 Actual and Potential Effects on the Environment**

The application site holds a resource consent, which is partially implemented, to undertake a subdivision and registration of four building platforms, three of which are 'new'. On this basis therefore, the principal matter of this application is the creation of proposed Lot 6 and the associated building platform.

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

- Effects on the values, character and amenity of the visual amenity landscape
- The cumulative effects of buildings on the application site, in the context of the surrounding area
- Effects on the safe and efficient operation of the road network
- Effects from servicing the site and the provision of adequate infrastructure
- The ability of the site, and future sites to be adequately and efficiently serviced with potable water, communications and electricity
- Natural Hazards and the suitability of the site to be used for residential activity
- Temporary construction effects associated with the subdivision development activities

#### ***Effects on the values, character and amenity of the visual amenity landscape***

The application report has been prepared by the applicant Mr Maurice Orr, whom as an architect, has put forward that the building platform on Lot 6 and, the subdivision overall has been designed in a considered manner that is complementary to the site's character and topography and, in Mr Orr's view, to be as recessive as possible. Mr Orr's application is also accompanied by a landscape assessment, which is an amended version of the landscape report prepared by Ben Espie a landscape architect, for the 'original' application (RM090883). It is not clear how much of the landscape assessment is from that of Mr Espie or Mr Orr.

Mr Denney has provided an assessment of the application against the applicable District Plan criteria. In any case, whilst the application documents have been thoroughly considered, it is my preferred to rely upon the specialist advice of Mr Denney.

Assessment matters 5.4.2.2(3) - Visual Amenity Landscape

**Effects on natural and pastoral character**

*(i) where the site is adjacent to an Outstanding Natural Landscape or Feature, whether and the extent to which the visual effects of the development proposed will compromise any open character of the adjacent Outstanding Natural Landscape or Feature;*

*(ii) whether and the extent to which the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape;*

*(iii) whether the development will degrade any natural or arcadian pastoral character of the landscape by causing over-domestication of the landscape;*

Mr Denney states that:

The subject site is not immediately adjacent to the ONF of the Arrow River / Gorge and is separated by a series of hummocks which largely disassociates the site from river landscape.

The proposed development would increase the level of domestication in the rural landscape with built form, formed access drive, and the formalisation of the entry off the Arrow Junction Road. The degree of change I consider to be relatively small. There is a lack of detail within the application in regards to the entrance treatment to the proposed lots from Arrow Junction Road. I consider this section of this road is very distinct in its Arcadian character and entrance widths, gates etc. have potential to degrade this character if they become out of scale or context to this landscape setting.

In order to mitigate this potential effect, Mr Denney recommends that design controls on the entrance gates, and access drive should be a condition of consent.

Mr Denney also considers that the *'retention of the large rural trees alongside the Arrow Junction Road and nature of the undulating hummocky terrain is such that the natural and Arcadian pastoral character of the surrounding Visual Amenity Landscape (VAL) should remain overall dominant'*. Mr Denney recommends that mitigation tree species be of trees typical of the established rural landscape, and be of non-wildling species.

Mr Denney's comments are accepted. The application site has a relatively unique topography and has capacity to absorb visual effects, and the landscape would not result in over domestication.

**Visibility**

*(i) the proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and*

*(ii) the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or arcadian pastoral landscapes;*

*(iii) there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of the existing natural topography or cultural plantings such as hedge rows and avenues;*

*(iv) the subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;*

*(v) any building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;*

*(vi) any proposed roads, earthworks and landscaping will change the line of the landscape or affect the naturalness of the landscape particularly with respect to elements which are inconsistent with the existing natural topography;*

*(vii) any proposed new boundaries and the potential for planting and fencing will give rise to any arbitrary lines and patterns on the landscape with respect to the existing character.*

*(viii) boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units;*

*(ix) the development constitutes sprawl of built development along the roads of the District and with respect to areas of established development.*

Mr Denney has commented on these matters as follows:

*The proposed formalisation of the access would be visible from the Arrow Junction Road albeit for only a short section of around 100m. The site is elevated above the Arrow Junction road and the proposed building platform is tucked to the rear of existing hummock as seen from this view point. From the state highway the same hummock has a modified extension in the form of an earth bund that would partial screen the proposed platform from the highway some 150m distant. The site is also visible from the Crown terrace face as one is traveling along the series of switchbacks up the slope and from the public lookout at the summit of the face. The site would be about 1.4km distant from the lookout point and would be seen in a context of established trees, buildings and hummocky terrain that is concentrated between the Arrow River and the site. It would also be viewed in the broader panorama of the Wakatipu basin, and in this regard I consider the visibility of the site to be relatively minor in the broader landscape context. The proposed development is not likely to be visually prominent that it would detract from public or private views otherwise characterised by natural or pastoral landscapes.*

*There exist earth bunds on the property that assist in screening the areas of the proposed development. This mounding is modification of the natural landscape and also to some degree detracts from views of the immediate natural topography. A mound adjacent to the highway has also been planted with a few trees, which includes silver birch although I am unsure of the other species planted. I consider the mounding is too abrupt and is out of context of the landscape and hinders views towards the existing natural topography which is a feature of the local area. I recommend that the mounds are softened with grades no steeper than 1:6 (vertical / horizontal), and smoothed to gradually blend into the flatter parts of the site. I recommend that proposed mitigation planting be restricted to within the immediate surrounds of the platforms and that the proposed open pasture area identified on the structure plan and mitigation works plan be extended to include the area of the water race near the mound adjacent to the highway to maintain an open view from the highway.*

*The location of the proposed platform and access to it is tucked into the natural hummock which I consider uses the natural terrain to site the building into the landscape with minimal visibility beyond the site. The proposed building platform would be located where it would enable a future building to potentially screen views of an existing dwelling to the south of the site as viewed from the highway and whilst the building would be closer the increase in visible built form would be minimal.*

*A building within the proposed platform would not breach the skyline, ridges, hills or prominent slopes.*

*Proposed earthworks for the proposed building platform and access drive would modify the western and southern slope of the natural hummock. This area is not highly visible*

*from outside the site and the future built form would partially fill the void left. I consider the change to the natural line of the landscape would be relatively small.*

*The proposed boundary between proposed lots 6 and 4 would generally run in the dip of the land between the two properties along the Arrow Junction Road and then across the site. This would be consistent with the rural fence-line patterns in the area.*

*The development would not constitute sprawl of built development along the roads of the district. The proposed building platform is set some 150m distant from the highway and would not be highly visible from the Arrow Junction Road.*

The building platform on Lot 6 is unique in that whilst it is relatively close to State Highway 6, the hummocky topography, assisted by the earth mound provides effective screening of the majority of the building.

Mr Denney considers that the mound should be re-shaped. Whilst I am in agreement, the shape of the mound, and the vegetation planted atop is not a major determinant of whether future buildings from Lot 6 would be visible to inappropriate degree, or that the current shape of the mound draws attention into the site. A hard look at the mound would confirm that it is not a natural landform however, its presence neither creates an adverse effect in itself, nor is it deficient at mitigating the visual effects of the building platform area on proposed Lot 6.

The applicant has proposed that the mound is reshaped to a 1:4 grade on the side facing the State Highway. This is considered to be acceptable and would be sufficient in terms of enhancing the integration of the mound to the surrounding area soften its appearance and assist with its integration to the natural hillocks on the application site and surrounds.

#### **(c) Form and Density of Development**

*In considering the appropriateness of the form and density of development the following matters the Council shall take into account whether and to what extent:*

*(i) there is the opportunity to utilise existing natural topography to ensure that development is located where it is not highly visible when viewed from public places;*

*(ii) opportunity has been taken to aggregate built development to utilise common access ways including pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);*

*(iii) development is concentrated in areas with a higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;*

*(iv) the proposed development, if it is visible, does not introduce densities which reflect those characteristic of urban areas.*

*(v) If a proposed residential building platform is not located inside existing development (being two or more houses each not more than 50 metres from the nearest point of the residential building platform) then on any application for resource consent and subject to all the other criteria, the existence of alternative locations or methods:*

*(a) within a 500 metre radius of the centre of the building platform, whether or not:*

*(i) subdivision and/or development is contemplated on those sites;*

*(ii) the relevant land is within the applicant's ownership; and*

*(b) within a 1,100 metre radius of the centre of the building platform if any owner or occupier of land within that area wishes alternative locations or methods to be taken into account as a significant improvement on the proposal being considered by the Council - must be taken into account.*

*(vi) recognition that if high densities are achieved on any allotment that may in fact preclude residential development and/or subdivision on neighbouring land because the adverse cumulative effects would be unacceptably large.*

Mr Denney comments as follows:

*The proposed platform is located within natural terrain that enables a building to sit relatively discretely into the landscape without being highly visible from public places. I consider the proposed platform has utilised the part of the property with the best ability to absorb such development while retaining the flatter more open areas as open pasture areas.*

*The two lots would use a common access way off the Arrow junction Road. The proposed development where it would be visible would not introduce densities which reflect urban characteristics.*

*The proposed building platform would not be located inside an existing development (being two or more houses not more than 50m apart). Within a 500m radius of the proposed building platform there are a number of larger lots with one very large lot to the north of State Highway 6 that includes a generous area of flatter land. However within this radius I consider the subject site is within that part of the landscape with the best ability to absorb such development as it has large established trees, has a hummocky terrain that can contain development to discrete landscape units, is elevated above the Arrow Junction road limiting visibility into the site and is sufficiently distant from outstanding natural landscapes or features as to not have an effect upon them.*

*The proposed subdivision and building platform would create a higher density of rural living but in context of landscape that I consider has ability to absorb such development. The landscape characteristics of the subject site are very local in that surrounding properties display generally more open characteristics or are closer to the outstanding natural feature of the Arrow River. I consider those landscape constraints beyond the subject site would limit similar developments within those more exposed or sensitive landscapes.*

Mr Denney's comments are accepted. The site has unique characteristics and the considered shape and location of the Building Platform on Lot 6 is such that the site has the ability to absorb the density of future development within the building platforms. This statement is made in light of the combination of the existing environment and the consented building platforms on sites in the vicinity.

In quantitative terms it is acknowledged that the resultant density on the site would be one dwelling per 1.7 hectares, which could be considered more akin to densities expected in the Rural Lifestyle zone. Notwithstanding this, there is no minimum allotment size in the Rural General zone and the matter of whether or not the density of housing to result from a subdivision is appropriate falls on the merits of the application and whether it satisfies the applicable assessment criteria. In this case, the adverse effects of the proposal creating a high density of residential activity are mitigated.

For these reasons the proposal is not at odds with the assessment criteria.

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

*In considering whether and the extent to which the granting of the consent may give rise to adverse cumulative effects on the natural or arcadian pastoral character of the landscape with particular regard to the inappropriate domestication of the landscape, the following matters shall be taken into account:*

*(i) the assessment matters detailed in (a) to (d) above;*

*(ii) the nature and extent of existing development within the vicinity or locality;*

*(iii) whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;*

*(iv) whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;*

*(v) the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually significant natural elements, so as to check the spread of development that might otherwise occur either adjacent to or within the vicinity as a consequence of granting consent;*

*(vi) whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;*

*(vii) whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).*

Mr Denney comments:

*The nature and extent of development in the local area is one of relatively higher densities of rural living. Most of the higher density areas are within areas of greater topographical variance and established trees that enable dwellings to be less visible such as to the north east of the junction of SH6 and McDonnell Road. Most of the flatter areas are largely open pastoral areas with very few dwellings. I consider the proposed development is within an area that is consistent with higher density rural development that is tucked into the natural landform and or established treed areas of traditional rural trees.*

*I consider the proposed development is within a local context that can absorb such development but beyond the site this ability rapidly declines as the landscape becomes more open. In this regard I consider the proposed development would bring the landscape up to the threshold to absorb such development as the availability of such accommodating landscape is limited beyond the site.*

*The development is not likely to result in the need for infrastructure consistent with urban landscapes.*

Mr Denney's comments are accepted. With specific regard to assessment matter (iv), the site certainly has the ability to contain the development within discrete landscape units, being the part of the site enclosed by hillocks, screened by the constructed mound and bordered by established poplars along the Arrow Junction Road boundary.

Mr Denney's comments are accepted where he considers that beyond the site, and in particular, to the north, sites in the vicinity have less capacity to absorb development.

On this basis, the resultant domestication of the landscape is not inappropriate, because the form and density of development and resultant cumulative effects, considered both in the context of the site and the vicinity, can be absorbed and sufficiently mitigated.

#### **(e) Rural Amenities**

*In considering the potential effect of the proposed development on rural amenities, the following matters the Council shall take into account whether and to what extent:*

*(i) the proposed development maintains adequate and appropriate visual access to open space and views across arcadian pastoral landscapes from public roads and other public places; and from adjacent land where views are sought to be maintained;*

*(ii) the proposed development compromises the ability to undertake agricultural activities on surrounding land;*

*(iii) the proposed development is likely to require infrastructure consistent with urban landscapes such as street lighting and curb and channelling, particularly in relation to public road frontages;*

*(iv) landscaping, including fencing and entrance ways, are consistent with traditional rural elements, particularly where they front public roads.*

*(v) buildings and building platforms are set back from property boundaries to avoid remedy or mitigate the potential effects of new activities on the existing amenities of neighbouring properties.*

Mr Denney considers that the recent earth mound constructed between SH6 and the proposed building platform on Lot 6 would compromise adequate and appropriate visual access to open space and views across the arcadian pastoral landscape.

Mr Denney reinforces the recommendations made above that reshaping be undertaken to the mound to soften its appearance. Whilst the visual effects of the mound are not considered stark, I agree that it should be re-shaped to avoid the potential for the site to appear overly modified, which would be likely to draw attention to the site. As discussed above, the applicant is proposing to re-shape the mound with a 1:4 gradient and this is considered to be appropriate.

Mr Denney also considers that landscape mitigation for the proposed building platform would be more appropriate closer to the platform to enable the balance of the site to contribute towards the openness of the visual amenity landscape as seen from the highway.

To avoid adverse effects on the 'arcadian character' of Arrow Junction Road, Mr Denney recommends that the vehicle entranceway be restricted to a single lane access no greater than 3m in width, that road side fences be maintained as post and wire, and gates be standard rural timber or galvanised steel only. There should be no lighting or ornamentation on the roadside entrance. The access drive to the lots should be no wider than 3m in width and be off a loose gravel to be in keeping with the rural character with no lighting.

This is accepted and recommended to form conditions of consent, should one be granted.

#### ***Other applicable assessment matters***

The general assessment criteria in part 5 (Rural Areas) of the District Plan and matters for earthworks are considered to have been addressed above and, in the following assessment on engineering and temporary construction effects.

Part 15 (Subdivision, development and financial contributions) of the District Plan includes a wide range matters to address subdivision design and effects on open pastoral character. The above assessment of the VAL assessment criteria have sufficiently addressed these matters and need not be repeated.

#### ***Summary of effects on the values, character and amenity of the visual amenity landscape***

On the basis of the above I generally concur with the assessment undertaken by Mr Denney. Mr Denney summaries as follows:

*It is the undulating nature of the terrain, the retention of large existing trees near the eastern boundary and the strategic positioning of the proposed new platform that enables the proposed development to sit within the landscape with few adverse effects. It would be located within a part of the landscape within ability to absorb a development of this nature much more so than adjacent flatter land.*

This statement is accepted. It is considered that in light of consented development on the subject site and in the vicinity, this proposal is appropriate however, the landscape likely to be at its capacity to absorb future development.



## **Roading and Access**

The application has been reviewed by the Council's resource management engineer, Ms Lyn Overton, who comments as follows:

*Access for all lots in this subdivision will be from Arrow Junction Road. All points of access off this road were assessed as part of the underlying subdivision RM090883 and the variation to this consent RM100500. I am satisfied that no new access points will be created as part of this subdivision. I recommend that the conditions imposed as part of RM090883 and the variation RM100500 in relation to access are imposed on this consent.*

*The applicants intend to create a right of way over proposed Lot 6 in favour of approved Lot 4. A condition is recommended to ensure that the right of way is formed to Council's standards.*

*Pedestrian access is proposed along the bridal path indicated as area TA and TB on the Aurum Survey Consultants 'Proposed Subdivision Lot 1 DP 15183 Arrow junction road' (dated July 2013, Drawing 3485 1R 1B) within proposed Lot 6 was assessed at the time of RM090883. I accept the findings of this report and recommend that that appropriate easements are granted and that the pedestrian walkway is formed prior to 224c certification.*

*The site is bordered by Lake Hayes - Arrow Junction Road (SH6) on the northern boundary. This road is a limited access road. NZTA (New Zealand Transport Agency) have made a submission for the proposed subdivision and have requested that a Section 93 of the Government Roading Act 1989, confirming that that the State Highway is road for the purposes of this subdivision. I recommend that the proposed condition becomes a condition of consent.*

Ms Overton's comments are accepted. It is also considered that imposing a condition as requested by The NZTA would address the concerns set out in their submission.

