



**DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**UNDER s104 RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	J & A Coleman
<b>RM reference:</b>	RM140254
<b>Application:</b>	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent to erect a dwelling and undertake associated earthworks, access, and landscaping.
<b>Location:</b>	Cardrona Valley Road, Cardrona
<b>Legal Description:</b>	Lot 1 Deposited Plan 377465 held in Computer Freehold Register 311061
<b>Zoning:</b>	Rural General and Rural Visitor
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification Decision:</b>	Limited Notified
<b>Hearing:</b>	Waived in accordance with Section 100 of the RMA
<b>Delegated Authority:</b>	Blair Devlin – Manager, Resource Consenting
<b>Final Decision:</b>	<b>GRANTED SUBJECT TO CONDITIONS</b>
<b>Date Decisions Issued:</b>	6 August 2014

**SUMMARY OF DECISIONS**

1. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix A** of this decision imposed pursuant to Section 108 of the RMA. The consent only applies if the conditions outlined are met. 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, Manager, Resource Consenting, as delegate for the Council.

## 1. PROPOSAL AND SITE DESCRIPTION

Sections 2 and 3 of the Section 42A (S42A) report prepared for Council (attached as Appendix B) provides a full description of the proposal, the site and surrounds and the consenting history.

## 2. NOTIFICATION, SUBMISSIONS AND OBLIGATION TO HOLD A HEARING

The application was limited notified to neighbouring property owners on 18 June 2014. Submissions closed on 16 July 2014 with no submissions received by either the Council or the Applicant.

The applicant has advised they do not wish to be heard in relation to the application. The consent authority does not consider a hearing is necessary.

A decision under section 100 of the Act to not hold a hearing was made by Mr Blair Devlin (Manager, Resource Consenting) on 4 August 2014.

## 3. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 8 of the S42A report outlines S104 of the Act in more detail.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. Section 9.5 of the S42A report outlines Part 2 of the Act.

### 3.1 RELEVANT PLAN CONSIDERATIONS

The subject site is split-zoned Rural General and Rural Visitor<sup>1</sup>, as seen in Figure 1 below



Figure 1 - District Plan Zoning

The purpose of the Rural General Zone as described on Page 5-9 of the District Plan is as follows:

*The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:*

- *protects and enhances natural 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 zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine ski areas and national parks.

<sup>1</sup> The definition of 'site' in the District Plan considers that portions of land with different zonings held in one Title are considered to be separate sites. The proposed dwelling will be wholly located on the Rural General portion of the lot.

The key Objectives and Policies which are relevant to the application are contained within Part 4 (District Wide Issues) and Part 5 (Rural Areas) which require determination under section 104(1) of the Resource Management Act 1991.

The proposed activity requires resource consent for the following reasons:

- A **controlled** activity resource consent pursuant to Rule 5.3.3.2(vii) for earthworks where the maximum volume of earth moved is between 300m<sup>3</sup> and 1000m<sup>3</sup> per site within any one consecutive 12 month period. It is proposed to undertake approximately 828m<sup>3</sup> of earthworks, consisting of 414m<sup>3</sup> of cut and 414m<sup>3</sup> of fill. The Council does not reserve any matters of control in regard to this matter.
- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposal breaches site standard 5.3.5.1(vii) in regard to the minimum 15m building setback from internal boundaries. The definition of '*Internal Boundary*' in the District Plan refers to the definition of '*Boundary*' which refers to the definition of '*net area*' of a site, which in turn refers to the definition of a '*site*'. As outlined above, the definition of site means the application lot is considered to be two different sites. Therefore the zone boundary is considered to be an internal boundary and requires a 15m building setback. It is proposed to construct a deck 12m from the zone boundary. The Council's discretion is restricted to this matter.
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i)(a) for the construction of a building not contained within an approved building platform and any physical activity associated with the building such as roading, landscaping and earthworks.

Overall, the application is considered to be a **discretionary** activity.

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

Based on the applicants 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.

## **4. SUMMARY OF EVIDENCE HEARD**

This is not applicable in this case as there has not been a hearing.

## **5. PRINCIPAL ISSUES IN CONTENTION**

The principal issues arising from the application and section 42a report are:

- Visual effects and effects on the landscape
- Urban sprawl, rural character, and rural amenity
- An internal boundary setback infringement resulting from the location of decking
- Effects of earthworks, both visual and engineering-related effects
- Access, parking, and traffic generation
- Servicing of the development
- Nuisance effects
- Culture and the protection of any archaeological items uncovered
- Natural hazards
- Effects on neighbours

The findings relating to these principal issues of contention are outlined in Sections 9.2.2 and 9.2.3 of the attached S42A report. The issues are summarised in Section 9.2.4 of the same report. Overall the proposal is considered to represent an appropriate balance between enabling the applicant to provide for their residential needs and avoiding and mitigating adverse effects on both the wider environment and neighbours.

## **6. ASSESSMENT**

### **6.1 Actual and Potential Effects (s104(1)(a))**

Actual and potential effects on the environment have been addressed in Section 9.2.2 of the S42A report prepared for Council and provides a full assessment of the application. Where relevant conditions of consent can be imposed under section 108 of the RMA as required to avoid, remedy or mitigate adverse effects. A summary of conclusions of that report are outlined below:

It is considered that the adverse effects of the activity will be minor, and adequately avoided or mitigated. The development is considered to be of an appropriate nature and scale in the context of the site and surrounds.

Proposed recessive colours and materials, earthworks, access, and landscaping will ensure that the visual affects of development are minimised and the Outstanding Natural Landscape values of the Cardrona Valley will remain protected.

The development can be adequately accessed and serviced, and is unlikely to be at risk of natural hazards.

While development on the fringe of the Cardrona Village will represent a small degree of urban sprawl, this will be contained by existing development on either side.

Overall it is concluded that actual and potential effects are considered to be minor.

### **6.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))**

As outlined in detail in Section 9.3 of the S42A report, overall the proposed development is in accordance with the relevant policies and objectives of the District Plan.

### **6.4 PART 2 OF THE RMA**

In terms of Part 2 of the RMA, the proposal is considered to be in accordance with the purpose of the Resource Management Act 1991 as outlined in further detail in Section 9.5 of the S42A report.

## **7. DECISION ON LAND USE CONSENT PURSUANT TO SECTION 104 OF THE RMA**

Pursuant to section 104 of the RMA this consent is **granted** subject to the conditions stated in *Appendix A* of this decision imposed pursuant to Section 108 of the RMA.

## **8. OTHER MATTERS**

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

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to commencement of the consent, except where a Building Consent is required when payment shall be due prior to the issue of the code of compliance certificate.

### *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.

You are responsible for ensuring compliance with the conditions of this resource consent found in Appendix 1. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

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

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

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

If you have any enquiries please contact Richard Kemp on phone (03) 441 0499 or email [richard.kemp@qldc.govt.nz](mailto:richard.kemp@qldc.govt.nz).

Report prepared by

Decision made by



Richard Kemp  
**PLANNER**

Blair Devlin  
**MANAGER, RESOURCE CONSENTING**

**APPENDIX A – Consent Conditions**

**APPENDIX B – Section 42A Report**

## **APPENDIX A - CONSENT CONDITIONS**

### **General Conditions**

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

- 'Site Plan' by WRD Design
- 'Proposed Earthworks' by C. Hughes and Associates Limited, dated April 2014
- 'Cut and Fill Details' by C. Hughes and Associates Limited, dated May 2014
- Floor Plan by WRD Design
- 'South Elevation' by WRD Design
- 'West Elevation' by WRD Design
- 'East Elevation' by WRD Design
- 'North Elevation' by WRD Design
- 'Landscape Plan' Pages 1 - 10

**stamped as approved on 1 August 2014**

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

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

### **Earthworks and Construction Conditions**

#### **General**

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

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

4. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site.
5. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
6. At least 7 days prior to commencing excavations, the consent holder shall provide the 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 shall supervise the excavation procedure and fill 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.

***To be monitored throughout earthworks***

7. The earthworks and batter slopes, shall be undertaken in accordance with the recommendations of the report by Geoconsulting Ltd '*Hazard Assessment: 2352 Cardona Valley Road*' (dated 28 February 2014).
8. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
9. No earthworks, temporary or permanent, are to breach the boundaries of the site with the exception of the construction of the construction crossing.
10. Hours of operation for earthworks, shall be Monday to Saturday (inclusive): 8.00am to 6.00pm. Sundays and Public Holidays: No Activity

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

11. *Accidental Discovery Protocol* - If the consent holder:
  - a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
    - (i) notify Council, Tangata whenua and Heritage New Zealand and in the case of skeletal remains, the New Zealand Police.
    - (ii) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, Heritage New Zealand, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
  - (i) stop work within the immediate vicinity of the discovery or disturbance and;
  - (ii) advise Council, Heritage New Zealand and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the Historic Places Act 1993 (or equivalent) and;
  - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

***On completion of earthworks and prior to construction of the dwelling***

12. On completion of earthworks and prior to the construction of the dwelling, a suitably qualified engineer experienced in soils investigations shall either:

- a) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site; or
- b) Provide certification to the Principal Resource Management Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a chartered professional engineer.