## **Services**

### *Water*

Water supply for the lots will be from a private water supply. Ms Overton notes that a letter from McNeill Drilling Limited confirms that there are ample flows within the bore to supply 5 dwellings.

Ms Overton is satisfied that there is sufficient capacity to supply 5 residential lots. Ms Overton recommends appropriate conditions to ensure that the lots are provided with a minimum of 2,000 litres of water per day. These are accepted and recommended to form conditions of consent, should one be granted.

### *Fire-Fighting*

Ms Overton recommends conditions of consent to ensure each lot, and in particular Lot 6, caters for on-site fire fighting.

### *Wastewater*

Ms Overton has commented as follows:

*The site and soil report submitted for RM090883 and RM100500 by indicated that on-site wastewater disposal was feasible for the sites but that the soil was classified as category 4 and therefore will require treatment via a secondary treatment system. The following comments were made in the RM090883 report:*

*"A site and soils assessment report has been prepared for the site by CPG. Test pit/permeability test locations are not shown on a plan; however all sites were determined to comprise Category 4 soils, which seems reasonable.*

*CPG's report is based on the systems having secondary treatment with disposal to land via pressure dosed drip irrigation lines. A disposal area of 400m<sup>2</sup> per lot would be required. CPG does state however that there is sufficient room and suitable soil within the lots to use a primary treatment and trench disposal system.*

*Designs for the individual systems have been undertaken by Oasis. These comprise secondary treatment with trench disposal, which requires a smaller disposal area. I agree that a trench system is also acceptable.*

*In this case, I recommend that final design of the systems on Lots 1, 3, 4 and 5 should be undertaken at the time the dwelling is constructed as the loading will be based on the number of occupants/bedrooms, which is not yet finalised. I agree that a disposal area of approximately 50m<sup>2</sup> is likely to be appropriate, and as this area can be set aside on each lot I am satisfied that individual on-site effluent disposal systems are feasible. (A system for the new building on Lot 3 has already been approved under RM090750, although this is based on it being a sleepout and may require amending).*

*CPG's report also recommends that the existing system on Lot 2 be replaced. However, a later letter from CPG, submitted for RM090750, states that the system appears to be functioning well and does not require upgrading. This was acceptable for RM090750, and so I do not recommend any conditions regarding this system for the current consent."*

*I accept the comments made in this report and recommend an appropriate condition is registered on the new titles to ensure that future wastewater disposal systems are designed in accordance with the CPG report.*

Ms Overton's comments are accepted and conditions of consent can be imposed to ensure that on-site wastewater treatment and disposal system are installed on the lots in accordance with the recommendations of the CPG report.

#### *Stormwater*

Ms Overton notes that on the basis of the test pit log provided she is satisfied that stormwater disposal can be adequately addressed by the Building Consent process and no conditions are required in relation to stormwater disposal for this consent.

#### *Power & Telecommunication*

Letters were provided by utility providers Aurora and Chorus confirming that their services were available. Appropriate conditions are recommended to ensure that each residential lot is provided an electricity and telecommunication connection.

#### **Earthworks *Natural Hazards and the suitability of the site to be used for residential activity***

Ms Overton has also drawn from the underlying applications (RM090883 and RM100500), which included a building platform in a similar location to that on proposed Lot 6. Ms Overton notes that the Geotechnical Report submitted for that application did not identify any constraints, except to state that allowance should be made for the stabilisation of rock into the schist bedrock, in the event that earthworks are undertaken on the building platform on Proposed Lot 6. Ms Overton has suggested conditions of consent to address these matters. These are accepted and recommended to form conditions of consent.

Ms Overton has also recommended conditions of consent to ensure appropriate environmental protection measures are undertaken during earthworks to avoid erosion and siltation. These are accepted and recommended to form conditions of consent.

#### **Assessment Summary**

The landscape has the capacity to absorb the proposed activity and adverse effects on the visual amenity landscape will be minor. Any adverse effects associated with traffic, servicing, nuisance, or natural hazards can be avoided and mitigated.

### **9.3 OBJECTIVES AND POLICIES**

The relevant objectives and policies provided for within the District Plan are outlined below in accordance with section 104(1)(b) of the Act.

The relevant objectives and policies of the District Plan are found under the following sections:

- Part 4 District Wide Issues
- Part 5 Rural Areas
- Part 15 Subdivision Development and Financial Contributions

It is noted that objectives and policies not mentioned below have been taken into account, however only those considered relevant have been included.

The objectives and policies are shown in italics below, with my assessment following.

#### **Section 4 – District Wide Issues**

##### **4.2.4 Issues**

*The District's landscapes are of significant value to the people who live, work or visit the District, and need to be protected from inappropriate subdivision, development and use. Increasing development and activity makes the District's landscape particularly vulnerable to change.*

*The landscapes of the district broadly fall into three separate categories - outstanding natural landscapes and features, visual amenity landscapes and other landscapes. The following significant resource management issues in respect of landscape generally, and by category, have been identified:*

...

##### **(3) Maintenance and Enhancement of Visual Amenity Landscapes**

*The visual amenity landscapes are the landscapes to which particular regard is to be had under Section 7 of the Act. They are landscapes which wear a cloak of human activity much more obviously - pastoral (in the poetic and picturesque sense rather than the functional sense) or Arcadian landscapes with more houses and trees, greener (introduced) grasses and tend to be on the District's downlands, flats and terraces. The extra quality that these landscapes possess which bring them into the category of 'visual amenity landscape' is their prominence because they are:*

- *adjacent to outstanding natural features or landscapes; or*
- *landscapes which include ridges, hills, downlands or terraces; or*
- *a combination of the above*

*The key resource management issues for the visual amenity landscapes are managing adverse effects of subdivision and development (particularly from public places including public roads) to enhance natural character and enable alternative forms of development where there are direct environmental benefits.*

...

##### **4.2.5 Objective and Policies**

###### **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**

- 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.*

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

The application site, and in particular where the building platform on Proposed Lot 6 would be located has capacity to absorb development. The visual amenity landscape would not be degraded and whilst the density of buildings is at a threshold, the addition of a building platform on Lot 6 does not tip this threshold and degrade the visual amenity landscape.

#### **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.*

Efforts have been made to mitigate adverse effects in the form of design controls, structural landscaping, and the location of the building platform amongst the topography.

#### **6. Urban Development**

- (a) *To avoid new urban development in the outstanding natural landscapes of Wakatipu basin.*
- (b) *To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.*
- (c) *To avoid remedy and mitigate the adverse effects of urban subdivision and development where it does occur in the other outstanding natural landscapes of the district by:*
  - *maintaining the open character of those outstanding natural landscapes which are open at the date this plan becomes operative;*
  - *ensuring that the subdivision and development does not sprawl along roads.*
- (d) *To avoid remedy and mitigate the adverse effects of urban subdivision and development in visual amenity landscapes by avoiding sprawling subdivision and development along roads.*

#### **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.*

## **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.*

Policy 6 (D), Policy 7 (c) and the entirety of policy 8 are relevant, it is considered likely that this activity, whilst not an urban subdivision, does constitute a development within a visual amenity landscape. The proposal is not considered to be at odds to these policies because it does not represent sprawling subdivision and development along roads.

The site is bordered by two public roads and the recently established cycle trail. The activity has the potential to degrade the landscape values from these places. As set out above, it is not considered to be the case with this application.

## **9. Structures**

*To preserve the visual coherence of:*

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

The activity has been designed to harmonise with the topography on the site and minimise visual prominence from public places. The activity is consistent with objective and policies.

## **12. Transport Infrastructure**

*To preserve the open nature of the rural landscape by:*

- *encouraging the location of roads, car parks and tracks along the edges of existing landforms and vegetation patterns.*
- *encouraging shoreline structures, such as jetties, to be located only where they are visually contained by the topography, e.g. coves or bays.*
- *by encouraging imaginative roading designs including a range of carriageway widths, different surface materials, grass berms and protection of existing mature trees where these can enhance the quality of design and the visual experience.*
- *discouraging roads and tracks on highly visible slopes.*
- *requiring that all construction be with minimum cut and fill batters and that all batters be shaped in sympathy with, existing landforms.*
- *requiring that all disturbed areas be revegetated at the end of construction.*
- *encouraging where appropriate car parks to be screened from view.*
- *requiring the adverse effects of large expanses of hard surface car parks be avoided by planting and earthworks.*

The activity is considered to be consistent with this policy as the subdivision has been designed a shared access as far from the intersection of SH6 as practicable.

## **17 Land Use**

*To encourage land use in a manner which minimises adverse effects on the open character and visual coherence of the landscape.*

As discussed above, the application would have minor adverse effects on the open character and visual coherence of the landscape.

### **4.8.3 Natural Hazards - Objective and Policies**

#### **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:***

...

- 1.4 *To ensure buildings and developments are constructed and located so as to avoid or mitigate the potential risk of damage to human life, property or other aspects of the environment.*
- 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.*
- 1.6 *To discourage subdivision in areas where there is a high probability that a natural hazard may destroy or damage human life, property or other aspects of the environment.*

...

The report provided by Tonkin & Taylor as part of RM090883 has verified that there are not any identified hazards on the site should not preclude development.

#### **4.10.3 Earthworks Objectives and Policies**

##### **Objectives**

**To avoid, remedy or mitigate the adverse effects from earthworks on:**

- (a) Water bodies**
- (b) The nature and form of existing landscapes and landforms, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.**
- (c) Land stability and flood potential of the site and neighbouring properties**
- (d) The amenity values of neighbourhoods**
- (e) Cultural heritage sites, including waahi tapu and waahi taoka and archaeological sites**
- (f) The water quality of the aquifers.**

##### **Policies:**

1. *To minimise sediment run-off into water bodies from earthworks activities through the adoption of sediment control techniques.*
2. *To avoid the location of earthworks in close proximity to water bodies. Where this cannot be avoided, to ensure that sediment control measures are put in place to minimise sediment run-off.*
3. *To minimise the area of bare soil exposed and the length of time it remains exposed.*
4. *To avoid or mitigate adverse visual effects of earthworks on outstanding natural landscapes and outstanding natural features.*
5. *To avoid earthworks including tracking on steeply sloping sites and land prone to erosion or instability. Where this cannot be avoided, to ensure techniques are adopted that minimise the potential to decrease land stability.*
6. *To protect the existing form and amenity values of residential areas by restricting the magnitude of filling and excavation.*
7. *To ensure techniques are adopted to minimise dust and noise effects from earthworks activities.*
8. *As far as practicable, to protect Waahi Tapu, Waahi Taoka, and other archaeological sites from potential disturbance resulting from earthworks.*
9. *To notify Kai Tahu ki Otago where earthworks are proposed in areas identified in either the District Plan or the Natural Resource Management Plan as significant to iwi.*
10. *To notify the NZ Historic Places Trust where proposed earthworks may affect archaeological sites.*

11. *To ensure that work is suspended and Kai Tahu ki Otago and the NZ Historic Places Trust are notified when archaeological remains are observed or unearthed during earthworks activities.*
12. *To avoid contaminating the water aquifers of the Queenstown Lakes District.*

As discussed by Mr Denney, the earthworks would affect the natural hillock, however this would be from the back of the mound and would not be visible from public places and would, to a degree be rehabilitated by the presence of a building and curtilage elements within the excavated void.

## **Section 5 – Rural Areas**

### **5.2 Rural General and Ski Area Sub-Zone**

#### **Objective 1 - Character and Landscape Value**

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

*Policies:*

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

Assessments have been made in relation to the district wide landscape objectives and policies. These are addressed above.

- 1.2 *Allow for the establishment of a range of activities, which utilise the soil resource of the rural area in a sustainable manner.*
- 1.3 *Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.*

The location of the proposed lots, vegetation and access will prevent the ability to continue rural productive activities on the site. However, the majority of Lots 4 and 6 will remain in pasture and will appear a homogenous.

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

A rural residential character is established on the southern side of SH6, compared to the open and flatter rural working landscape on the northern side of the road. The activity is consistent with this policy.

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

Given the foregoing assessment it is considered that the location, design controls, mounding and vegetation will avoid and mitigate the adverse visual effects.

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

The building platform on Lot 6 is located in what is regarded the most suitable area on the site to absorb change.



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

The site is predominantly flat and would not result in structures being placed on ridgelines or prominent slopes. The proposal is not at odds with this policy.

**Objective 3 - Rural Amenity**

***Avoiding, remedying or mitigating adverse effects of activities on rural amenity.***

- 3.3 To avoid, remedy or mitigate adverse effects of activities located within rural areas.*

- 3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effect of activities on neighbouring properties.*

The temporary construction and subdivision activities can be controlled by conditions of consent.

**Section 15 – Subdivision Development and Financial Contributions**

The relevant objectives and policies in Part 15 of the District Plan relate to servicing and amenity protection.

Provision has been made to adequately service the proposed subdivision as addressed above. The proposal fulfils Objective 1 – Servicing and related policies.

**Objective 5 – Amenity Protection**

*The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.*

**Policies:**

- 5.1 To ensure lot sizes and dimensions to provide for the efficient and pleasant functioning of their anticipated land uses, and reflect the level of open space and density of built development anticipated in each area.*
- 5.2 To ensure subdivision patterns and the location, size and dimension of lots in rural area will not lead to a pattern of land uses, which will adversely affect landscape, visual, cultural and other amenity values.*
- 5.3 To encourage innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services.*
- 5.5 To minimise the effects of subdivision and development on the safe and efficient functioning of services and roads.*

The proposed subdivision attempts to mitigate effects and if not considered innovative, it at least maximises the natural attributes of the site to absorb development.

The design is considered to maintain amenity values by the configuration of the building platforms, building height restrictions and providing a shared access, design controls and structural landscaping. The potential adverse effects of SH6 are avoided by the location of access via Arrow Junction Road.

**Summary – Objectives and Policies**

Overall, the activity is consistent with the objectives and policies of the District Plan.

## **9.4 OTHER MATTERS**

### **9.4.1 Precedent**

Precedent is a relevant matter as subdivision consent is sought for a discretionary activity and, in the context that the proposed activity seeks further residential development within an area with a relatively high density of rural residential style subdivision development previously approved on the site and in the vicinity.

It is considered that granting consent to this activity would not set a precedent because the site has exceptional characteristics which enable development to be absorbed without giving rise to adverse effects on the visual amenity landscape.

It is also acknowledged that subdivision has occurred in the Arrow Junction locality and that a node of residential activity is now found in this locality. The proposed building platform would be located squarely within this node.

It is therefore considered that the proposal will not establish a significant precedent.

### **9.4.2 Northcote**

In 2003 resource consent for a two-lot subdivision (RM031031) of a 3.55-hectare property at 37 Arrow Junction Road, located directly east of the application site was refused by the Council. This decision was upheld by the Environment Court in *Northcote v QLDC* (C112/2005).

Whilst relevant, the refusal of this application does not compel the Council to refuse the current application based on that decision. It is acknowledged in this instance the mitigation available to the application and additional mitigation offered to mitigate the visual prominence of the future buildings.

It is also important to acknowledge the changes to the environment since this decision. Figure 1 above illustrates the subdivision which has occurred in this area and it is now established that the southern side of SH6, adjacent to Arrow Junction Road comprises a node of residential activity.

## **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 means managing the use, development and protection of natural and physical resources within certain parameters. The physical resources of this site will be developed in such a way that the social and economic wellbeing of the applicants are provided for, while the potential of natural and physical resources, including the landscape values of the District, will be sustained to meet the reasonably foreseeable needs of future generations. Any adverse effects of the activity can be avoided, remedied or mitigated by adherence to appropriate conditions of consent.

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*

Relevant matters in particular outlined above include (aa) the ethic of stewardship, (b) the efficient use and development of natural and physical resources, (c) the maintenance and enhancement of amenity values and, (f) the maintenance and enhancement of the quality of the environment.

In terms of Section 6 of the Act (Matters of National Importance), the activity does not represent inappropriate subdivision and development in the context of section 6 (a) and (b) of the Act. The proposed building platform on Lot 6 would be located an adequate distance from the Arrow River, the nearest Outstanding Natural Feature to the application site.