***To be completed when works finish and before occupation of dwelling***

13. Prior to the occupation of the dwelling, the consent holder shall complete the following engineering works, in accordance with Condition (3):
  - a) The provision of an access way to the dwelling from the existing right of way over Lot 2 DP 377465 (as shown on the site plan approved under Condition 1) which complies with the guidelines provided for in Council's development standard NZS 4404:2004 with amendments as adopted by the Council in October 2005. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. Provision shall be made for stormwater disposal from the carriageway.
  - b) All earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
  - c) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Colours and Materials

14. The colours and materials approved by this resource consent are as follows:

- Roof - Colorsteel in '*Ironsand*'
- Wall Cladding, garage door, fascia, joinery, spouting, downpipes - *Ironsand*'
- Retaining Walls - Resene '*Pitch Black*' Waterbourne stain or '*Ironsand*'

Any amendment to these colours/materials shall firstly be certified by the Council to be in the range of natural tones of grey, green or brown with a light reflectivity value of between 8% and 20% for the roof, and 8 and 36% for the walls and garage door to ensure the building is sympathetic to the natural tones of the surrounding landscape, prior to being used on the building.

Lighting

14. All external lighting shall be limited to down lighting only within close proximity of the dwelling only and shall not be used for lighting the access drive, landscape planting, landscape features or for highlighting built form. Placement of lighting shall not create light spill onto neighbouring properties or create a direct light source that is visible from the road.

Landscaping

15. All planting as shown within the landscape plan approved in Condition 1 shall be implemented within 6 months from completion of the dwelling, **be irrigated**, and thereafter be maintained to establish a healthy vegetated cover. If any plant or tree shall die, become diseased or is pruned or a modified in a manner that compromises the mitigation value then it shall be replaced within the next 12 months as per the plan.
16. The row of eight existing poplar trees adjacent to the Cardrona Valley Road boundary (as seen in the below photograph) shall be retained. If any tree shall die or become diseased it shall be replaced within six months. Any replacement trees shall be poplar, or if another species, shall be approved by Council prior to planting.





### Profile Poles

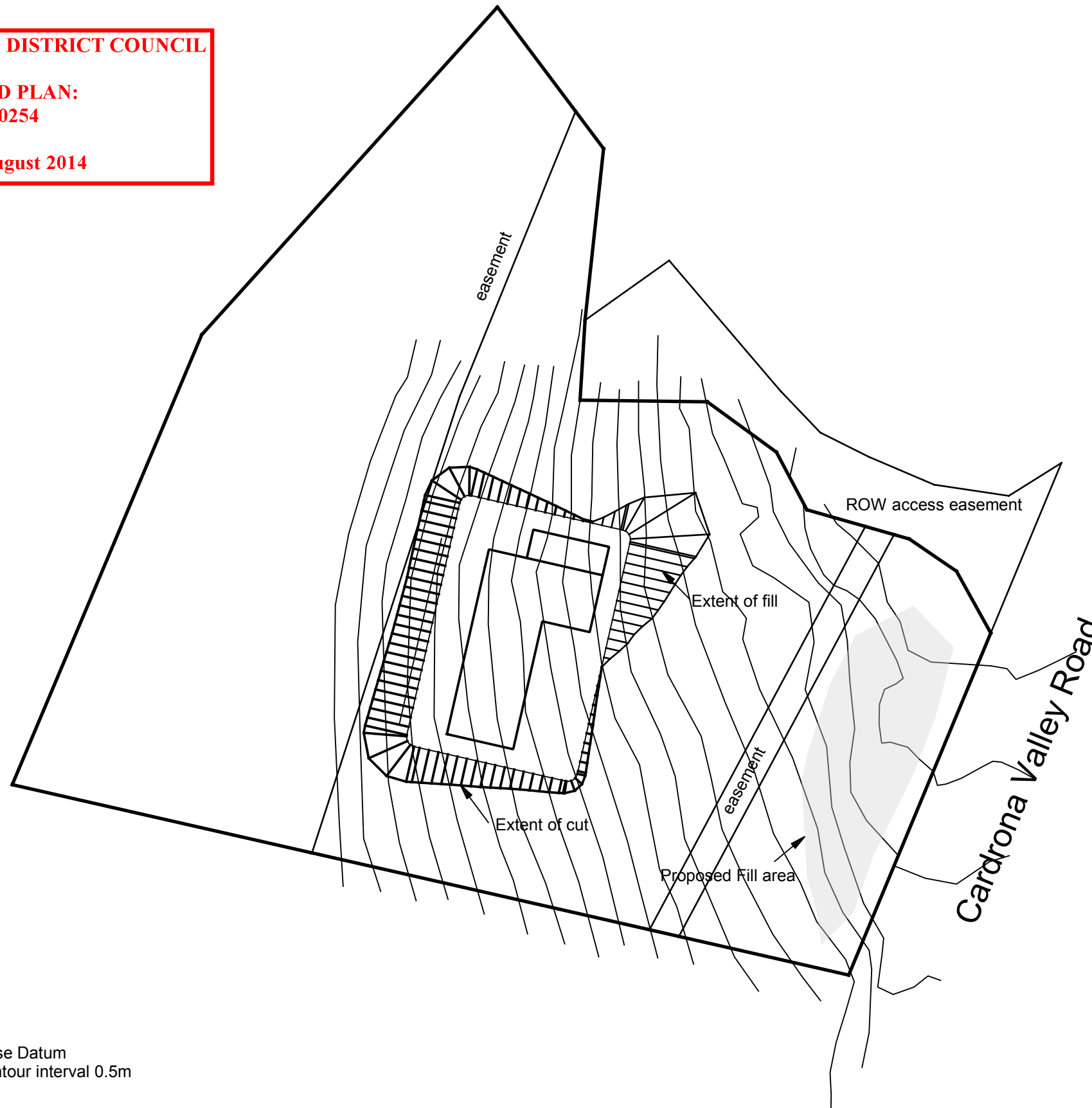
17. Profile poles that were erected during the processing of this resource consent shall be taken down within two weeks from the date of the decision.

### **Advice Note**

1. The consent holder is advised that any retaining walls proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.



**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**APPROVED PLAN:**  
**RM140254**  
**Friday, 1 August 2014**



False Datum  
 Contour interval 0.5m

**C. HUGHES & ASSOCIATES LTD**  
 Surveying and Resource Management • Central Otago  
 WANAKA  
 Level 3, 80 Ardmore Street  
 P.O. Box 599  
 03 443 5052  
 www.chasurveyors.co.nz



**Proposed Earthworks**  
**J & A Coleman**  
**Cardrona Valley Road**

ISSUE	AMMENDMENTS	DATE
A		
B		
C		
D		
E		

Scale: 1:500  
 Datum: False

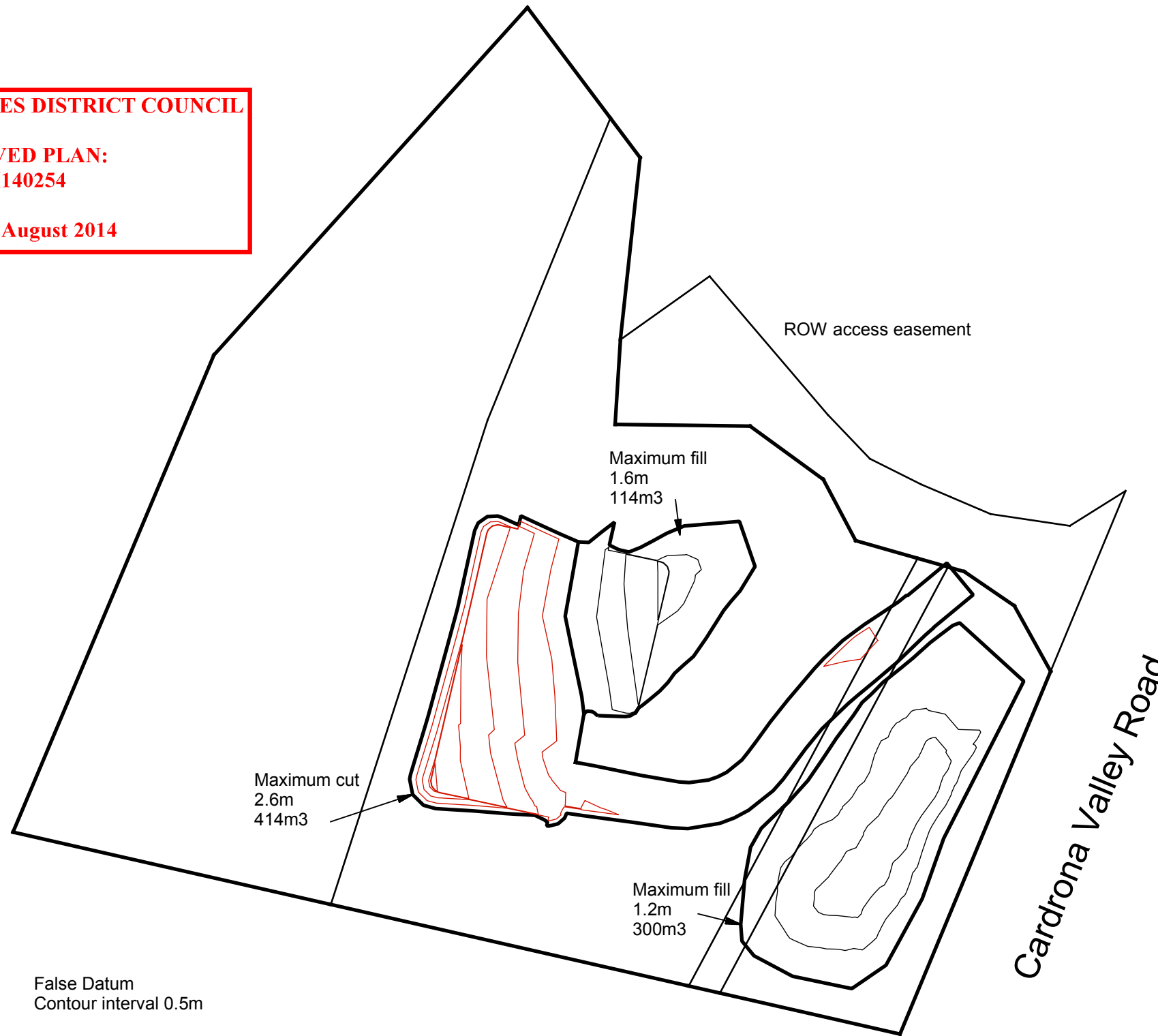
Job No: 5278  
 Plan No: W778  
 Drawn: MJS  
 Date: April 2014



**QUEENSTOWN LAKES DISTRICT COUNCIL**

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**Friday, 1 August 2014**



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CROMWELL  
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03 445 0376



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**Cut and Fill Details  
J & A Coleman  
Cardrona Valley Road**

ISSUE	AMMENDMENTS	DATE
A		
B		
C		
D		
E		

Scale:  
**1:500**

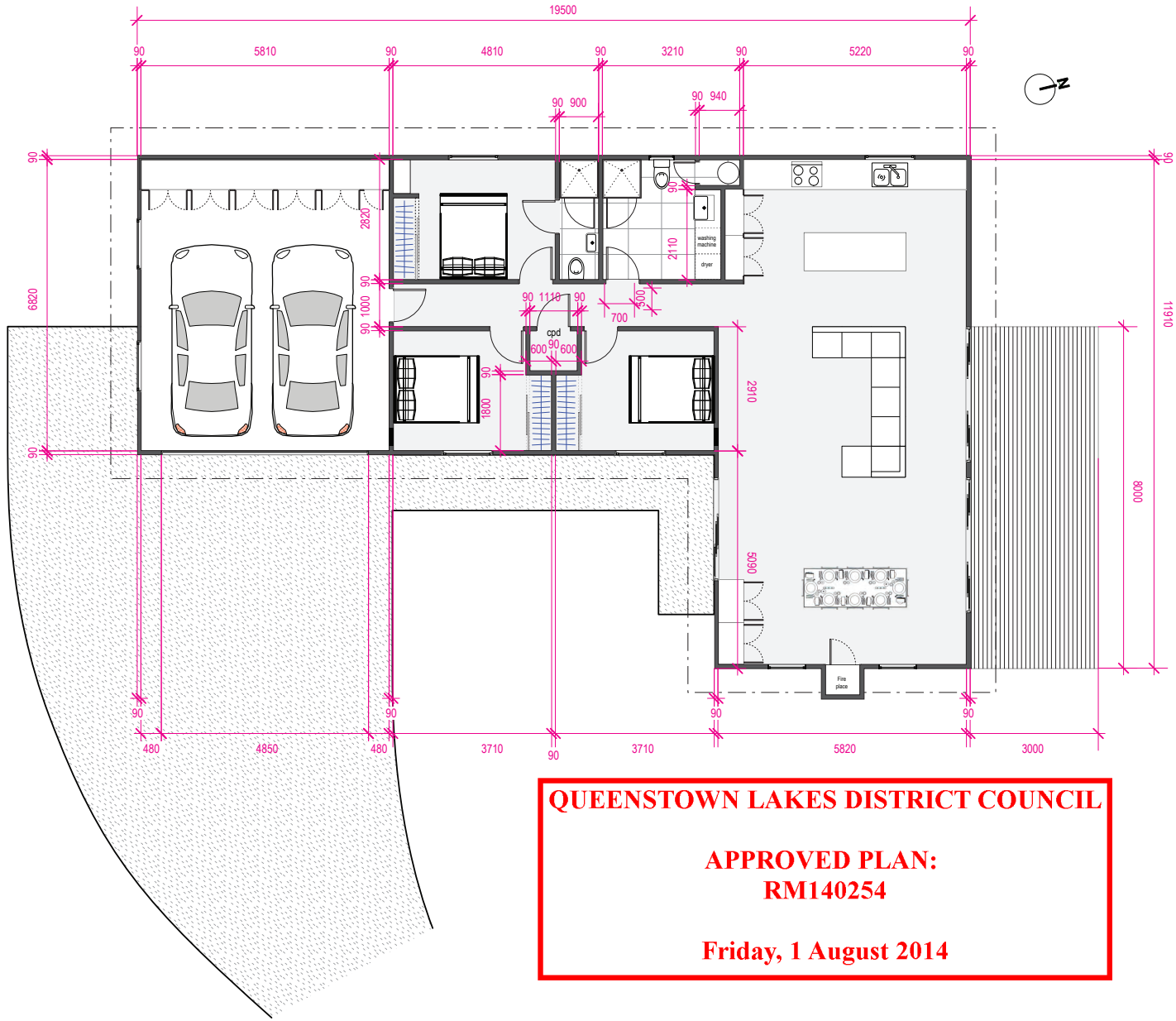
Datum:  
**False**

Job No:  
**5278**

Plan No:  
**W778**

Drawn:  
**MJS**

Date: **May 2014**



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
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**Friday, 1 August 2014**