## 10.0 CONCLUSION

Subdivision consent is sought to undertake a boundary adjustment of Proposed Lot 5 (0.16ha) with the property to the south (Lot 1 DP 24153), and create five rural residential style allotments, four of which are already consented by RM090883. The principal issue associated with this application is with the new Lot 6 and its associated building platform.

Following the above assessments of the activity against the applicable District Plan assessment criteria and the objectives and policies it is concluded that the landscape has the capacity to absorb the development and the adverse effects on the visual amenity landscape, including form, density and cumulative effects will be minor and the landscape will not be diminished by the granting of consent.

There are no natural hazard, servicing or roading related matters that should preclude consent being granted.

It is recommended that the application can be granted consent subject to the conditions recommended in Appendix 1.

---

**Prepared by:** Craig Barr



Senior Planner

**Approved by:** Blair Devlin



Manager, Resource consenting

<b>Attachments:</b>	Appendix 1	Conditions of Consent
	Appendix 2	Landscape Architect's Assessment
	Appendix 3	Engineering Assessment
	Appendix 4	Approved Plans RM090883 and RM100500
	Appendix 5	Notification Report
	Appendix 6	NZTA Submission

**Report Dated:** 17 February 2014

**Date Granted:** 10 March 2014

## APPENDIX 1 - CONDITIONS OF CONSENT

1 That the development must be undertaken/carried out in accordance with the plans:

- Subdivision Plan
- Contour Plan + Building Platform Heights
- Services Plan
- Structure Plan + Mitigation Works
- Earthworks Plan Lots 1-4
- Earthworks Plan Lot 6

Prepared by Aurum Survey titled 'Subdivision Overview, Lot 15183; Arrow Junction Road.

**stamped as approved on 7 March 2014**

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

1(a) This consent shall lapse ten years from the date of approval, being 7 March 2024..

1(b) In order to allow for the development and release of allotments in a controlled and logical manner the subdivision may be staged in any order that the consent holder sees fit provided that all residential allotments within each stage are adequately serviced and accessed in accordance with the conditions of this consent.

2 If the subdivision is staged in accordance with Condition (1a) and the consent holder submits a survey plan showing lots that are proposed to be amalgamated and no further survey plan or section 224(c) certification would be required to obtain title for those lots, then, prior to certification of that stage (pursuant to Section 224 of the Act), a consent notice shall be registered on the computer freehold register to which the allotments shall be contained within. The consent notice shall require that prior to the release of any of the allotments, all conditions relating to the lots to be amalgamated have been satisfied and development contributions have been paid.

(a) To give effect to this condition, all consent conditions related to those lots shall be completed and the conditions in the following form shall be registered on the Computer Freehold Register for the lots to be amalgamated with the balance lot in accordance with Section 221 of the Act:

- (i) Prior to cancellation of the amalgamation condition in relation to Lot X pursuant to Section 226/241 of the Act, all land use and subdivision conditions of RM130489 that apply to the lot have been satisfied. This will require the re-inspection of services and any necessary infrastructure.
- (ii) Prior to cancellation of the amalgamation condition in relation to Lot X pursuant to Section 226/241 of the Act, Development Contributions shall be paid for Lot X. Development contributions shall be paid at the rate calculated for the relevant stage under RM130489. As per the 2012 Development contribution policy, All DCN's issued after 1 July 2012 will be valid for 24 months from the date of issue and then recalculated for payment under the policy relevant at that time in order to establish the relevant development contribution payable for the release of that lot.

(b) If the Territorial Authority has confirmed in writing that it is satisfied that the conditions of (a) (i) and (ii) above have been complied with then those consent notice conditions, along with this condition, may be deemed to be expired for the purpose of Section 221(5) 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. The consent holder shall install measures where necessary to control and or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who is familiar with the Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002) report and who shall supervise the excavation procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
6. 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".
7. Prior to commencing works on site, the consent holder shall obtain and implement an approved traffic management plan from Council if any parking or traffic will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed.
8. 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 sealed vehicle crossings to the rights of way A and B from Arrow Junction Road, to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
  - b) The formation of rights of way A and B, in accordance with Council's standards.
  - c) The provision of a water supply to service the building platforms on Lots 1 – 4 and 6 in terms of Council's standards. Each lot shall be supplied with a minimum of 2,000 litres per day of potable water that complies with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).

***To be monitored throughout earthworks***

9. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002).
10. 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.
11. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the formation of the vehicle crossing onto Lot 4.

***On completion of earthworks***

12. At the completion of the earthworks, all permanent un-retained batters shall be top-soiled and grassed/revegetated within 4 weeks.
13. On completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

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

14. 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. This shall include creating the necessary easements to protect the water supplies and pedestrian access over the bridal track.

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

15. 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, Wastewater and Stormwater 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 (8) above.
    - d) The consent holder shall submit to the Principal Resource Management Engineer at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
    - e) In the event that the test results required in Condition 15(d) above show the water supply does not conform with the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Principal Resource Management Engineer at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
      - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
- OR
- ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the dwelling an individual water treatment system shall be installed in

accordance with the findings and recommendations contained within the water treatment report submitted for the RM130489 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.

- f) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal water service infrastructure and facilities associated with the subdivision.

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.

- g) The consent holder shall provide the Principal Resource Management Engineer at Council with a copy of the operation and maintenance manuals for the private water supply or shall provide evidence that this has been made available to the management company.
- h) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- i) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- j) A suitably qualified professional shall certify that the excavated building platforms are suitable for the construction of residential buildings, and that all unretained batters over 1m high are permanently stable.
- k) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) A section 93 Government Roding Powers Act notice signed by the Minister of Transport confirming that the State Highway is road for the purposes of this subdivision.
- m) The formation of pedestrian rights of way. Public walkways shall be formed to a standard agreed by Council's Director of Parks and Open Space.
- n) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- o) The consent holder shall implement the landscape plan titled '*Structure + Mitigation Works*' approved in condition 1 of this consent. Specifically, the consent holder shall undertake the following:
- a) Undertake planting of tree species to be planted for mitigation as shown on the landscape plan with trees being of those species typical of the traditional rural landscape such as Oak, Poplars and non-wilding conifer species.
  - b) Retention of the existing large poplars along the Arrow junction road boundary, identified on the landscape plan.
  - c) The existing earth bund adjacent to the State Highway (located on Lot 6) reduced in gradient to blend into the adjacent landscape with gradient no steeper than 1:4.
  - d) No less than 3 specimen trees with mature heights of 5m or greater to be planted between the building platform on Lot 6 and the western boundary to provide separation between built form and neighbouring properties.
- p) The removal of the existing fence close to the proposed southern boundary of Lot 4. This shall not preclude the re-location of the fence to along the actual proposed southern boundary of Lot 4.

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

16. 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 15f of RM130489. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all water service infrastructure and facilities 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) Entrances to the property from Arrow Junction Road shall be located in accordance with the approved plans of RM130489 and shall not be any greater than 3m in width and shall consist of a standard timber or steel farm gate with standard post and wire fencing.
- e) The access driveways to the building platforms shall be no greater than 3m in width and be of a loose gravel of a local stone up to the curtilage area.
- f) External lighting shall be kept within the curtilage areas only and shall not be used on access driveways. External lighting shall be downward facing only and not exceed 1m from ground level. All other exterior lighting attached to buildings, shall be at height no greater than 3m above the ground, and shall be down lighting only, and shall not create light spill beyond the boundaries of the lot.
- g) The open pasture area as identified on the approved landscape structure + mitigation plan, RM130489 shall be maintained as pasture free of structures and trees and shall be grazed or mown periodically to maintain a character in keeping with the pastoral rural landscape.
- h) All external materials and colours for buildings shall be of natural tones of brown, grey or green with a light reflectivity value for the roof of between 5 and 20%, and between 5% and 35% for walls, joinery and spouting to ensure that colours are recessive in the landscape.
- i) All domestic activities and structures shall be restricted to the designated curtilage area identified on the approved landscape structure + mitigation plan, RM130489, including but not limited to clotheslines, tennis courts, swimming pools, lawns, ornamental gardens, and mown lawns.
- j) The maximum building coverage within the residential building platform shall be 60% of the building platform area.
- k) Earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002). Entered into Council records under RM130489.
- l) Buildings shall be restricted to the following height limits, referenced in accordance with the approved plan of RM130489 titled '*Contour Plan + Building Platform Heights – 64 Arrow Junction Road, Subdivision Lots 1-6*':

Lot 1	General zone	387 and platform may be excavated to 381
	Shed zone	385
	Barn zone	384.5
Lot 2		386
Lot 3	general zone	385
	Barn	384
Lot 4		383.5
Lot 6		387 and platform may be excavated to 381



- m) The plantings and earth mound undertaken in accordance with the approved landscape structure + mitigation plan, RM130489 shall be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced within the next 8 months.
- n) At the time that a dwelling is erected on Lots 1 to 4 and 6, the owner for the time being is to treat the domestic water supply (if required) by filtration and disinfection so that it complies with the Drinking Water Standards for New Zealand 2005.
- o) Lots 1, 2, 3, 4, and 6 shall not be further subdivided except for a boundary adjustment meeting the requirements to be a controlled subdivision activity under Rule 15.2.3.2(i) of the Queenstown Lakes District Plan.
- p) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an on-site secondary treatment effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by CPG, dated 10 September 2009, entered into Council records as RM130489. The proposed waste water system shall be subject to the review of the Principal Resource Management Engineer at Council prior to implementation and shall be installed prior to occupation of the dwelling.
- q) At the time a dwelling is erected on Lots 1 to 4 and 6, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the 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 water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

**Advice Note:** The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 5km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand **Volunteer** Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new dwelling.

### **Recommended Advice Notes**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
2. The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the management group for the lots, and the results forwarded to the Principal: Environmental Health at Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.

**APPENDIX 2 - LANDSCAPE ASSESSMENT**

**REPORT TO:** Craig Barr, Planner  
**FROM:** Richard Denney, Landscape Architect  
**REFERENCE:** RM130489, Maurice Orr & Spiritus Trustees  
**SUBJECT:** Landscape Report  
**DATE:** Wednesday 11<sup>th</sup> December 2013

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## **INTRODUCTION**

1. An application has been received for resource consent to subdivide to create two allotments, one with an existing building platform the other with a proposed new platform and to vary an existing condition of an underlying subdivision consent restricting any further subdivision of the land. The site is located at 64 Arrow Junction Road, Wakatipu Basin and is legally described as Lot 3 DP 461478 and comprises an area of 8.4671ha and in terms of the Queenstown Lakes District Council - District Plan (the District Plan) is zoned Rural General. Following advice from Council's planner I understand that the application is a discretionary activity.
2. I have read the landscape assessment by Maurice Orr architect, within the application. The document is not complete in that photos referred to in the assessment are not attached. I will refer to the applications landscape assessment but will also rely on my own assessment for the purpose of this report.

## **SITE DESCRIPTION and LANDSCAPE CLASSIFICATION**

3. The subject site is located within the eastern extent of the Wakatipu basin between the Crown Terrace to the east and the Roche Moutonnee landform of Morven Hill to the west. The Arrow River (Kimiakau) flows in a general north to south direction to the east of the subject site. To the south east of the site the Arrow river joins the Kawarau River prior to heading south through the narrow gorge and into the Gibbston Valley.
4. The landform of the basin floor in this area is convoluted with a mixture of flatter depositional alluvial forms with protrusions of hummocks of exposed schist rock. The Arrow River is incised deeply into the basin floor creating a gorge which varies between steep vegetated slopes and vertical rock bluffs. The subject site is separated from the river by schist hummocks which are clustered in the local area to the immediate west of the river. These give way to the north of the site to a flat basin between the Bendemeer Hills and the river. The subject site occupies undulating hummocky terrain to the south and eastern margins with generally flatter terrain to the north and west.
5. The vegetation is predominantly exotic with large traditional rural trees of poplars lining much of the Arrow Junction road running along the eastern boundary of the site. Hawthorn hedgerows are intermixed with the boundary planting and create an established rural character to the Arrow Junction road. The well-established rural trees within the undulating hummock terrain creates an intimate scale of landscape

towards the eastern side of the site. Much of the site is raised above the adjacent Arrow Junction road behind a series of hummocks that generally border the road. It is an interesting and intimate landscape setting with a mixture of strong landform of schist outcrops and long established exotic rural trees. The north and west of the site flattens out with generally open pasture bordered to the west by a cluster of exotic trees. A water race runs near the northern and western boundary. State Highway 6 runs along the northern boundary and is slightly elevated on a formed, raised platform on which the road has been constructed. The more open nature of the northern part of the site enables views into the site. More recent landform modification in the form of earth bunds and the recent planting of trees, generally of smaller tree species of cherry and birch towards the south of the lot have created a more domestic scale and character to the landscape.



*Photo 1. Subject site as viewed from SH6, approx. location of new platform marked (Nov 2013)*

6. The landscape is very much arcadian in character with established rural hedgerows and avenue of mature poplars interspersed with a naturally rolling terrain creating a sense of enclosure to the land that is comfortable in the human scale. To the east is the outstanding natural feature of the Arrow River and gorge, with the Crown Terrace and Morven Hill outstanding natural landscapes close by. The landscape of the subject site is part of a Visual Amenity Landscape.



*Photo 2 Subject site as viewed from the Arrow Junction Road (July 2013)*

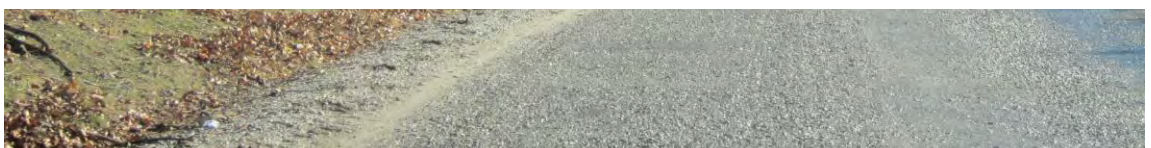






Photo 3. Subject site as viewed from Crown Terrace Lookout, approximate extent of site marked. (July 2013)

## **ASSESSMENT**

7. The appropriate assessment matters are as follows:

### Rural General

5.4.2.2 Assessment Matters, (3) Visual Amenity Landscapes

5.4.2.3 Assessment Matters General

### Subdivision

15.2.3.6 Assessment Matters for Resource Consents

15.2.6.4 Assessment Matters for Resource Consents

15.2.7.3 Assessment Matters for Resource Consents

## **Visual Amenity Landscape, Section 5.4.2.2**

### *Effects on natural and pasture character*

8. The subject site is not immediately adjacent to the ONF of the Arrow River / Gorge and is separated by a series of hummocks which largely disassociates the site from river landscape.
9. The proposed development would increase the level of domestication in the rural landscape with built form, formed access drive, and the formalisation of the entry off

the Arrow Junction Road. The degree of change I consider to be relatively small. There is a lack of detail within the application in regards to the entrance treatment to the proposed lots from Arrow Junction Road. I consider this section of this road is very distinct in its Arcadian character and entrance widths, gates etc. have potential to degrade this character if they become out of scale or context to this landscape setting. I recommend that design controls on the entrance gates, and access drive should be a condition of consent. The retention of the large rural trees alongside the Arrow Junction Road and nature of the undulating hummocky terrain is such that the natural and Arcadian pastoral character of the surrounding Visual Amenity Landscape (VAL) should remain overall dominant. I recommend that mitigation tree species be of trees typical of the established rural landscape, and be of non-wildling species.

#### *Visibility*

10. The proposed formalisation of the access would be visible from the Arrow Junction Road albeit for only a short section of around 100m. The site is elevated above the Arrow Junction road and the proposed building platform is tucked to the rear of existing hummock as seen from this view point. From the state highway the same hummock has a modified extension in the form of an earth bund that would partial screen the proposed platform from the highway some 150m distant. The site is also visible from the Crown terrace face as one is traveling along the series of switchbacks up the slope and from the public lookout at the summit of the face. The site would be about 1.4km distant from the lookout point and would be seen in a context of established trees, buildings and hummocky terrain that is concentrated between the Arrow River and the site. It would also be viewed in the broader panorama of the Wakatipu basin, and in this regard I consider the visibility of the site to be relatively minor in the broader landscape context. The proposed development is not likely to be visually prominent that it would detract from public or private views otherwise characterised by natural or pastoral landscapes.
11. There exist earth bunds on the property that assist in screening the areas of the proposed development. This mounding is modification of the natural landscape and also to some degree detracts from views of the immediate natural topography. A mound adjacent to the highway has also been planted with a few trees, which includes silver birch although I am unsure of the other species planted. I consider the mounding is too abrupt and is out of context of the landscape and hinders views towards the existing natural topography which is a feature of the local area. I recommend that the mounds are softened with grades no steeper than 1:6 (vertical / horizontal), and smoothed to gradually blend into the flatter parts of the site. I recommend that proposed mitigation planting be restricted to within the immediate surrounds of the platforms and that the proposed open pasture area identified on the structure plan and mitigation works plan be extended to include the area of the water race near the mound adjacent to the highway to maintain an open view from the highway.
12. The location of the proposed platform and access to it is tucked into the natural hummock which I consider uses the natural terrain to site the building into the landscape with minimal visibility beyond the site. The proposed building platform would be located where it would enable a future building to potentially screen views of an existing dwelling to the south of the site as viewed from the highway and whilst the building would be closer the increase in visible built form would be minimal.
13. A building within the proposed platform would not breach the skyline, ridges, hills or prominent slopes.
14. Proposed earthworks for the proposed building platform and access drive would modify the western and southern slope of the natural hummock. This area is not highly visible from outside the site and the future built form would partially fill the void left. I consider the change to the natural line of the landscape would be relatively small.

15. The proposed boundary between proposed lots 6 and 4 would generally run in the dip of the land between the two properties along the Arrow Junction Road and then across the site. This would be consistent with the rural fence-line patterns in the area.
16. The development would not constitute sprawl of built development along the roads of the district. The proposed building platform is set some 150m distant from the highway and would not be highly visible from the Arrow Junction Road.

#### *Form and density of development*

17. The proposed platform is located within natural terrain that enables a building to sit relatively discretely into the landscape without being highly visible from public places. I consider the proposed platform has utilised the part of the property with the best ability to absorb such development while retaining the flatter more open areas as open pasture areas.
18. The two lots would use a common access way off the Arrow junction Road. The proposed development where it would be visible would not introduce densities which reflect urban characteristics.
19. The proposed building platform would not be located inside an existing development (being two or more houses not more than 50m apart). Within a 500m radius of the proposed building platform there are a number of larger lots with one very large lot to the north of State Highway 6 that includes a generous area of flatter land. However within this radius I consider the subject site is within that part of the landscape with the best ability to absorb such development as it has large established trees, has a hummocky terrain that can contain development to discrete landscape units, is elevated above the Arrow Junction road limiting visibility into the site and is sufficiently distant from outstanding natural landscapes or features as to not have an effect upon them.
20. The proposed subdivision and building platform would create a higher density of rural living but in context of landscape that I consider has ability to absorb such development. The landscape characteristics of the subject site are very local in that surrounding properties display generally more open characteristics or are closer to the outstanding natural feature of the Arrow River. I consider those landscape constraints beyond the subject site would limit similar developments within those more exposed or sensitive landscapes.

#### *Cumulative effects of development on the landscape*

21. The nature and extent of development in the local area is one of relatively higher densities of rural living. Most of the higher density areas are within areas of greater topographical variance and established trees that enable dwellings to be less visible such as to the north east of the junction of SH6 and McDonnell Road. Most of the flatter areas are largely open pastoral areas with very few dwellings. I consider the proposed development is within an area that is consistent with higher density rural development that is tucked into the natural landform and or established treed areas of traditional rural trees.
22. I consider the proposed development is within a local context that can absorb such development but beyond the site this ability rapidly declines as the landscape becomes more open. In this regard I consider the proposed development would bring the landscape up to the threshold to absorb such development as the availability of such accommodating landscape is limited beyond the site.
23. The development is not likely to result in the need for infrastructure consistent with urban landscapes.

#### *Rural Amenities*



24. The proposed development would compromise adequate and appropriate visual access to open space and views across the Arcadian landscape by identifying recent earth mounding and planting within close proximity of the state highway as part of the mitigation of the proposed development. As above, I recommend that the extent of open pasture to be extended to include the full extent of the northern part of the site, and that that earth bund nearest the highway is graded to blend more into the landscape. I consider landscape mitigation for the proposed building platform would be more appropriate closer to the platform to enable the balance of the site to contribute towards the openness of the visual amenity landscape as seen from the highway.
25. The ability to undertake agricultural activities on surrounding land may be compromised by the increased density of rural living. As the building platform on proposed Lot 6 would be the new addition it is this platform that would increase the potential for reverse sensitivity towards rural activities on the Sew Hoy property to the west. Affected party approval has not been gained as yet from the property owner.
26. There is insufficient information on the entranceway to assess. Given the existing Arrow Junction Road has a very distinct established rural character of mature trees, hedgerows nestled within a hummocky terrain I consider the character of the road is of distinct arcadian character. I recommend that the vehicle entranceway be restricted to a single lane access no greater than 3m in width, that road side fences be maintained as post and wire, and gates be standard rural timber or galvanised steel only. There should be no lighting or ornamentation on the roadside entrance. The access drive to the lots should be no wider than 3m in width and be off a loose gravel to be in keeping with the rural character with no lighting.

**Assessment Matters General, Section 5.4.2.3**

(in regards for those matters not covered above)

*(i) General – Nature Conservation Values*

27. There is no identified indigenous vegetation of particular significance within the subject site. Proposed mitigation planting includes evergreen trees although species is not identified. I recommend that planting of wilding species should be avoided, and existing species on the site should be excluding from the landscape plan if they are of wilding species.

*(xxvii) Earthworks*

28. Proposed earthworks for the new platform and access drive up to the platform would excavate into the existing hummock. This would be to form a split level platform at 381masl and 382masl. An estimated cut face based on the drawing supplied would be up to 7m at its deepest tapering down to 1m towards the balance of the platform. This would be a large cut but within a relatively contained area and is anticipated would be in-filled with a future building. The cut face would be difficult to view from public roads as it would face away from such viewpoints. I consider the earthworks would have a moderate adverse effect on the visual amenity of surrounding sites but once a building and landscaping is in place would enable a building to sit comfortably into the landscape.

**Subdivision, Section 15**

*15.2.3.6 Assessment Matters for Resource Consents*

29. The adverse effects on rural character, landscape values, heritage values, visual amenity etc. have been addressed above.

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

30. Lot sizes would be of sufficient area and dimensions to fulfil intended purposes and landuse. The pattern of the proposed lots although creating smaller lots, especially proposed Lot 4, would be largely indiscernible from beyond the site. The proposed layout of retained pasture land as identified on the landscape plans would maintain a collective open pastoral character that would be keeping with the broader landscape. I recommend that the open pasture area is maintained as such as condition of consent, and that boundary planting between lots 4 and 6 be prohibited.

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

31. The proposed lots would be elevated although with a westerly aspect they would be partially shaded from morning sun by the natural topography and existing tall poplars to be retained along the Arrow Junction Road. Much of the proposed mitigation planting is to the east of both platforms and is to be evergreen species. I consider the proposed mitigation planting to the east of proposed building platform within Lot 6 is unnecessary as the existing poplars to be retained would be sufficient to provide a visual buffer. Evergreen planting in this location has the potential to shade a dwelling, and I consider could be removed from the landscape mitigation plan. The nature of mitigation planting to the east of the building platform within Lot 4 is not defined. I recommend that an amended landscape plan define this vegetation with intent that planting be of sufficient height to screen views towards the platform from the Arrow Junction Road but be of a mature height so as not to excessively shade a future dwelling. I would suggest species between the heights of 2 to 4m would be sufficient.
32. I consider the relationship and orientation of the proposed lots would maintain the attractive and interesting frontage with the Arrow Junction Road. For neighbours to the west the lot arrangement would highlight the intensification of built form as the land between the lots and neighbours is slightly undulating but low-lying and the landscape plan would retain the openness of the landscape. I recommend that there is ability for a few specimen trees to be planted between the neighbours to the west and the existing and proposed building platforms that would maintain separation and this should be demonstrated on an amended landscape plan.

### **CONCLUSION**

33. An application has been received for resource consent to subdivide to create two allotments, one with an existing building platform the other with a proposed new platform at 64 Arrow Junction Road, Wakatipu Basin. The site is zoned Rural General and the application is for a discretionary activity.
34. The site is located to the south of the Arrow Junction road and State Highway junction and is within a visual amenity landscape. The site is hummocky with mature poplars towards the east and generally elevated above the Arrow Junction road. Towards the west and north the site is flatter and more open. It is the undulating nature of the terrain, the retention of large existing trees near the eastern boundary and the strategic positioning of the proposed new platform that enables the proposed development to sit within the landscape with few adverse effects. It would be located within a part of the landscape within ability to absorb a development of this nature much more so than adjacent flatter land.
- 35.
36. The proposed landscaping plans are vague and include unspecified mitigation planting some of which is unnecessary for mitigation. There is some landform modification existing on site that detracts from the appreciation of the natural landforms and visual amenity landscape as seen from the State Highway. This could be easily remedied with softer contouring of these modifications and extension of the open pasture area identified on the plans. Overall while the development would

increase the density of buildings within the landscape, the visibility of the development is well contained by the natural attributes of the site such that adverse effects would be small.

## RECOMMENDATIONS

37. Should consent be granted I recommend the following conditions be included:

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

- i. An amended landscape plan shall be submitted to Council for certification based upon the landscape plans submitted with the application. The amended plan shall achieve the following objectives:
  - Identify the species or a selection of tree species to be planted for mitigation as shown on the application plans with trees being of those species typical of the traditional rural landscape such as Oak, Poplars and non-wilding conifer species.
  - Identify and label the existing large poplars along the Arrow junction road boundary.
  - The existing earth bund adjacent to the State Highway reduced in gradient to blend seamlessly into the adjacent landscape with gradient no steeper than 1:6
  - The area of open pasture extended to include the area around the water race to maintain open views from the highway across the site and the existing planting of birch is removed from the plan and site.
  - 
  - Remove proposed mitigation planting within 20m and to the east the platform within lot 6 to avoid shading a future dwelling
  - No less than 3 specimen trees with mature heights of 5m or greater to be planted between the building platform on Lot 6 and the western boundary to provide separation between built form and neighbouring properties.
  - Include a planting schedule for all structural planting (trees and shrubs) including species and grade at planting
  - All trees to be of traditional pastoral rural species and non-wilding species.
- ii. The approved subdivision landscape plan shall be implemented prior to the issue of the 244 (c), and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced within the next 8 months.

### **On-going consent notice conditions to be registered on lot titles prior to 224c certification.**

- iii. The entrance to the property from the Arrow Junction Road shall not be any greater than 3m in width and shall be a standard timber or steel farm gate with standard post and wire fencing.
- iv. The access drives to the building platform shall be no greater than 3m in width and be of a loose gravel of a local stone up to the curtilage area.
- v. External lighting shall be kept within the curtilage areas only and shall not be used on access driveways. External lighting shall be downward facing only and not exceed 1m from ground level. All other exterior lighting attached to buildings, shall be at height no greater than 3m above the ground, and shall be down lighting only, and shall not create light spill beyond the boundaries of the lot.

- vi. The open pasture area as identified on the certified subdivision landscape plan, RM130489 shall be maintained as pasture free of structures and trees and shall be grazed or mown periodically to maintain a character in keeping with the pastoral rural landscape.
  - vii. All external materials and colours for buildings shall be of natural tones of brown, grey or green with a light reflectivity value for the roof of between 5 and 20%, and between 5% and 35% for walls, joinery and spouting to ensure that colours are recessive in the landscape.
  - viii. All domestic activities and structures shall be restricted to the designated curtilage area including but not limited to clotheslines, tennis courts, swimming pools, lawns, ornamental gardens, and mown lawns.
  - ix. The approved subdivision landscape plan shall be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced within the next 8 months.
- 

Memo prepared by  
**QUEENSTOWN LAKES DISTRICT COUNCIL**

Reviewed by



Richard Denney  
**LANDSCAPE ARCHITECT**



Marion Read  
**LANDSCAPE ARCHITECT,**  
**READ LANDSCAPES**

**APPENDIX 3 - ENGINEERING ASSESSMENT**



# ENGINEERING REPORT

**TO:** Craig Barr

**FROM:** Lyn Overton

**DATE:** 5/12/2013

**CONSENT REF:** RM130489

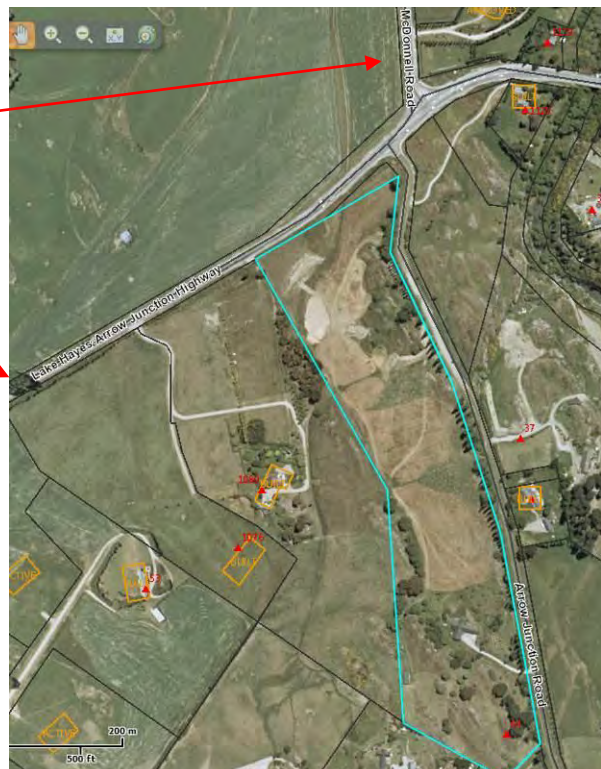
**APPLICANT NAME:** Maurice Orr & Spirus Trustees

Application details	
<b>Description</b>	Consent is sought to undertake a subdivision to create an additional lot containing a residential building platform and vary an existing condition of underlying subdivision consent restricting any further subdivision of the land.
<b>Type of Consent</b>	Subdivision
<b>Physical Address</b>	64 Arrow Junction Road, Wakatipu Basin
<b>Legal Description and area</b>	Lot 1 DP 15183, area is 8.4671ha
<b>Zoning</b>	Rural General
<b>Reference Documents</b>	Application
<b>Date of site visit</b>	5/12/2013
<b>Comment required from QLDC Transport</b>	Not required
<b>Comment required from QLDC 3 waters</b>	Not required
<b>Previous consents relevant to this report</b>	RM100500 & RM090883

## Location Diagram

McDonnell Road

Lake Hayes – Arrow Junction Highway



## **1.0 TRANSPORT**

### **1.1 Access**

Access for all lots in this subdivision will be from Arrow Junction Road. All points of access off this road were assessed as part of the underlying subdivision RM090883 and the variation to this consent RM100500. I am satisfied that no new access points will be created as part of this subdivision. I recommend that the conditions imposed as part of RM090883 and the variation RM100500 in relation to access are imposed on this consent.

The applicants intend to create a right of way over proposed Lot 6 in favour of approved Lot 4. A condition is recommended to ensure that the right of way is formed to Council's standards.

Pedestrian access is proposed along the bridal path indicated as area TA and TB on the Aurum Survey Consultants 'Proposed Subdivision Lot 1 DP 15183 Arrow junction road' (dated July 2013, Drawing 3485 1R 1B) within proposed Lot 6 was assessed at the time of RM090883. I accept the findings of this report and recommend that that appropriate easements are granted and that the pedestrian walkway is formed prior to 224c certification.

The site is bordered by Lake Hayes - Arrow Junction Road (SH6) on the northern boundary. This road is a limited access road. NZTA (New Zealand Transport Agency) have made a submission for the proposed subdivision and have requested that a Section 93 of the Government Rounding Act 1989, confirming that that the State Highway is road for the purposes of this subdivision. I recommend that the proposed condition becomes a condition of consent.

### **1.2 Parking**

I am satisfied that there will ample room within each site as the proposed subdivision is a rural subdivision with the smallest proposed residential lot being 8,500m<sup>2</sup> in size. No conditions are recommended in relation to parking.

## **2.0 SERVICES**

### **2.1 Existing**

There is an existing dwelling located on Lot 2.