CLIENT  
JERRY COLEMAN

PROJECT  
CADRONA HOUSE

DRAWING  
PLAN

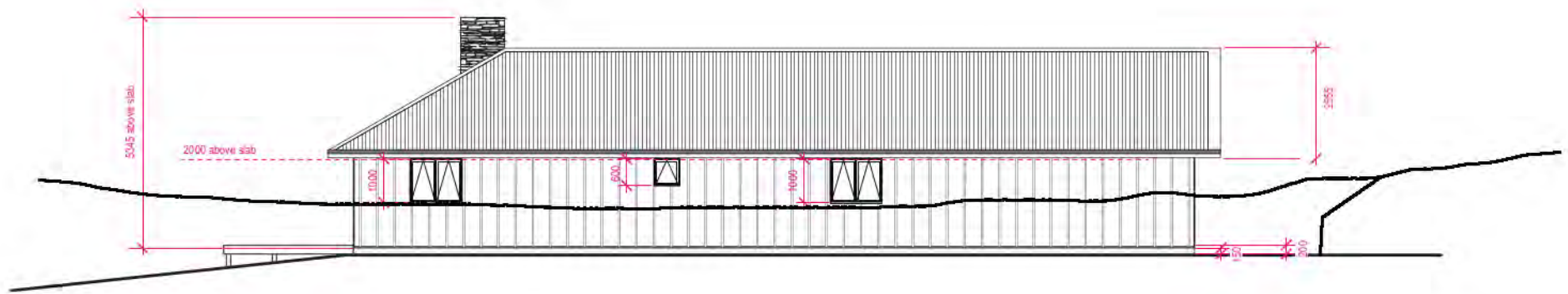
JOB # 001      REV. B

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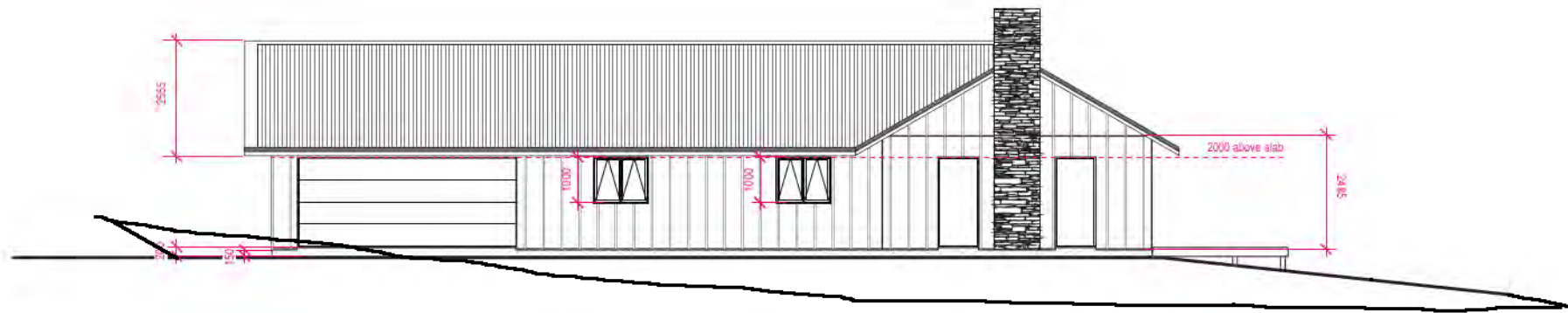


**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**APPROVED PLAN:**  
**RM140254**  
**Friday, 1 August 2014**



CLIENT JERRY COLEMAN	
PROJECT CADRONA HOUSE	
DRAWING WEST ELEVATION	
JOB # 001	REV. B
SCALE 1:100	

L06



**QUEENSTOWN LAKES DISTRICT COUNCIL**

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RM140254**

**Friday, 1 August 2014**



CLIENT  
JERRY COLEMAN

PROJECT  
CADRONA HOUSE

DRAWING  
EAST ELEVATION

JOB #	REV.
001	B

SCALE  
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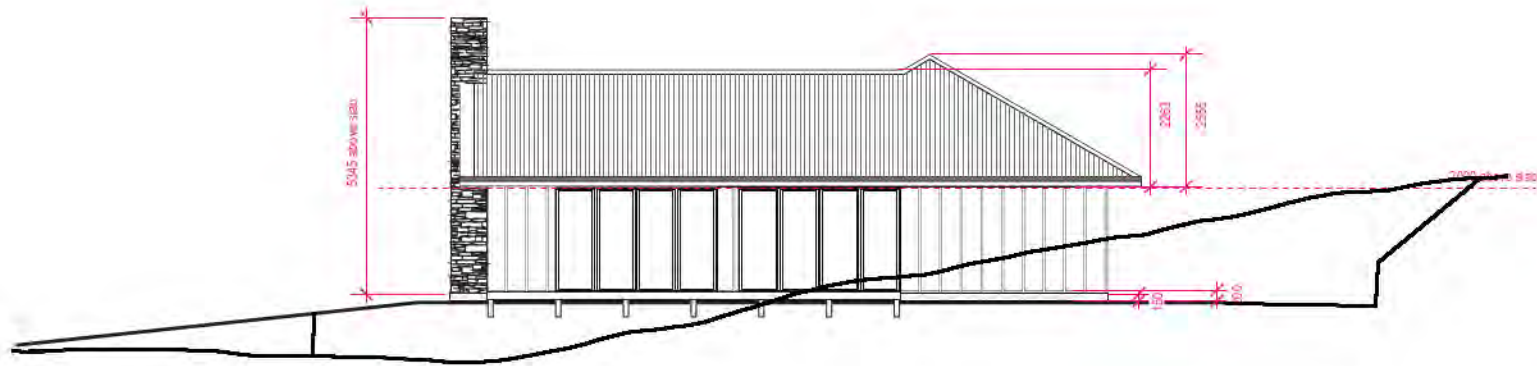
**L03**



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM140254**

**Friday, 1 August 2014**



CLIENT  
JERRY COLEMAN

PROJECT  
CADRONA HOUSE

DRAWING  
NORTH ELEVATION

JOB #	REV.
001	B

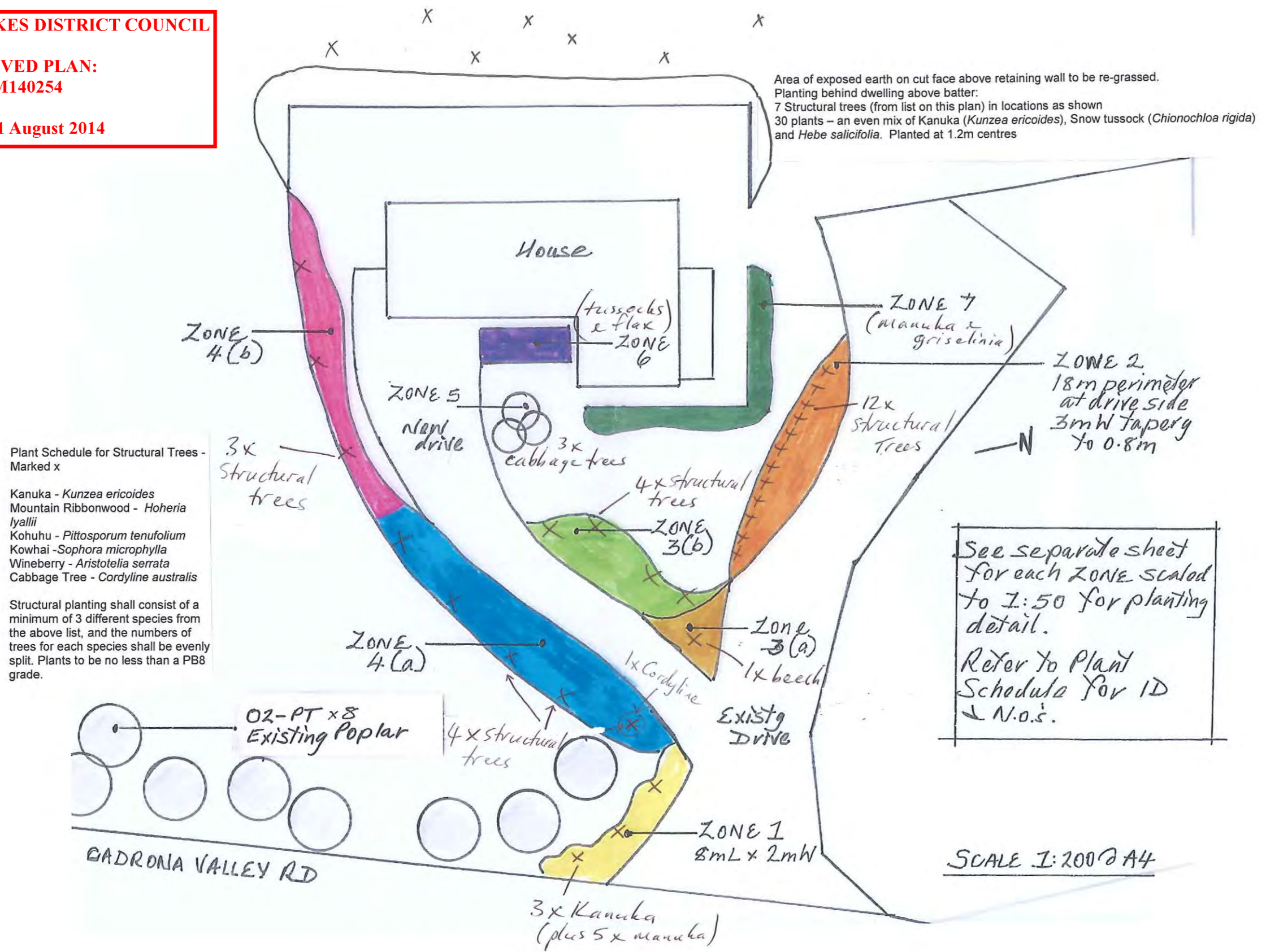
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**L05**

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:**  
**RM140254**

**Friday, 1 August 2014**



Plant Schedule for Structural Trees - Marked x

- Kanuka - *Kunzea ericoides*
- Mountain Ribbonwood - *Hoheria lyallii*
- Kohuhu - *Pittosporum tenuifolium*
- Kowhai - *Sophora microphylla*
- Wineberry - *Aristotelia serrata*
- Cabbage Tree - *Cordyline australis*

Structural planting shall consist of a minimum of 3 different species from the above list, and the numbers of trees for each species shall be evenly split. Plants to be no less than a PB8 grade.

See separate sheet for each ZONE scaled to 1:50 for planting detail.  
 Refer to Plant Schedule for ID & N.o.s.

SCALE 1:200 @ A4

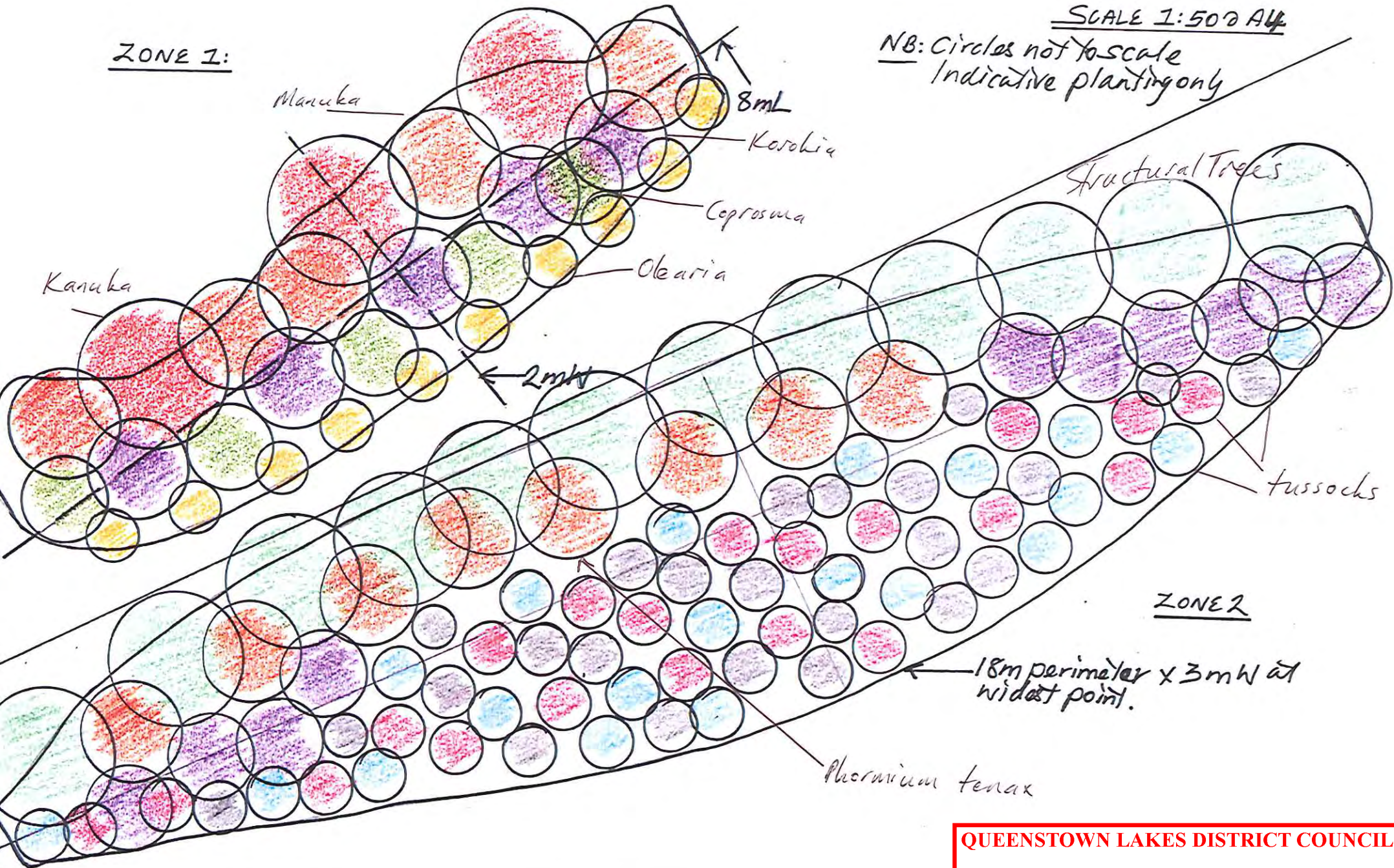
COLEMAN LANDSCAPE PLAN - 11/6/14



SCALE 1:500 ALL

ZONE 1:

NB: Circles not to scale  
Indicative planting only



**QUEENSTOWN LAKES DISTRICT COUNCIL**

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RM140254**

**Friday, 1 August 2014**



SCALE 1:500 A4  
Note - circles not to scale  
indicative spacing only

Coprosma

Wineberry

Hebes

Korokia

Structural Tree

Beech

17-CA

Zone 3(b)

12mL

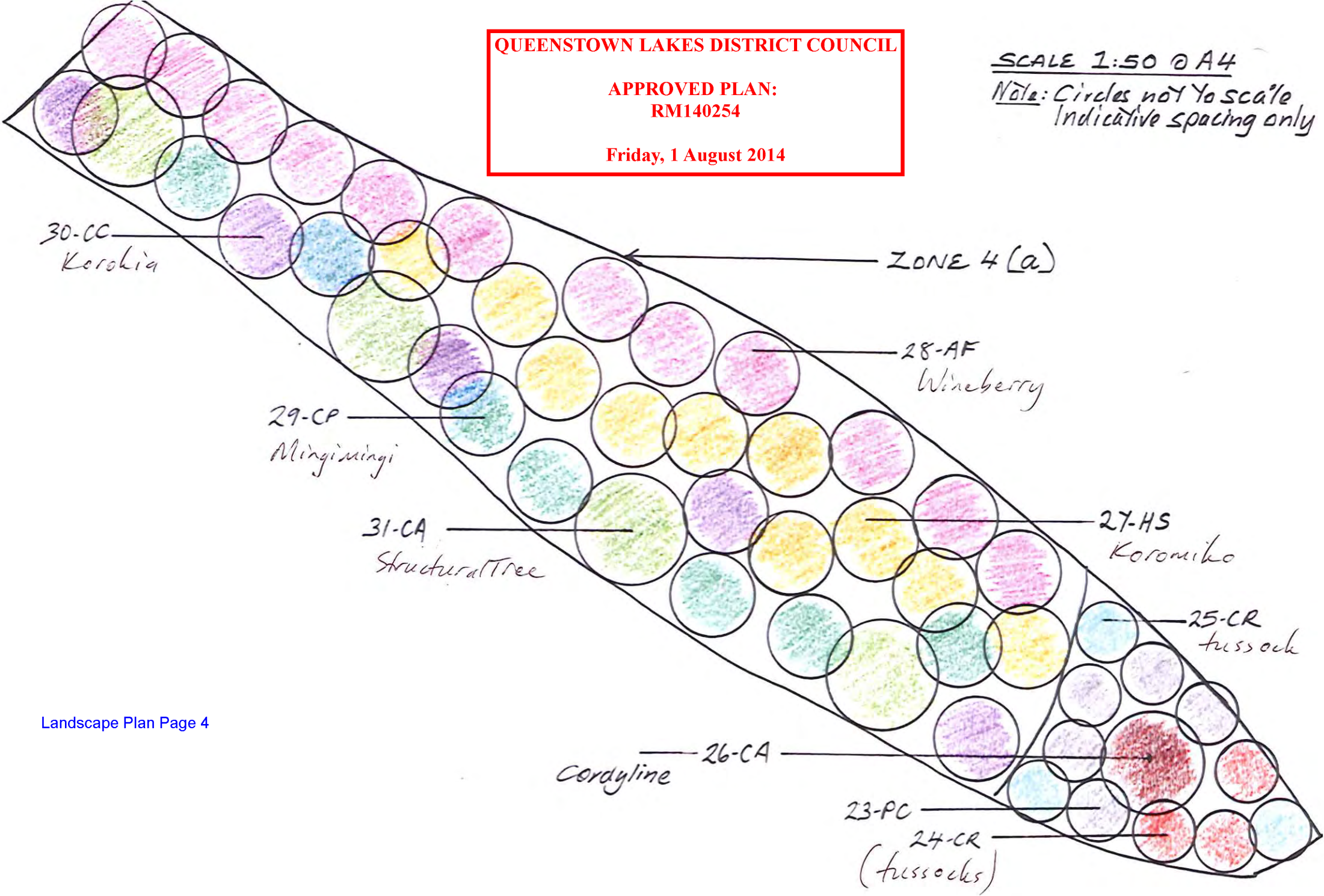
Zone 3(a)

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**Friday, 1 August 2014**



**QUEENSTOWN LAKES DISTRICT COUNCIL**  
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**Friday, 1 August 2014**

SCALE 1:50 @ A4  
Note: Circles not to scale  
Indicative spacing only





SCALE 1:50 @ A4

NOTE: Circles not to scale  
Indicative spacing only

33-AF  
Wineberry

ZONE 4 (b)