### **2.2 Water**

Water supply for the lots will be from a private water supply. A letter from McNeill Drilling confirms that there are ample flows within the bore to supply 5 dwellings. However the following comments were made in the RM090883 Engineering report:

*"According to a letter from McNeill Drilling, the bore was test pumped in 1988 at 990 litres/hour. **In my opinion, a more recent bore test should be provided prior to consent being granted to ensure that the bore is still capable of servicing 5 lots.***

*It is proposed to limit water take to 2,000 litres/dwelling/day so that the total permitted take of 10,000 litres/day per bore (as per ORC rules) is not exceeded. Council's standards require 2,100 litres/lot/day; however as the site also has irrigation supply from the Arrow scheme, I agree that domestic supply of 2,000 litres/lot/day is adequate.*

*The water supply design, including installation of a suitable pump to provide the required rate of supply (if the existing pump is not suitable), will be checked at engineering approval stage.*

*The water has been tested and found to be suitable for drinking. 6 monthly microbiological testing is recommended – this will be the ongoing responsibility of the lot owners so I have included it in a consent notice."*

I accept the conclusion in relation to allowing 2,000 litres per day for each lot due to the irrigation supply however I do not agree that more recent bore flow will be required. The bore flow test indicates that there is sufficient capacity within the bore to serve 12 lots. Therefore I am satisfied that if flows were reduced there would still be sufficient capacity to supply 5 residential lots. I recommend appropriate conditions to ensure that the lots are provided with a minimum of 2,000 litres of water per day.

Easements will necessary to convey water. Therefore a condition is recommended to ensure that all necessary easements are created.

### **2.3 Fire-Fighting**

Fire fighting water supplies for the lots will need to be via a static supply within the site in accordance with PAS NZS 4509 as previously assessed by the two previous consents RM090883. An appropriate condition is recommended.

### **2.4 Wastewater**

The site and soil report submitted for RM090883 and RM100500 by indicated that on-site wastewater disposal was feasible for the sites but that the soil was classified as category 4 and therefore will require treatment via a secondary treatment system. The following comments were made in the RM090883 report:

*"A site and soils assessment report has been prepared for the site by CPG. Test pit/permeability test locations are not shown on a plan; however all sites were determined to comprise Category 4 soils, which seems reasonable.*

*CPG's report is based on the systems having secondary treatment with disposal to land via pressure dosed drip irrigation lines. A disposal area of 400m<sup>2</sup> per lot would be required. CPG does state however that there is sufficient room and suitable soil within the lots to use a primary treatment and trench disposal system.*

*Designs for the individual systems have been undertaken by Oasis. These comprise secondary treatment with trench disposal, which requires a smaller disposal area. I agree that a trench system is also acceptable.*

*In this case, I recommend that final design of the systems on Lots 1, 3, 4 and 5 should be undertaken at the time the dwelling is constructed as the loading will be based on the number of occupants/bedrooms, which is not yet finalised. I agree that a disposal area of approximately 50m<sup>2</sup> is likely to be appropriate, and as this area can be set aside on each lot I am satisfied that individual on-site effluent disposal systems are feasible. (A system for the new building on Lot 3 has already been approved under RM090750, although this is based on it being a sleepout and may require amending).*

*CPG's report also recommends that the existing system on Lot 2 be replaced. However, a later letter from CPG, submitted for RM090750, states that the system appears to be functioning well and does not require upgrading. This was acceptable for RM090750, and so I do not recommend any conditions regarding this system for the current consent."*

I accept the comments made in this report and recommend an appropriate condition is registered on the new titles to ensure that future wastewater disposal systems are designed in accordance with the CPG report.

### **2.5 Stormwater**

Stormwater disposal is to be made on-site. Based on the test pit log provided I am satisfied that there are no issues on-site that would preclude stormwater disposal to ground. Therefore, I am satisfied that stormwater disposal can be adequately addressed by the Building Consent process and no conditions are required in relation to stormwater disposal for this consent.

### **2.6 Power & Telecommunication**

Letters were provided by utility providers Aurora and Chorus confirming that their services were available. Appropriate condition are recommended to ensure that each residential lot is provided an electricity and telecommunication connection.

## **3.0 EARTHWORKS**

### **3.1 Description**

Approval was granted for the applicants to undertake approximately 4,000m<sup>3</sup> of earthworks as part of RM090883 and RM100500. As part of this application the applicants are intending to undertake approximately 1,000 - 2,200m<sup>3</sup> of earthworks. The proposed earthworks will include undertaking a cut approximately 5m in height to level and are for the building platform. Earthworks will also be required



to extend an earth mound along the edge of the irrigation race to the north of the proposed building platform on Lot 6. I am satisfied that the earthworks are feasible as previously assessed in both engineering reports for RM090883 and RM100500 and recommend that appropriate conditions are proposed to ensure that they are undertaken in accordance with Council standards.

### **3.2 Geotechnical**

A Geotechnical report was undertaken for the site at the time of RM100500 and the following comments were made in this report:

*“Tonkin & Taylor have provided a geotechnical report titled, '64 Arrow Junction Road (Lot 1, DP 15183) Queenstown, Geotechnical Inspection for Proposed Sub-division', dated 27 May 2011. This report confirms that the site is suitable for residential development and that there are no geotechnical issues, no geotechnical hazards and no evidence of marshy ground or water seeps. The report does advise that, "...the proposed cut excavations will be formed primarily in schist bedrock. Due allowance should be made for the excavation and stabilisation of rock cut slopes in the construction programme and budget. If substantial cut excavation works are proposed then these works will require geotechnical investigation, assessment, construction inspection and asbuilt certification to ensure an adequate factor of safety against geotechnical instability is maintained at all times.”*

*“The building platforms on Lots 1 to 3 were previously assessed by Tonkin & Taylor in a report (the same name as above) dated 30 April 2010 and they were approved under RM090883.”*

I stand by the comments made in the RM100500 report and recommend that a condition to ensure that Tonkin & Taylor report is adhered to.

### **3.3 Site Management**

The applicants have not proposed any site management measures to mitigate dust, silt/sediment runoff. However, I am satisfied that basic site management measures will mitigate any dust, erosion and sediment nuisance. Appropriate site management conditions are recommended.

### **4.0 HAZARDS**

There are no hazards identified on Council's hazard maps.

### **5.0 DEVELOPMENT CONTRIBUTIONS**

Contributions are required for this development. Amounts will need to be calculated by a DCN officer if consent is granted.

### **NOTE TO PLANNER**

The applicant had previously applied for staging of this subdivision under RM090883 and RM100500. I note that the staging involved creating each lot individually and then amalgamating the new lots created. I have proposed a staging condition for your review.

---

### **6.0 RECOMMENDED CONDITIONS**

It is recommended that the following conditions are included in the consent decision:

#### ***Staging***

1. In order to allow for the development and release of allotments in a controlled and logical manner the subdivision may be staged in any order that the consent holder sees fit provided that all residential allotments within each stage are adequately serviced and accessed in accordance with the conditions of this consent.

2. If the subdivision is staged in accordance with Condition (1) and the consent holder submits a survey plan showing lots that are proposed to be amalgamated and no further survey plan or section 224(c) certification would be required to obtain title for those lots, then, prior to certification of that stage (pursuant to Section 224 of the Act), a consent notice shall be registered on the computer freehold register to which the allotments shall be contained within. The consent notice shall require that prior to the release of any of the allotments, all conditions relating to the lots to be amalgamated have been satisfied and development contributions have been paid.
  - (a) To give effect to this condition, all consent conditions related to those lots shall be completed and the conditions in the following form shall be registered on the Computer Freehold Register for the lots to be amalgamated with the balance lot in accordance with Section 221 of the Act:
    - (i) Prior to cancellation of the amalgamation condition in relation to Lot X pursuant to Section 226/241 of the Act, all land use and subdivision conditions of RM130489 that apply to the lot have been satisfied. This will require the re-inspection of services and any necessary infrastructure.
    - (ii) Prior to cancellation of the amalgamation condition in relation to Lot X pursuant to Section 226/241 of the Act, Development Contributions shall be paid for Lot X. Development contributions shall be paid at the rate calculated for the relevant stage under RM130489. As per the 2012 Development contribution policy, All DCN's issued after 1 July 2012 will be valid for 24 months from the date of issue and then recalculated for payment under the policy relevant at that time in order to establish the relevant development contribution payable for the release of that lot.
  - (b) If the Territorial Authority has confirmed in writing that it is satisfied that the conditions of (a) (i) and (ii) above have been complied with then those consent notice conditions, along with this condition, may be deemed to be expired for the purpose of Section 221(5) 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. The consent holder shall install measures where necessary to control and or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who is familiar with the Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002) report and who shall supervise the excavation procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
6. 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".

7. Prior to commencing works on site, the consent holder shall obtain and implement an approved traffic management plan from Council if any parking or traffic will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed.
8. 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) Provision of a minimum supply of 2,000 litres per day of potable water to Lots 1 – 4 and 6 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).
  - b) The provision of sealed vehicle crossings to the rights of way A and B from Arrow Junction Road, to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the Partially Operative District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
  - c) The formation of rights of way A and B, in accordance with Council's standards.

***To be monitored throughout earthworks***

9. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Tonkin & Taylor, (dated 27 May 2011, T&T Ref 880214.0000/LR002).
10. 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.
11. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the formation of the vehicle crossing onto Lot 4.

***On completion of earthworks***

12. At the completion of the earthworks, all permanent un-retained batters shall be top-soiled and grassed/revegetated within 4 weeks.
13. On completion of the earthworks, the consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

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

14. 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. This shall include creating the necessary easements to protect the water supplies and pedestrian access over the bridal track.

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

15. 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, Wastewater and Stormwater 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 (8) above.
- d) The consent holder shall submit to the Principal Resource Management Engineer at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
- e) In the event that the test results required in Condition 15(d) above show the water supply does not conform with the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Principal Resource Management Engineer at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
  - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

- ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the dwelling, an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM130489 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- f) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal water service infrastructure and facilities associated with the subdivision.

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.
- g) The consent holder shall provide the Principal Resource Management Engineer at Council with a copy of the operation and maintenance manuals for the private water supply or shall provide evidence that this has been made available to the management company.
- h) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- i) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- j) A suitably qualified professional shall certify that the excavated building platforms are suitable for the construction of residential buildings, and that all unretained batters over 1m high are permanently stable.
- k) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- l) A section 93 Government Roading Powers Act notice signed by the Minister of Transport confirming that the State Highway is road for the purposes of this subdivision.
- m) The formation of pedestrian rights of way. Public walkways shall be formed to a standard agreed by Council's Director of Parks and Open Space.
- n) 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**

16. 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 (2) of RM130489. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all water service infrastructure and facilities 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 that a dwelling is erected on Lots 1 to 4 and 6, the owner for the time being is to treat the domestic water supply by filtration and disinfection so that it complies with the Drinking Water Standards for New Zealand 2005.
  - e) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an on-site **secondary treatment** effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by CPG, dated 10 September 2009. The proposed waste water system shall be subject to the review of the Principal Resource Management Engineer at Council prior to implementation and shall be installed prior to occupation of the dwelling.
  - f) At the time a dwelling is erected on Lots 1 to 4 and 6, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the 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 water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

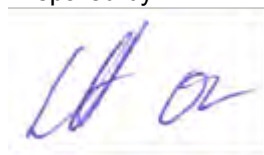
**Advice Note:** The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 5km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand **Volunteer** Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new dwelling.

## 7.0 **Recommended Advice Notes**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
2. The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008), by the management group for the lots, and the results forwarded to the Principal: Environmental Health at Council. The Ministry of Health shall approve the laboratory carrying out the analysis. Should the water not meet the requirements of the Standard then the management group for the lots shall be responsible for the provision of water treatment to ensure that the Drinking Water Standards for New Zealand are met or exceeded.

---

Prepared by:



Lyn Overton  
**ENGINEER**

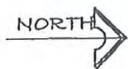
Reviewed by:



Steve Hewland  
**PRINCIPAL: ENGINEERING**

**APPENDIX 4 – APPROVED PLANS RM090883 AND RM100500**



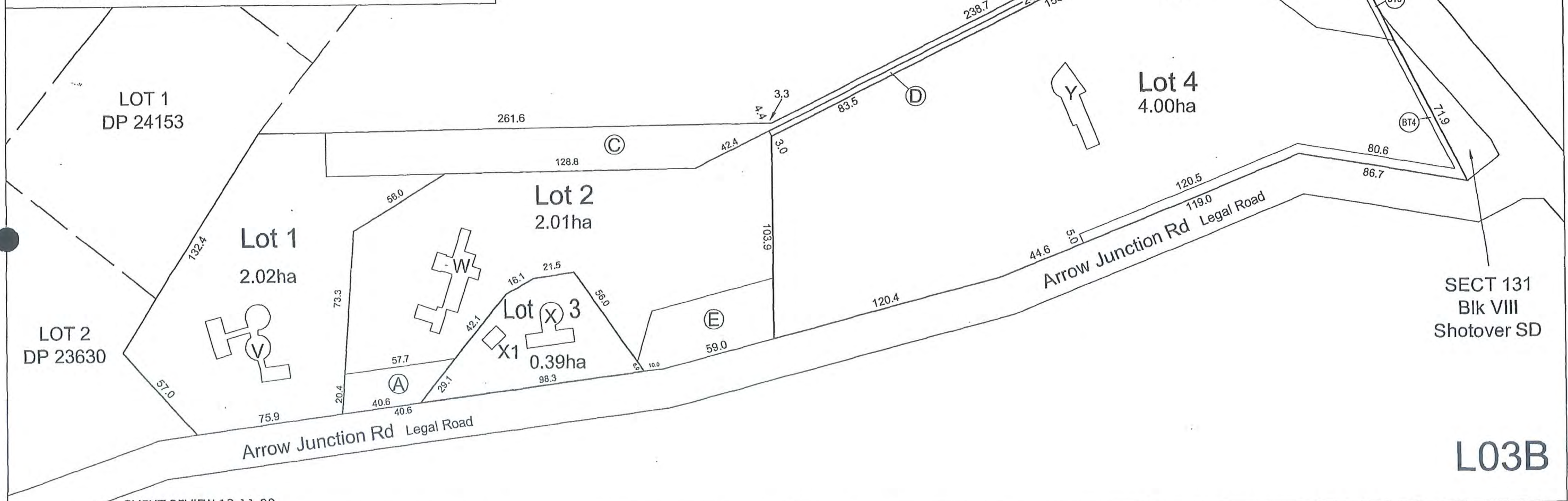


PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way	A	Lot 2 hereon	Lots 1 & 3 hereon
PROPOSED EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Pedestrian Right of Way	C	Lot 1 hereon	Lots 2 & 4 hereon
	D	Lot 2 hereon	Lots 1 & 4 hereon
EXISTING EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATING DOCUMENT
Convey water	Line EY	Lot 5 hereon	829654

PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	Grantee
Bridle Trail Right of Way	BT1	Lot 1 hereon	QLDC
	BT2	Lot 2 hereon	
	BT3, BT4	Lot 4 hereon	

**QUEENSTOWN LAKES DISTRICT COUNCIL**  
 APPROVED PLANS: RM 090883  
 5/7/10 Date Bew Initials  
 Date Initials

Areas marked V, W, X, X1 & Y to be subject to Land Covenant (building platform)  
 Area marked E to be subject to Land Covenant (common recreation)



SECT 131  
 Blk VIII  
 Shotover SD

**L03B**

CLIENT REVIEW 12.11.09

**Clark Fortune McDonald & Associates**  
 Licensed Cadastral Surveyors - Land Development - Planning Consultants  
 309 Lower Shotover Road, P.O. Box 553 Queenstown  
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz  
 21 Reece Crescent, P.O. Box 550, Wanaka  
 Tel. (03)443-4448, Fax (03)443-4445, Email admin@cfma.co.nz  
 Shop 2, Otago House, 475 Moray Place, P.O. Box 5960  
 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
B	12.11.09	Amend lot boundaries	JW
C	13.11.09	Add Platforms	CCH
D	18.11.09	Bridle Trail easement	CCH
F	13.04.10	Remove Lot 5, Amend Building Platform	NKA

**LOTS 1-4 BEING A PROPOSED SUBDIVISION OF LOT 1 DP 15183**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
Maurice D'Orr Architect Ltd	---	---	---	9782	04
	Drawn	Signed	Date	Scale	
	JW	---	11.11.09	1:1000 @ A1	
	Designed	Signed	Date	Datum & Level	Rev.
	---	---	---	---	F

Notes:  
 - All dimensions shown are in meters unless shown otherwise.  
 - Any person using Clark Fortune McDonald drawings and other data accepts the risk of:  
 - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions.  
 - Ensuring the information is the most recent issue.  
 - Copyright in this drawing is reserved.