**QUEENSTOWN LAKES DISTRICT COUNCIL**

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**Friday, 1 August 2014**

34-CP  
Mingimingi

37-CA  
Structural  
Trees

32-HS  
Koromiko

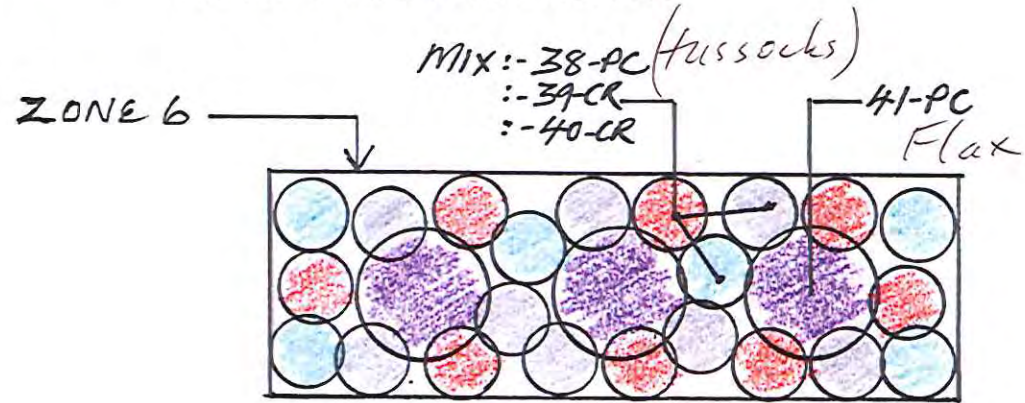
33-AF  
Wineberry

35-CC  
Korobia

33-AF  
Wineberry

SCALE 1:50 @ A4

NOTE: CIRCLES NOT TO SCALE  
INDICATIVE SPACING ONLY



ZONE 7

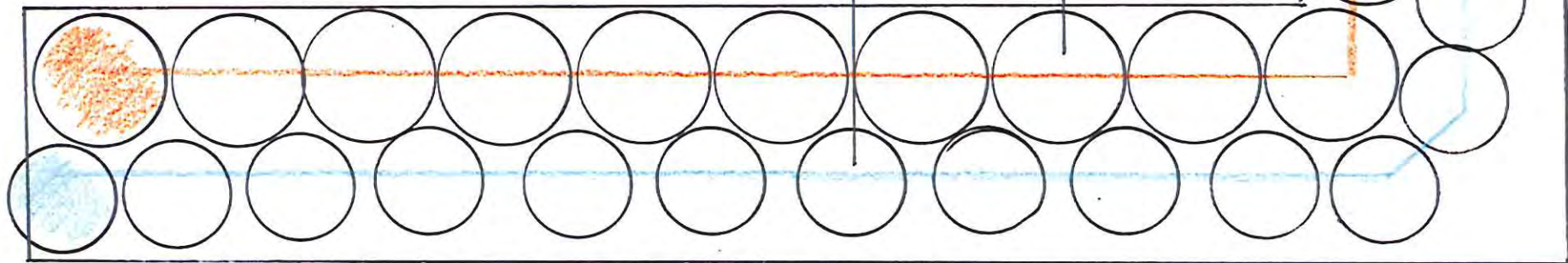
**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:**  
**RM140254**

**Friday, 1 August 2014**

GriseLinia  
43GL

Manuka  
42-LS



**APPROVED PLAN:  
RM140254**

Code on Qty plan	Botanical Name	Common name	Qty to buy	Grade to buy	Size at maturity	Planting details	Code colour on Qty Plan
<b>Friday 1 August 2014</b>							
<b>PLANTING ID / Quantities/PB sizes/Quantities - Cadrona House</b>							
<b>(refer to new drafted site plan giving suggested location of plants)</b>							
<b>Cadrona Valley Rd:</b>							
02-PT	<i>Poplar</i>	Cottonwood tree	n/a	n/a	Can grow anywhere between 15 - 40 metres tall. Belongs to a populus genus of trees that is made of about 35 species. Is deciduous.	Existing	brown
02-NS	<i>Nothofagus solandri var. cliffortioides</i>	Black Beech (Māori: tawhai rauriki)	2	Pb95	Average Height: 10m; Spread: 5m for this smaller variety	Plant additional x2 either side of entry (optional to replace the Cabbage trees shown on the plan) into new drive off existing driveway (too tall for further down drive encroaching on house so assume legend on design as cordylines)	blue
<b>Zone 1 - Grey shrub mix behind existing rock wall on corner from Valley Rd into existing drive (left)</b>							
03-OO	<i>Olearia odorata</i>	Tree Daisy	10	Pb8 or 12	Can spread 1m in diameter with longer extensions	(Shrub) Open twiggy habit. Abundant small white flowers (spring). Assume rock wall runs around perimeter of corner, please Olearia directly above it to hang over the wall.	yellow
04-CP	<i>Coprosma pronpinqua</i>	Mingimingi	5	Pb8 or 12	Height: 3m (if unpruned); Spread: 2m	Divaricating shrub with small-leaves - spreading. Intermix with the Corokia when planting - i.e. stagger the two plants between manuka (behind) and the Olearia (in front)	green
05-CC	<i>Corokia cotoneaster</i>	Korokia	5	Pb12	Height: 2m; Spread: 1.5m	Yellow flowers (spring). Red berries (autumn). Its tight divaricating form Grey foliage with black stems. Intermix with the Coprosma when planting - i.e. stagger the two plants between manuka (behind) and the Olearia (in front)	purple
06-LS	<i>Leptospermum scoparium</i>	Manuka	5	Pb18	Height: 4m; Spread: 2m	This is the variety with abundant white flowers (spring). Plant intermittently in front of the Kanuka but behind the Corokia and Coprosma.	orange
07-KE	<i>Kunzea ericoides</i>	Kanuka	3	Pb18 or 30	Height: 8m; Spread: 4m	This is the true Kanuka and is rare. Availability will be limited. Grows to average tree if left unpruned - plant at back of this zone planting (in front of the existing Beech trees)	red
<b>Zone 2 - Shrub/tussock/Cabbage tree mix (bed on curve of existing driveway past new drive entry):</b>							
08-PC	<i>Poa cita</i>	Silver tussock	24	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties along the perimeter edge of this full zone, i.e. sweeping around the edge of the drive corner to cover length of approx 16-18m in staggered order (about 4 plants per metre.	grey
09-CR	<i>Chionochloa rubra</i>	Red tussock	20	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties along the perimeter edge of this full zone, i.e. sweeping around the edge of the drive corner to cover length of approx 16-18m in staggered order (about 4 plants per metre.	red



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Code on Qty plan	Botanical Name	Common name	Qty to buy	Grade to buy	Size at maturity	Notes on planting	Code colour on Qty Plan
10-CR	<i>Chionochloa rigida</i>	Snow tussock	20	Pb3 or 5	Height: 1m; Spread: 0.8m	Intermittent and staggered planting with the other tussock grass varieties along the perimeter edge of this full zone, i.e. sweeping around the edge of the drive corner to cover length of approx 16-18m in staggered order (about 3-4 plants per metre.	blue
11-PT	<i>Phormium tenax</i>	Swamp flax	8	Pb12	Height: 3m; Spread: up to 2.5-3m	Large Harekeke flax with Red long pods - gets huge! Plant between the tussock grasses in front and the Cabbage trees at back with the mountain flax staggered between across the full length of this zone/bed.	orange
12-PC	<i>Phormium cookianum</i>	Mountain flax	10 - 12	Pb12	Height: 1.5m; Spread: 1.5m	The smaller growing type of flax with weeping foliage, yellow flowers and seed pods that spiral open. Plant between the tussock grasses in front and the Cabbage trees at back with the Harekeke flax staggered between across the full length of this zone/bed.	purple
13-CA	<i>Cordylina australis</i> <i>and other structural trees</i>	Cabbage tree	12	Pb12 or 18	Height: 8m; Spread at top: 3m	Stagger the planting at the back of the bed so ends up being 1.5 trees per metre across length of bed.	green

**Zone 3(a) - /tussock/Cabbage tree mix (section of this zone that is on the triangle corner):**

14-PC	<i>Poa cita</i>	Silver tussock	6	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties to cover this triangle corner between new drive and existing drive.	grey
15-CR	<i>Chionochloa rubra</i>	Red tussock	7	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties to cover this triangle corner between new drive and existing drive.	red
16-CR	<i>Chionochloa rigida</i>	Snow tussock	3	Pb3 or 5	Height: 1m; Spread: 0.8m	Intermittent and staggered planting with the other tussock grass varieties to cover this triangle corner between new drive and existing drive.	blue
17-CA	<i>Cordylina australis</i> - <i>Beech</i>	Cabbage tree.	1	Pb12 or 18	Height: 8m; Spread at top: 3m	Plant in the centre of the tussock grasses (area is approx. 5.7m <sup>2</sup> on the triangle) or replace this tree with a Beech (see item 02-NS)	green