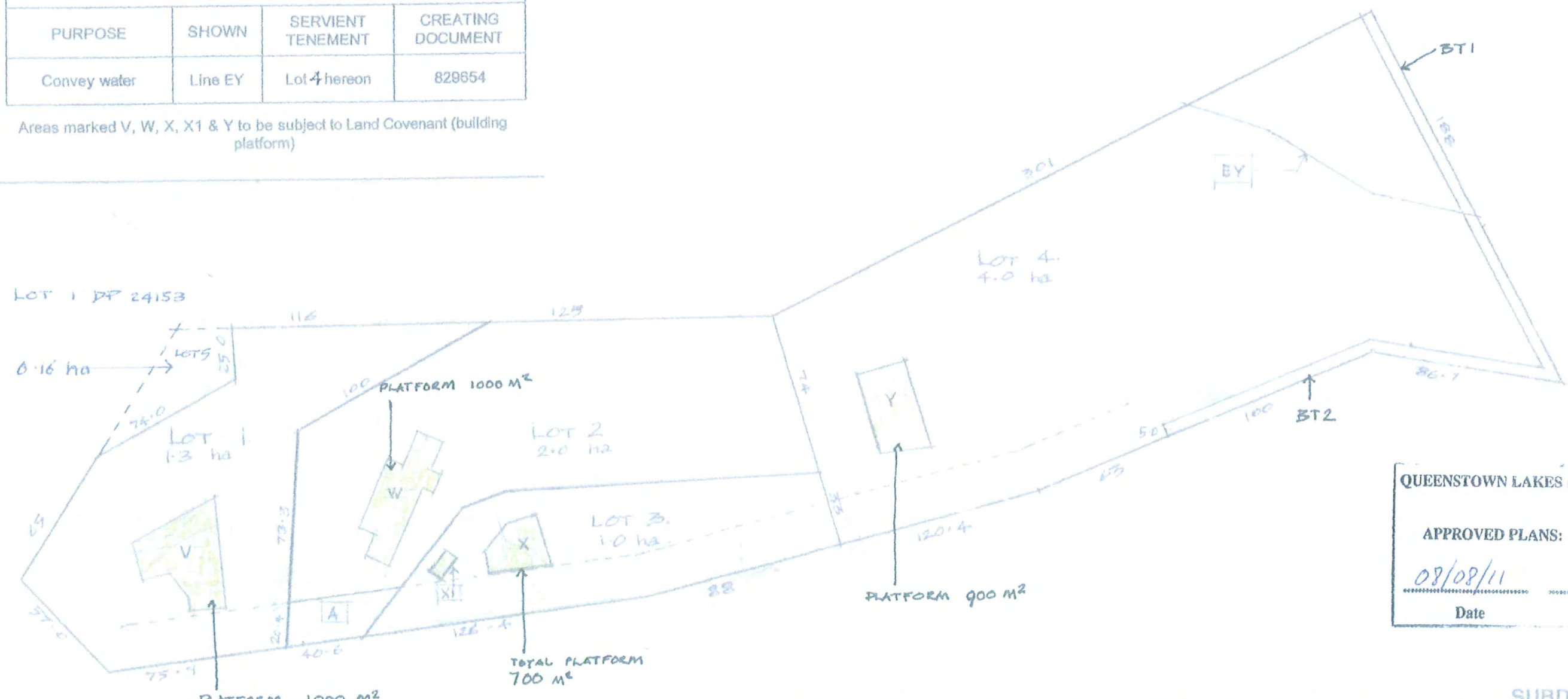
BUILDING PLATFORM



RECEIVED  
23 JUL 2011  
RESOURCE MANAGEMENT  
DEPARTMENT

PROPOSED MEMORANDUM OF EASEMENTS				PROPOSED EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT	PURPOSE	SHOWN	SERVIENT TENEMENT	Grantee
Right of Way	A	Lot 2 hereon	Lots 1 & 3 hereon	Bridle Trail Right of Way	BT1, 2	Lot 4 hereon	QLDC
EXISTING EASEMENTS IN GROSS							
PURPOSE	SHOWN	SERVIENT TENEMENT	CREATING DOCUMENT				
Convey water	Line EY	Lot 4 hereon	829654				

Areas marked V, W, X, X1 & Y to be subject to Land Covenant (building platform)



QUEENSTOWN LAKES DISTRICT COUNCIL  
APPROVED PLANS: RM 100500  
08/08/11 H.A.  
Date Initials

RURAL SUBDIVISION - 64 ARROW JUNCTION ROAD

ARROWTOWN

SUBDIVISION PLAN

SCALE 1:2000 A3

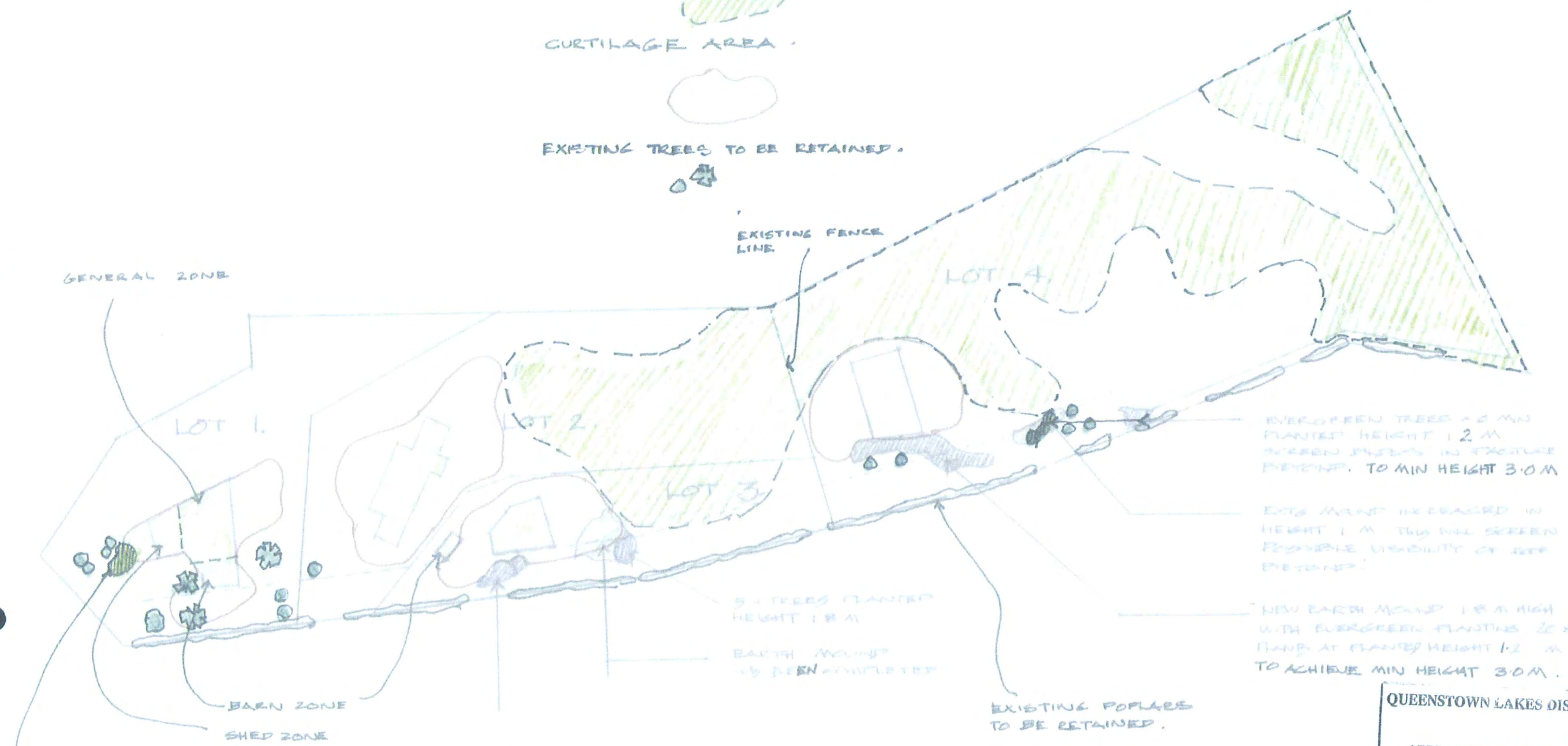
20 JUL 2011  
Lakes Environmental

LEGEND

OPEN PASTURE AREA

CURTILAGE AREA

EXISTING TREES TO BE RETAINED



EVERGREEN TREES 1.2M MIN PLANTED HEIGHT 1.2M SCREEN PLANTS IN FUTURE BECOM. TO MIN HEIGHT 3.0M

ENTS MUST INCREASED IN HEIGHT 1.2M THIS WILL SCREEN POSSIBLE VISIBILITY OF BEE BEHIND.

NEW EARTH MOUND 1.8M HIGH WITH EVERGREEN PLANTING 2x HANGS AT PLANTED HEIGHT 1.2M TO ACHIEVE MIN HEIGHT 3.0M.

6X EVERGREEN TREES 1.2M MIN 1.2M MIN HEIGHT TO ACHIEVE MIN HEIGHT OF 3.0M.

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLANS: RM 100500

08/08/11 H.A.

Date Initials

STRUCTURE PLAN - MITIGATION WORKS

RURAL SUBDIVISION - 64 ARROW JUNCTION ROAD

ARROWTOWN



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLANS: RM/100500

08/08/11 HA

Date Initials

PROPOSED BUILDING PLATFORM

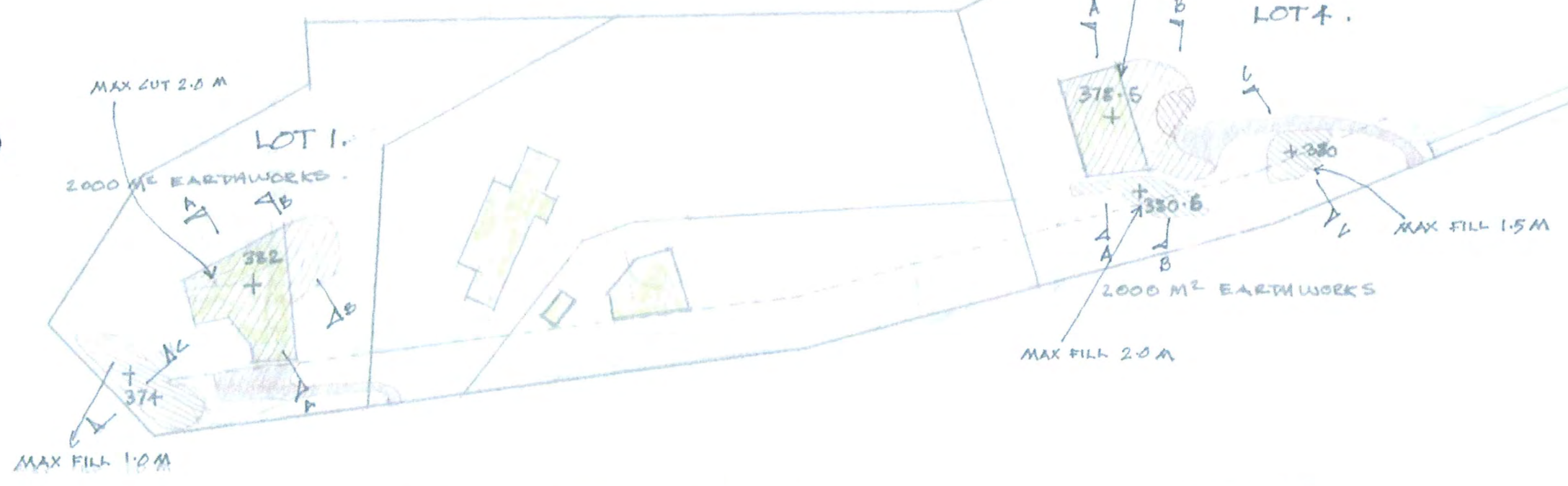
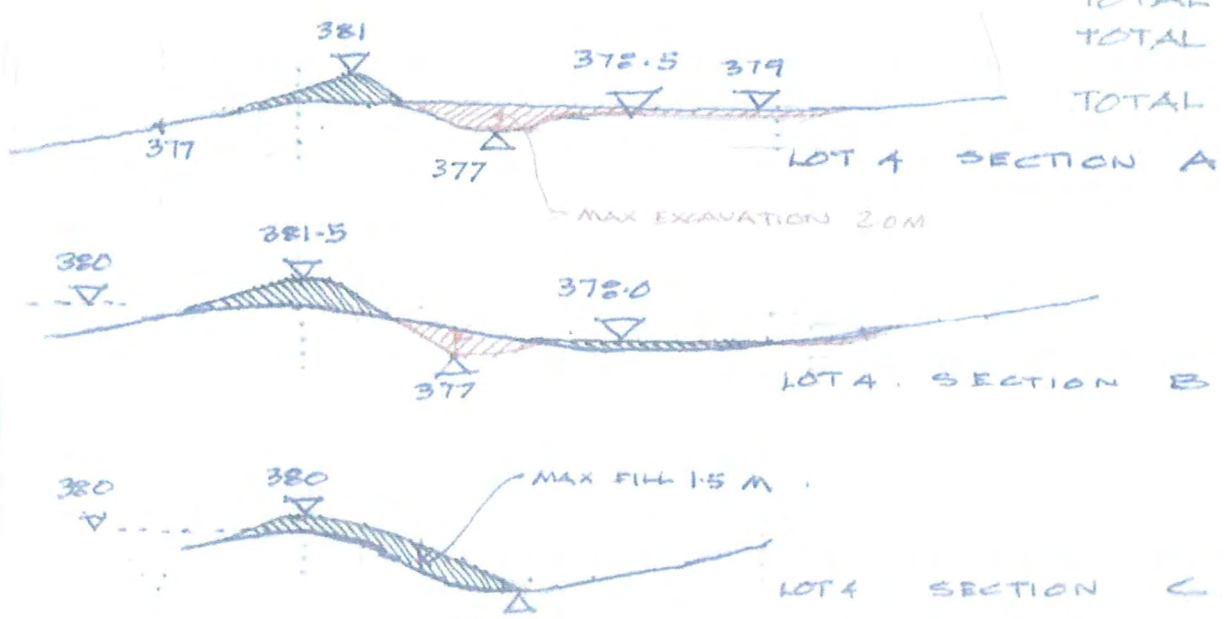
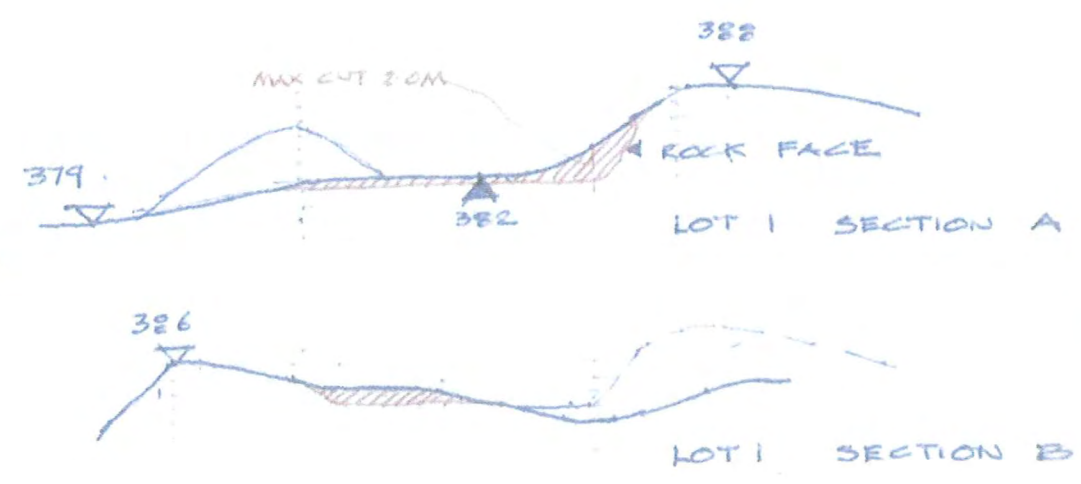


- CUT
- FILL
- NEW ACCESSWAY

TOTAL CUT 2000 M<sup>2</sup>

TOTAL FILL 2000 M<sup>3</sup>

TOTAL EARTHWORKS 4000 M<sup>3</sup>



RECEIVED

26 MAY 2011

Lakes Environmental

EARTHWORKS PLAN

SCALE 1:2000 43

L12 B

RURAL SUBDIVISION - 64 ARROW JUNCTION ROAD

ARROWTOWN

**APPENDIX 5 – RM130489 NOTIFICATION DECISION**

**FILE REF:** RM130489  
**TO:** Blair Devlin – Manager, Resource Consents  
**FROM:** Craig Barr  
**DATE:** 26 February 2014  
**SUBJECT:** Requirement to hold a hearing pursuant to Section 100 of the Resource Management Act 1991 (RMA).