**Zone 3(b) - /Green Shrub/Cabbage tree mix (section of this zone that is behind the triangle corner, along right hand side of new drive) - area sweeps round approx. 8mL x 2.5m at widest point:**

18-HS	<i>Hebe salicifolia</i>	South Island Koromiko	10	Pb8	Height: 2.5m; Spread: 1.0m (max.)	Strictly a South Island plant (shrub), with long pale green leaves and long white flower spikes (spring). Fast growing. Plant at 0.8centres apart to achieve a covered look when fully grown, sweeping round behind the Aristotella and tussock grasses.	mustard
19-AF	<i>Aristotella frutcosa</i>	Shrubby Wineberry	12	Pb8	Height: 1.5m; Spread: 0.8m	Wineberry (Shrub) Intriguing small-leaved shrub with a bushy twiggy habit. Place directly in front of Hebe, closest to drive edge sweeping round behind the tussock grasses.	plum
20-CP	<i>Coprosma pronpinqua</i>	Mingimingi	5	Pb8 or Pb12	Height: 3m (if unpruned); Spread: 2m	Divaricating shrub with small-leaves - spreading. Intermix with the Corokia when planting - i.e. stagger the two plants behind the Aristotella and hebe.	green

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Code on Qty plan	Botanical Name	Common name	Qty to buy	Grade to buy	Size at maturity	Notes re plant and spacing <b>Friday, 1 August 2014</b>	Code colour on Qty Plan
21-CC	<i>Corokia cotoneaster</i>	Korokia	7	Pb12	Height: 2m; Spread: 1.5m	Yellow flowers (spring). Red berries (autumn). Its tight divaricating form Grey foliage with black stems. Intermix with the Coprosma when planting - i.e. stagger the two plants behind the Aristotella and hebe.	purple
22-CA	<i>Cordylne australis</i> <i>and other structural trees</i>	Cabbage tree	4	Pb12 or 18	Height: 8m; Spread at top: 3m	Plant at the back of this bed behind the shrubbery - show linking with spacing to follow the lone Cabbage tree sitting in the triangle corner.	green

**Zone 4(a)- /Green Shrub/Cabbage tree mix (to compliment the opposing side of the drive) - extends along new drive to the left about 16m linking with Zone 4(b).**

23-PC	<i>Poa cita</i>	Silver tussock	5	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties to cover the corner between new drive and existing drive.	grey
24-CR	<i>Chionochloa rubra</i>	Red tussock	3	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties to cover the corner between new drive and existing drive.	red
25-CR	<i>Chionochloa rigida</i>	Snow tussock	3	Pb3 or 5	Height: 1m; Spread: 0.8m	Intermittent and staggered planting with the other tussock grass varieties to cover the corner between new drive and existing drive.	blue
26-CA	<i>Cordylne australis</i>	Cabbage tree	1	Pb12 or 18	Height: 8m; Spread at top: 3m	Plant in the centre of the tussock grasses (area is approx. 3.5m <sup>2</sup> on the corner where existing drive meets new drive)	green
27-HS	<i>Hebe salicifolia</i>	South Island Koromiko	10	Pb8	Height: 2.5m; Spread: 1.0m (max.)	Strictly a South Island plant (shrub), with long pale green leaves and long white flower spikes (spring). Fast growing. Plant at 0.8centres apart to achieve a covered look when fully grown. sweeping round behind the Aristotella and tussock grasses.	mustard
28-AF	<i>Aristotella fruticosa</i>	Shrubby Wineberry	12	Pb8	Height: 1.5m; Spread: 0.8m	Wineberry (Shrub) Intriguing small-leaved shrub with a bushy twiggy habit. Place directly in front of Hebe, closest to drive edge sweeping round behind the tussock grasses.	plum
29-CP	<i>Caprosma pronpinqua</i>	Mingimingi	7	Pb8 or 12	Height: 3m (if unpruned); Spread: 2m	Divaricating shrub with small-leaves - spreading. Intermix with the Corokia when planting - i.e. stagger the two plants behind the Aristotella and hebe.	green
30-CC	<i>Corokia cotoneaster</i>	Korokia	5	Pb12	Height: 2m; Spread: 1.5m	Yellow flowers (spring). Red berries (autumn). Its tight divaricating form Grey foliage with black stems. Intermix with the Coprosma when planting - i.e. stagger the two plants behind the Aristotella and hebe.	purple
31-CA	<i>Cordylne australis</i> <i>and other structural trees</i>	Cabbage tree	4	Pb12 or 18	Height: 8m; Spread at top: 3m	Plant at the back of this bed behind the shrubbery - show linking with spacing to follow the outer edge of this zone	green

**Zone 4(b)- /Green Shrub/Cabbage tree mix (to continue the theme from zone 4(a) - extends along new drive to the left about 14m linking with Zone 4(a). Narrower width in places so less shrubs**

32-HS	<i>Hebe salicifolia</i>	South Island Koromiko	7	Pb8	Height: 2.5m; Spread: 1.0m (max.)	Strictly a South Island plant (shrub), with long pale green leaves and long white flower spikes (spring). Fast growing. Plant at 0.8centres apart to achieve a covered look when fully grown. sweeping round behind the Aristotella and tussock grasses.	mustard
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Code on Qty plan	Botanical Name	Common name	Qty to buy	Grade to buy	Size at maturity	Notes re planting August 2014	Flower colour on Qty Plan
33-AF	<i>Aristotella fruticosa</i>	Shrubby Wineberry	7	Pb8	Height: 1.5m; Spread: 0.8m	Wineberry (Shrub) Intriguing small-leaved shrub with a bushy (twiggy habit). Place directly in front of Hebe, closest to drive edge sweeping round behind the tussock grasses.	plum
34-CP	<i>Coprosma pronpinqua</i>	Mingimingi	7	Pb8 or 12	Height: 3m (if unpruned); Spread: 2m	Divaricating shrub with small-leaves - spreading. Intermix with the Corokia when planting - i.e. stagger the two plants behind the Aristotella and hebe.	green
35-CC	<i>Corokia cotoneaster</i>	Korokia	5	Pb12	Height: 2m; Spread: 1.5m	Yellow flowers (spring). Red berries (autumn). Its tight divaricating form. Grey foliage with black stems. Intermix with the Coprosma when planting - i.e. stagger the two plants behind the Aristotella and hebe.	purple
36-CA	<i>Cordylina australis</i> <i>and other structural trees</i>	Cabbage tree	3	Pb12 or 18	Height: 8m; Spread at top: 3m	Plant at the back of this bed behind the shrubbery - show linking with spacing to follow the outer edge of this zone	green
<b>Zone 5- Cabbage trees only as per plan</b>							
37-CA	<i>Cordylina australis</i>	Cabbage tree	3	Pb12 or 18	Height: 8m; Spread at top: 3m	Plant as x3 feature trees as shown - note that plan not clear - this may be a Beech tree here however suggest it would be too big to be placed this close to the house.	green
<b>Zone 6- Smaller bed to right of house entry and garaging (approx. 4.5L x 1.5W) Note: no indication of legend on plan or specified height requirements although appears to be tussock mix:</b>							
38-PC	<i>Poa cita</i>	Silver tussock	7	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties across this bed which is approx. 6.7m <sup>2</sup>	grey
39-CR	<i>Chionochloa rubra</i>	Red tussock	8	Pb3 or 5	Height: 0.8 m; Spread: 0.6m	Intermittent and staggered planting with the other tussock grass varieties across this bed which is approx. 6.7m <sup>2</sup>	red
40-CR	<i>Chionochloa rigida</i>	Snow tussock	7	Pb3 or 5	Height: 1m; Spread: 0.8m	Intermittent and staggered planting with the other tussock grass varieties across this bed which is approx. 6.7m <sup>2</sup>	blue
41-PC	<i>Phormium cookianum</i>	Mountain flax	3	Pb12	Height: 1.5m; Spread: 1.5m	The smaller growing type of flax with weeping foliage, yellow flowers and seed pods that spiral open. Plant in a row along centre length of bed.	purple
<b>Zone 7- Perimeter bed following right angle corner of house - assuming from plant legend that this requires taller species to act as a screen to the house. Length facing new driveway approx. 10m x length of return side facing north approx. 8m. Assume approx. 1m width.</b>							
42-LS	<i>Leptospermum scoparium</i>	Manuka	16	Pb12 or 18	Height: 4m; Spread: 2m	This is the variety with abundant white flowers (spring). Plant in a row closest to the house side of the border - planting at 1m centres to act as dense screen when fully grown.	orange
43-GL	<i>Griselinia littoralis</i>	Kapuka - broadleaf	20	Pb12	Maintain at Height: 2.5m; Spread: 1m	Good hedging plant - keep clipped for neat appearance. Plant in front of and between each Manuka to act as further screen.	blue
<b>Note: The Coprosma pronpinqua can be substituted for the Coprosma virescens shrub which has a particularly attractive divaricating habit and red bark along with small, delicate, bright green leaves. Could look good to mix these with the 'pronpinqua variety' wherever indicated in this list.</b>							