---

Maurice Orr and Southern Trustee Limited have applied for resource consent to undertake a subdivision to create six lots, four will consist of new residential building platforms (proposed Lots 1, 3, 4, and 6). Proposed Lot 2 contains an existing dwelling and proposed Lot 5 will be amalgamated with the adjoining property to the south.

The subdivision would replace Stages 2-4 of a partially completed resource consent, RM090883 that was further varied by resource consent RM100500. That approval allows five lots, three comprising new residential building platforms.

The application was publicly notified on 14 August 2013 and submissions closed on 11 September 2013. Notice of the application was served on surrounding properties within the vicinity of the application site and a number of entities who may be adversely affected by the proposal.

The persons served notice of the application are listed in the applicable section 95 (notification) report which is attached as Appendix 1.

One submission has been received from the New Zealand Transport Agency (NZTA). The submission identifies that SH6 is a Limited Access Road at this location and, in the interest of carrying out its functions, the NZTA request that prior to completion of the subdivision, the consent holder obtain a notice signed by the Minister of Transport confirming that the State highway is road for the purposes of this subdivision.

A report has been prepared (attached as Appendix 2) for this application which outlines the assessment that has been undertaken of the proposal against the provisions of the District Plan and the RMA.

The Resource Management Act 1991 allows for consideration of this application without a hearing under section 100 of the Act which states:

***Section 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 at a hearing. The NZTA do not wish to be heard at a hearing and the applicant has accepted their request for a condition of consent as set out in the submission.

Given the conclusions contained in the report attached as Appendix 1 it is considered that a formal hearing of the application is not necessary for the substantive determination of this application.

Prepared by

Approved by



Craig Barr  
**SENIOR PLANNER**



Blair Devlin  
**MANAGER, RESOURCE CONSENTING**

**APPENDIX 6 - NZTA SUBMISSION**



NZ TRANSPORT AGENCY  
WAKA KOTAHI

RESOURCE MANAGEMENT ACT 1991

**Submission on an Application for Resource Consent  
By Maurice Orr and Southern Trustees 2005 Limited**

To: Queenstown Lakes District Council  
Private Bag 50077  
**QUEENSTOWN 9348**

Submitter: NZ Transport Agency  
PO Box 5245  
Moray Place  
**DUNEDIN 9058**

QLDC  
30 AUG 2013  
QUEENSTOWN

Pursuant to Section 96 of the Resource Management Act 1991, the **NZ Transport Agency** hereby makes this neutral submission to an application by Maurice Orr and Southern Trustees 2005 Limited to create four lots, replacing Stage 2-4 of existing and partially-completed resource consent RM090883.

**The subject property is legally described as** Lot 1 DP 15183, CT OT5D/736.

**NZ Transport Agency's submission is:**

***Limited Access Road***

State Highway 6 adjacent to the subject site is limited access road. Consequently, any consent holder will be required to obtain a notice signed by the Minister of Transport pursuant to section 93 of the Government Rounding Powers Act 1989 confirming that the State highway is road for the purposes of this subdivision. The NZ Transport Agency requests that if the Council is of a mind to grant consent, it attach a condition requiring the consent holder to provide a the appropriate section 93 notice to the consent authority prior to section 224(c) RMA certification.

**The reasons for this submission are:**

The NZ Transport Agency's statutory objective is to carry out its functions in a way that contributes to an affordable, integrated, safe, responsive and sustainable land transport system. Some of these functions relevant in this case are:

- to promote an affordable, integrated, safe, responsive, and sustainable land transport system
- to manage the State highway system in accordance with the relevant legislation; and
- to assist, advise, and co-operate with approved organisations (such as regional councils and territorial authorities).

In submitting on this proposal, the NZ Transport Agency is seeking to give effect to this objective.



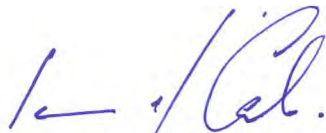
**NZ Transport Agency wishes the consent authority to:**

That if the consent authority is of a mind to grant consent to this proposed activity, the following condition be attached:

- 1) That prior to section 224(c) certification, the consent holder shall supply the consent authority with a notice signed by the Minister of Transport, pursuant to Section 93 Government Roading Powers Act 1989, confirming that the State highway is road for the purposes of this subdivision.

**The NZ Transport Agency does not** wish to be heard in support of this submission.

Dated at Dunedin this 29<sup>th</sup> day of August 2013.



**Ian McCabe**

**Planning and Investment Manager - Southern**

Pursuant to a delegation from  
The Chairman of the Board of  
NZ Transport Agency

**Address for Service:**

NZ Transport Agency  
PO Box 5245, Moray Place  
**DUNEDIN 9058**

**Attention:** James Coutts  
**Phone:** (03) 951 3009  
**Facsimile:** (03) 951 3013

**APPENDIX C – SECTION 100 DECISION**

**FILE REF:** RM130489  
**TO:** Blair Devlin – Manager, Resource Consents  
**FROM:** Craig Barr  
**DATE:** 26 February 2014  
**SUBJECT:** **Requirement to hold a hearing pursuant to Section 100 of the Resource Management Act 1991 (RMA).**

---

Maurice Orr and Southern Trustee Limited have applied for resource consent to undertake a subdivision to create six lots, four will consist of new residential building platforms (proposed Lots 1, 3, 4, and 6). Proposed Lot 2 contains an existing dwelling and proposed Lot 5 will be amalgamated with the adjoining property to the south.

The subdivision would replace Stages 2-4 of a partially completed resource consent, RM090883 that was further varied by resource consent RM100500. That approval allows five lots, three comprising new residential building platforms.

The application was publicly notified on 14 August 2013 and submissions closed on 11 September 2013. Notice of the application was served on surrounding properties within the vicinity of the application site and a number of entities who may be adversely affected by the proposal.

The persons served notice of the application are listed in the applicable section 95 (notification) report which is attached as Appendix 1.

One submission has been received from the New Zealand Transport Agency (NZTA). The submission identifies that SH6 is a Limited Access Road at this location and, in the interest of carrying out its functions, the NZTA request that prior to completion of the subdivision, the consent holder obtain a notice signed by the Minister of Transport confirming that the State highway is road for the purposes of this subdivision.

A report has been prepared (attached as Appendix 2) for this application which outlines the assessment that has been undertaken of the proposal against the provisions of the District Plan and the RMA.

The Resource Management Act 1991 allows for consideration of this application without a hearing under section 100 of the Act which states:

***Section 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 at a hearing. The NZTA do not wish to be heard at a hearing and the applicant has accepted their request for a condition of consent as set out in the submission.

Given the conclusions contained in the report attached as Appendix 1 it is considered that a formal hearing of the application is not necessary for the substantive determination of this application.

Prepared by

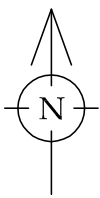
Approved by



Craig Barr  
**SENIOR PLANNER**



Blair Devlin  
**MANAGER, RESOURCE CONSENTING**



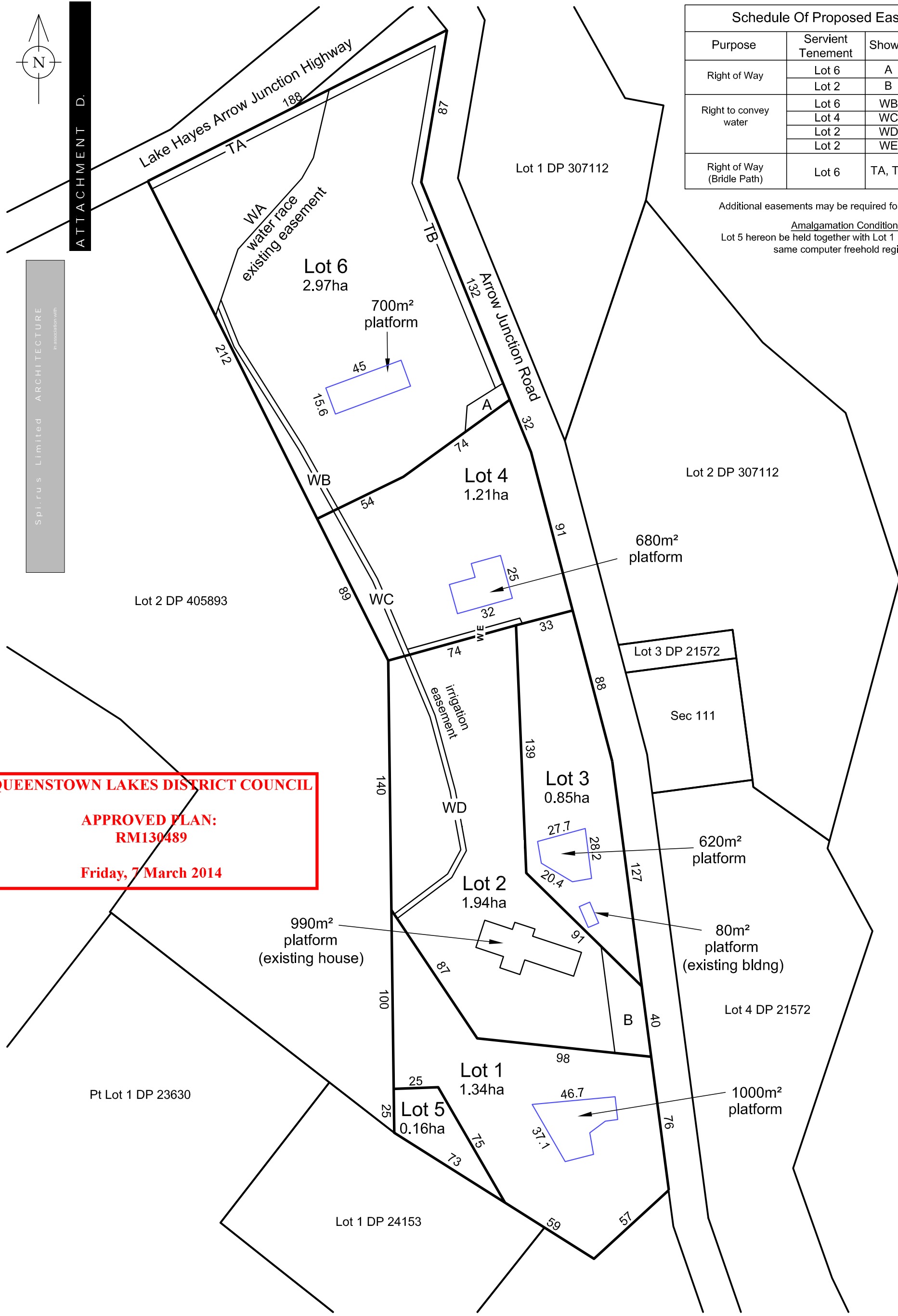
ATTACHMENT D.

Splirus Limited ARCHITECTURE  
in association with

Schedule Of Proposed Easements			
Purpose	Servient Tenement	Shown	Dominant Tenement
Right of Way	Lot 6	A	Lot 4
	Lot 2	B	Lots 1 & 3
Right to convey water	Lot 6	WB	Lots 1 - 4
	Lot 4	WC	Lots 1 - 3
	Lot 2	WD	Lot 1 & 3
	Lot 2	WE	Lot 3
Right of Way (Bridle Path)	Lot 6	TA, TB	QLDC (in gross)

Additional easements may be required for services

Amalgamation Condition:  
Lot 5 hereon be held together with Lot 1 DP 24153 in the same computer freehold register.



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM130489**

**Friday, 7 March 2014**

DATE: 3 Feb 2014 Scale 1:2000 DRAWING & ISSUE No. 3485 1R 1D  
 BY: B McLeod Original Plan A3

**SUBDIVISION OVERVIEW  
LOT 1 DP 15183  
ARROW JUNCTION ROAD**

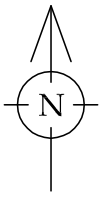


PO Box 2493  
Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469  
Email admin@ascl.co.nz

If this plan is used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.

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ATTACHMENT O

Spl. rus Limited ARCHITECTURE  
in association with

**BUILDING HEIGHTS**

BUILDINGS WITHIN THE RESIDENTIAL BUILDING PLATFORMS SHALL BE RESTRICTED TO THE HEIGHT LIMITS NOTED IN RED FOR EACH LOT.

- NOTE
1. LOTS 1 & 3 HEIGHTS VARY RELATIVE TO ZONES NOTED TO FIT WITHIN THE TERRAIN.
  2. PLATFORMS MAY BE EXCAVATED AS NOTED ON THE EARTHWORKS PLANS.

LOT 6 BUILDING PLATFORM  
MAXIMUM BUILDING  
HEIGHT 387  
PLATFORM MAY BE EXCAVATED  
TO 381 LEVEL REFER  
EARTHWORKS PLAN

LOT 4 BUILDING PLATFORM  
MAXIMUM BUILDING  
HEIGHT 383.5  
PLATFORM MAY BE EXCAVATED  
TO 378.5 LEVEL REFER  
EARTHWORKS PLAN

LOT 2 BUILDING PLATFORM  
MAXIMUM BUILDING  
HEIGHT 386

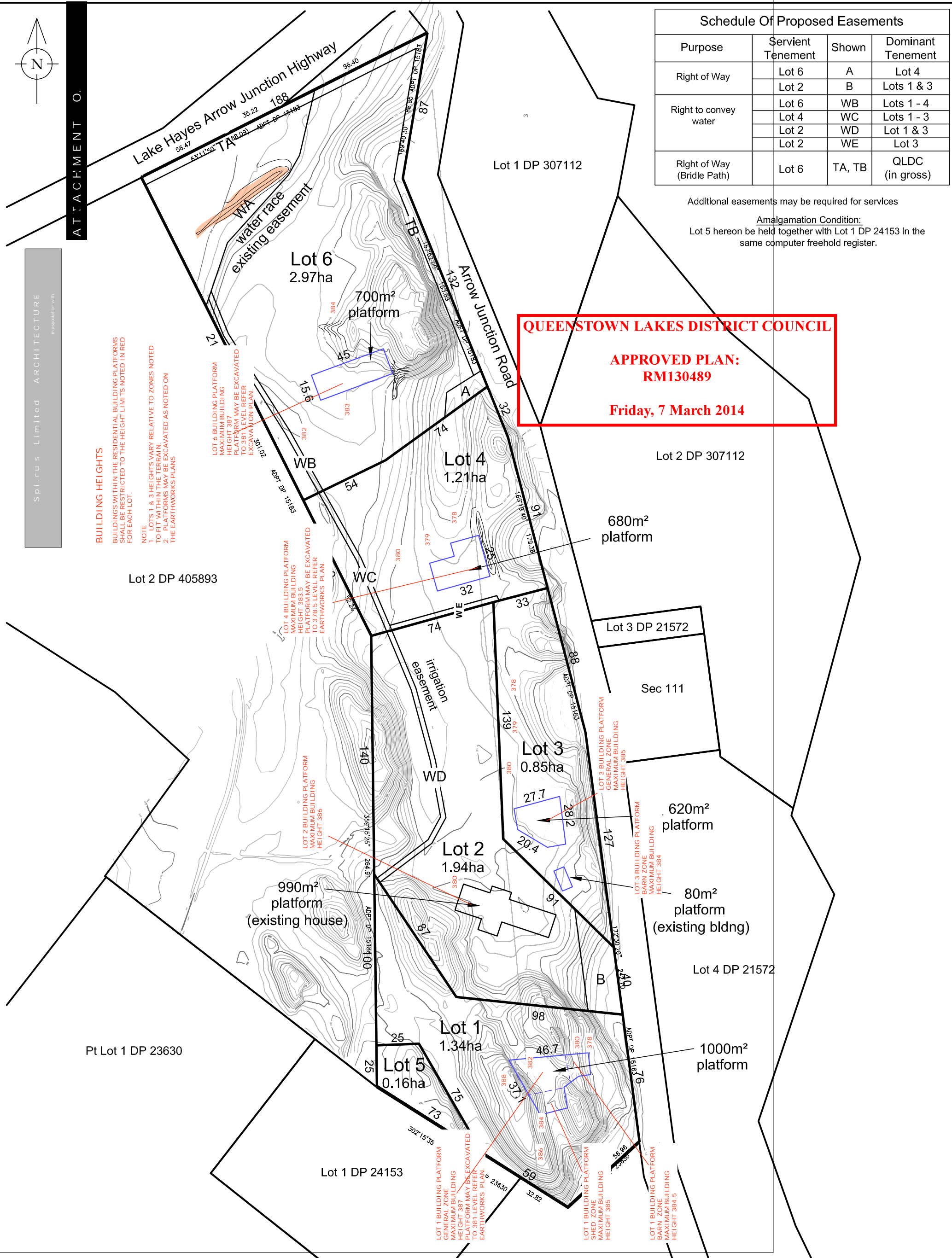
LOT 1 BUILDING PLATFORM  
GENERAL ZONE  
MAXIMUM BUILDING  
HEIGHT 387  
PLATFORM MAY BE EXCAVATED  
TO 381 LEVEL REFER  
EARTHWORKS PLAN

LOT 1 BUILDING PLATFORM  
SHED ZONE  
MAXIMUM BUILDING  
HEIGHT 385

LOT 1 BUILDING PLATFORM  
BARN ZONE  
MAXIMUM BUILDING  
HEIGHT 384.5

LOT 3 BUILDING PLATFORM  
GENERAL ZONE  
MAXIMUM BUILDING  
HEIGHT 385

LOT 3 BUILDING PLATFORM  
BARN ZONE  
MAXIMUM BUILDING  
HEIGHT 384



Schedule Of Proposed Easements			
Purpose	Servient Tenement	Shown	Dominant Tenement
Right of Way	Lot 6	A	Lot 4
	Lot 2	B	Lots 1 & 3
Right to convey water	Lot 6	WB	Lots 1 - 4
	Lot 4	WC	Lots 1 - 3
	Lot 2	WD	Lot 1 & 3
	Lot 2	WE	Lot 3
Right of Way (Bridle Path)	Lot 6	TA, TB	QLDC (in gross)

Additional easements may be required for services

Amalgamation Condition:  
Lot 5 hereon be held together with Lot 1 DP 24153 in the same computer freehold register.

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM130489**

**Friday, 7 March 2014**

If this plan is used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.

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**SUBDIVISION OVERVIEW  
LOT 1 DP 15183  
ARROW JUNCTION ROAD**

DATE: 3 Feb 2014  
BY: B McLeod

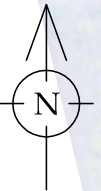
Scale 1:2000  
Original Plan A3

DRAWING & ISSUE No.  
3485 1R 1D



PO Box 2493  
Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469  
Email admin@ascl.co.nz





Schedule Of Proposed Easements			
Purpose	Servient Tenement	Shown	Dominant Tenement
Right of Way	Lot 6	A	Lot 4
	Lot 2	B	Lots 1 & 3
Right to convey water	Lot 6	WB	Lots 1 - 4
	Lot 4	WC	Lots 1 - 3
	Lot 2	WD	Lot 1 & 3
	Lot 2	WE	Lot 3
Right of Way (Bridle Path)	Lot 6	TA, TB	QLDC (in gross)

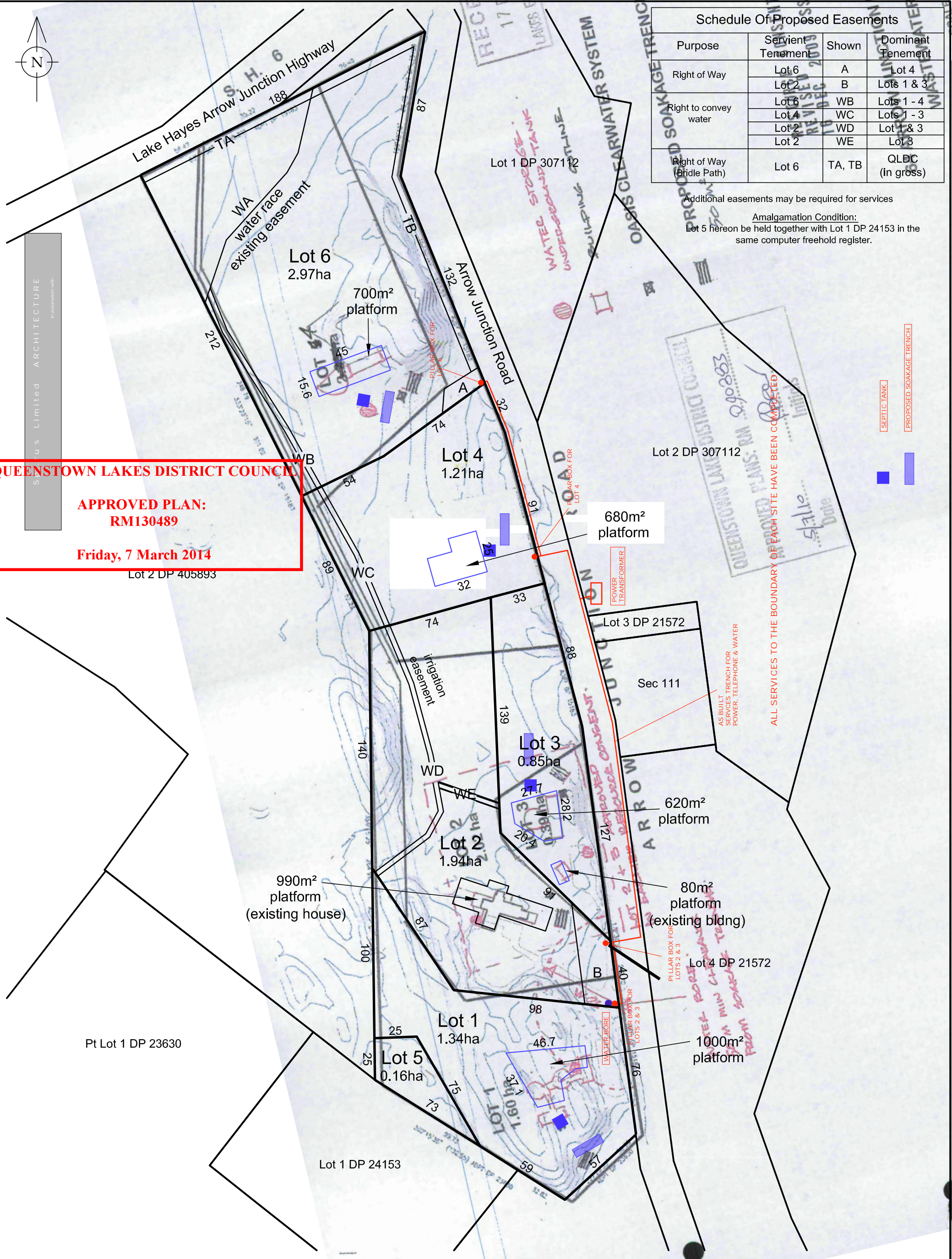
Additional easements may be required for services  
**Amalgamation Condition:**  
 Lot 5 hereon be held together with Lot 1 DP 24153 in the same computer freehold register.

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM130489**

**Friday, 7 March 2014**

Lot 2 DP 405893



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**SUBDIVISION OVERVIEW  
LOT 1 DP 15183  
ARROW JUNCTION ROAD**

DATE: 3 Feb 2014 Scale 1:2000  
 BY: B McLeod Original Plan A3 DRAWING & ISSUE No. 3485 1R 1D

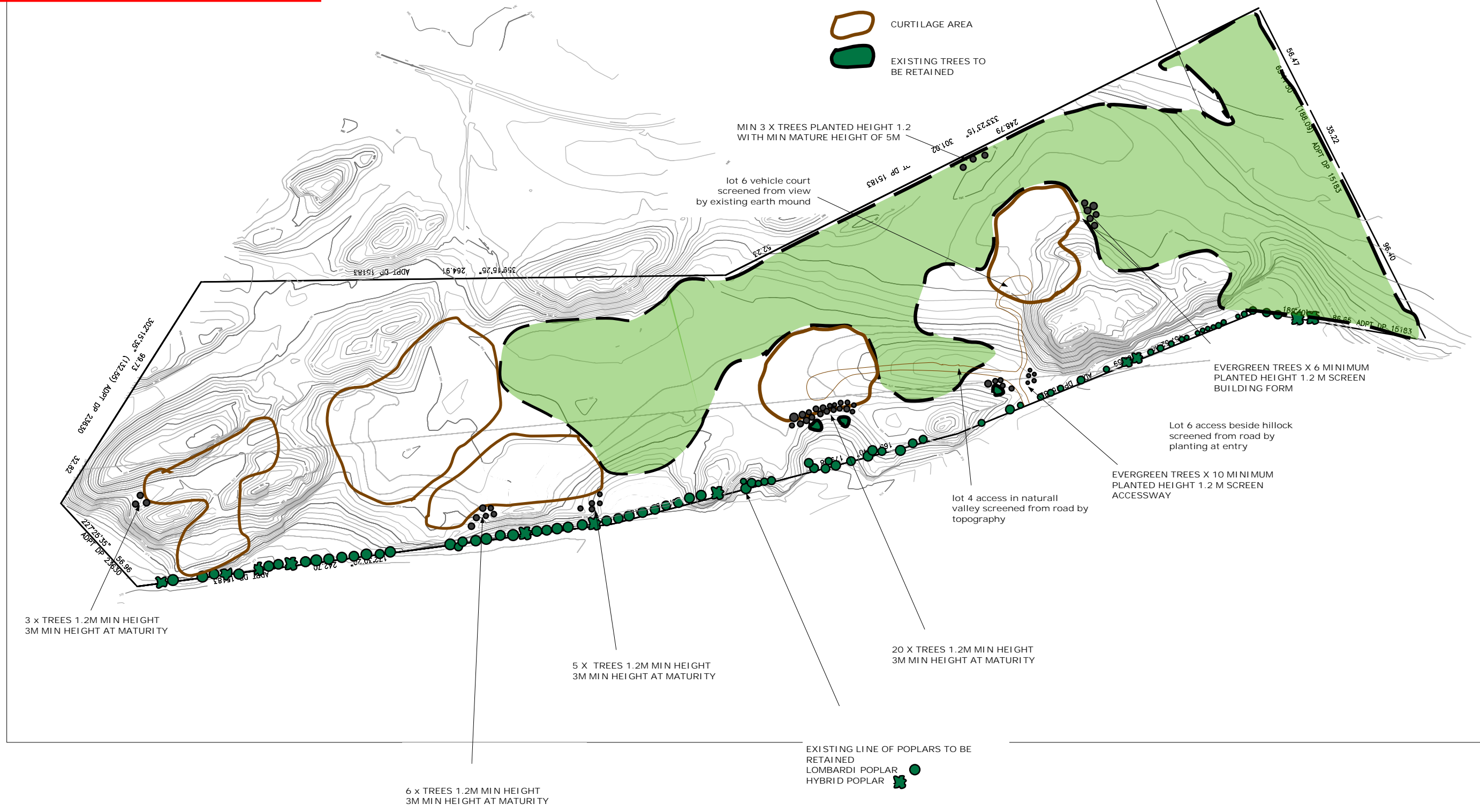


PO Box 2493  
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 Ph 03 442 3466  
 Fax 03 442 3469  
 Email admin@ascl.co.nz



-  OPEN PASTURE AREA
-  MITIGATION PLANTING
-  CURTILAGE AREA
-  EXISTING TREES TO BE RETAINED

EARTH MOUND SIDE FACING HIGHWAY TO HAVE MAXIMUM GRADIENT OF 1:4 TO FORM MORE NATURAL APPEARANCE REFER TO EARTHWORKS PLAN





PROPOSED BUILDING PLATFORM



- CUT
- FILL
- NEW ACCESSWAY

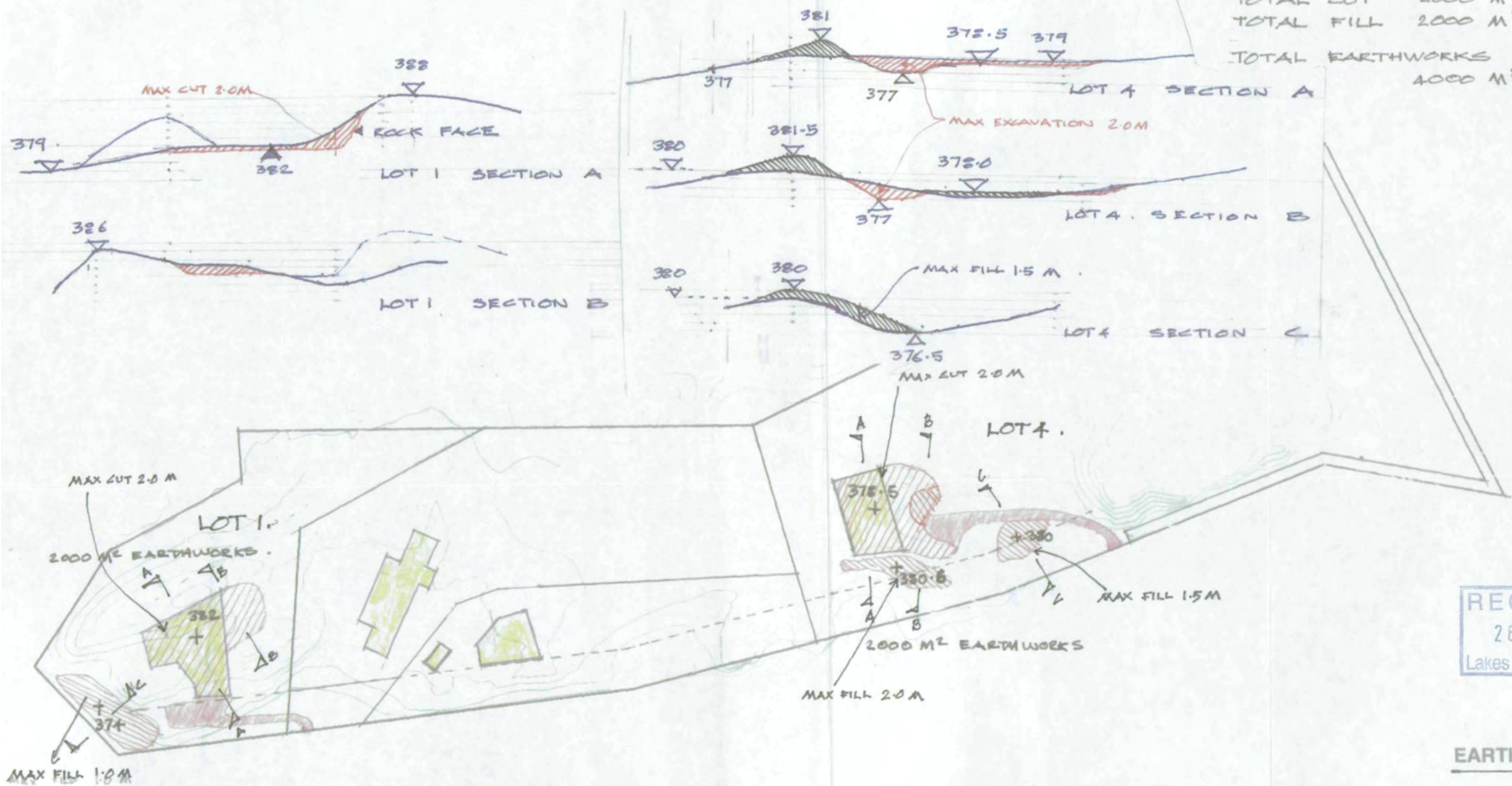
TOTAL CUT 2000 M<sup>3</sup>  
 TOTAL FILL 2000 M<sup>3</sup>  
 TOTAL EARTHWORKS 4000 M<sup>3</sup>

ALL AS PREVIOUSLY CONSENTED

NOTE  
 EARTHWORKS INDICATE WORKS THAT MAY OCCUR WHEN BUILDING WORK IS UNDERTAKEN THE WORKS ARE NOTE PROPOSED BEFORE SUBDIVISION

QUEENSTOWN LAKES DISTRICT COUNCIL

QUEENSTOWN LAKES DISTRICT COUNCIL  
 APPROVED PLANS: RM 100500  
 APPROVED PLAN: RM130489  
 08/03/14 HA  
 Date: Friday, 7 March 2014 Initials



RECEIVED  
 26 MAY 2011  
 Lakes Environmental

EARTHWORKS PLAN



Lot 2 DP 405893



PROPOSED NEW BUILDING PLATFORM



CUT

NOTE

EARTHWORKS INDICATE WORKS THAT MAY OCCUR WHEN BUILDING WORK IS UNDERTAKEN THE WORKS ARE NOTE PROPOSED BEFORE SUBDIVISION

TOTAL CUT 2000 M3

TOTAL FILL 200 M3

TOTAL EARTHWORKS 2200 M3

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM130489

Friday, 7 March 2014

Lot 6  
2.97ha

platform  
700m<sup>2</sup>

Lot 4  
1.21ha

Lot 1 DP 30711

Arrow Junction Road

Lake Hayes Arrow Junction Highway

existing water race  
VVA  
water easement

irrigation easement