**APPENDIX B - SECTION 42A REPORT**

**FILE REF: RM140254**

**TO** Blair Devlin, Resource Consent Manager  
**FROM** Richard Kemp, Planner  
**SUBJECT** Report on a limited notified resource consent application

**SUMMARY**

**Applicant:** J & A Coleman  
**Location:** Cardrona Valley Road, Cardrona  
**Proposal:** To erect a dwelling and undertake associated earthworks, access, and landscaping.  
**Legal Description:** Lot 1 Deposited Plan 377465 held in Computer Freehold Register 311061  
**Zoning:** Rural General and Rural Visitor  
**Limited Notification Date:** 18 June 2014  
**Closing Date for Submissions:** 16 July 2014  
**Submissions:** No submissions received.

**Implications For:**

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

## RECOMMENDATION

That the application by J & A Coleman to erect a dwelling and to undertake associated earthworks and landscaping be **GRANTED** pursuant to Section 104 of the Resource Management Act 1991 for the following reasons:

1. It is considered that the adverse effects of the activity will be minor, and adequately avoided or mitigated. The development is considered to be of an appropriate nature and scale in the context of the site and surrounds. Proposed recessive colours and materials, earthworks, access, and landscaping will ensure that the visual affects of development are minimised and the Outstanding Natural Landscape values of the Cardrona Valley will remain protected. The development can be adequately accessed and serviced, and is unlikely to be at risk of natural hazards. While development on the fringe of the Cardrona Village will represent a small degree of urban sprawl, this will be contained by existing development on either side.
2. The proposal is consistent with the relevant objectives and policies of the District Plan which seek to avoid, remedy and mitigate the adverse effects of inappropriate land use within the District.
3. The proposal does promote the overall purpose of the RMA as prescribed by Section 5 of the Act, subject to appropriate conditions of consent. With respect to Part 2 of the Act, the proposal is overall considered to align with Sections 6 and 7.

## REPORT

### 1.0 INTRODUCTION

My name is Richard Kemp. I am a planner with the Queenstown Lakes District Council. I have worked for the Council (formerly Lakes Environmental Limited, an organisation contracted to undertake resource management and regulatory functions for the Council) since December 2011.

I hold the qualification of a Bachelor of Planning with Honours from the University of Auckland. I am a graduate member of the New Zealand Planning Institute (NZPI) and Young Planner's representative for the Central Otago Branch of the NZPI.

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

### 2.0 SITE & ENVIRONMENT



Figure 1 - The Application Site

The applicant has described the site and locality (as seen in Figure 1 above) in part:

*“The site is located on the north western side of Cardrona Valley Road approximately 450m south of the Cardrona Hotel. Lot 1 is 5251m<sup>2</sup> in size. The site is currently vacant land and was created via subdivision consent decision RM060572.*

*The site is sloping from west down to east and toward Cardrona Valley Road. There are established poplar trees along the road frontage and a post and rail fence. The site is largely covered in pasture grasses with areas of exotic weed species (broom and gorse).*

*The surrounding landscape to the west, and over the road to the east, is dominated by pasture land and rural farming activities. However, the predominant character of the immediate area is associated with the wider Cardrona Village residential development.*

This description is accepted and adopted for the purposes of this report.

### 3.0 PROPOSAL

Consent is sought to erect a three-bedroom dwelling and undertake associated earthworks, access, and landscaping. There is no building platform on site and no building platforms are proposed to be identified.

The total volume of estimated earthworks will be approximately 828m<sup>3</sup>, which requires resource consent. Landscaping is proposed on the site to mitigate the visual effects associated with the dwelling and will include a mix of structural trees, shrubs, and grasses.

The site is split-zoned Rural General and Rural Visitor. Due to the District Plan definition of 'site' this results in a technical 'internal boundary' along the zone boundary in which it is proposed to locate a deck within the associated building setback. This structure will be located 12m from the zone



boundary; where the District Plan requires a setback of 15m. Further explanation in this regard will be provided in section 6.1 of this report.

The applicant has provided a detailed description of the proposal in section 3 of the report entitled *Land Use Consent Application, New Rural Dwelling, Earthworks & Landscaping*, prepared by Nicola Scott of *C. Hughes & Associates Limited*, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 1). This description is considered accurate and is adopted for the purpose of this report, with the following amendments:

- All elements of the dwelling will be coloured 'Ironsand' (LRV 9%)
- The maximum height of the dwelling will be 5.3m above the original ground level
- The access to the dwelling will consist of gravel
- The proposed volume of earthworks has changed. It is now proposed to undertake 414m<sup>3</sup> of cut and 414m<sup>3</sup> of fill. Earthworks will be undertaken over an area of approximately 1300m<sup>2</sup>.
- The maximum height of an earthworked cut will be 2.6m and the maximum height of fill will be 1.6m
- The maximum retaining wall height will be 1m

#### 4.0 SUBMISSIONS

No submissions were received by either the Council or the Applicant.

#### 5.0 CONSULTATION AND WRITTEN APPROVALS

One written approval has been received from the owners of the adjacent site to the south - The Overlook Trust (B & K Hastings and R Riddell) at 2372 Cardrona Valley Road.

#### 6.0 DISTRICT PLAN PROVISIONS

##### 6.1 THE DISTRICT PLAN

The subject site is split-zoned Rural General and Rural Visitor<sup>1</sup>, as seen in Figure 2 below



Figure 2 - District Plan Zoning

The purpose of the Rural General Zone as described on Page 5-9 of the District Plan is as follows:

*The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:*

- *protects and enhances natural 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*

<sup>1</sup> The definition of 'site' in the District Plan considers that portions of land with different zonings held in one Title are considered to be separate sites. The proposed dwelling will be wholly located on the Rural General portion of the lot.



- ensures a wide range of outdoor recreational opportunities remain viable within the Zone.

The zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine ski areas and national parks.

The key Objectives and Policies which are relevant to the application are contained within Part 4 (District Wide Issues) and Part 5 (Rural Areas) which require determination under section 104(1) of the Resource Management Act 1991.

The proposed activity requires resource consent for the following reasons:

- A **controlled** activity resource consent pursuant to Rule 5.3.3.2(vii) for earthworks where the maximum volume of earth moved is between 300m<sup>3</sup> and 1000m<sup>3</sup> per site within any one consecutive 12 month period. It is proposed to undertake approximately 828m<sup>3</sup> of earthworks, consisting of 414m<sup>3</sup> of cut and 414m<sup>3</sup> of fill. The Council does not reserve any matters of control in regard to this matter.
- A **restricted discretionary** activity pursuant to Rule 5.3.3.3(xi) as the proposal breaches site standard 5.3.5.1(vii) in regard to the minimum 15m building setback from internal boundaries. The definition of '*Internal Boundary*' in the District Plan refers to the definition of '*Boundary*' which refers to the definition of '*net area*' of a site, which in turn refers to the definition of a '*site*'. As outlined above, the definition of site means the application lot is considered to be two different sites. Therefore the zone boundary is considered to be an internal boundary and requires a 15m building setback. It is proposed to construct a deck 12m from the zone boundary. The Council's discretion is restricted to this matter.
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i)(a) for the construction of a building not contained within an approved building platform and any physical activity associated with the building such as roading, landscaping and earthworks.

Overall, the application is considered to be a **discretionary** activity.

## 7.0 INTERNAL REPORTS

- Queenstown Lakes District Council Consultant Landscape Architect, Richard Denney, has undertaken an assessment of the proposal. This report is attached as *Appendix 2* and is hereafter referred to as the 'landscape report'.
- Queenstown Lakes District Council Resource Management Engineer, Lyn Overton, has undertaken an assessment of the proposal. This report is attached as *Appendix 3* and is hereafter referred to as the 'engineering report'.

## 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;
  - ....
  - (vi) a plan or proposed plan; and

(c) any other matters the consent authority considers relevant and reasonably necessary to determine the application.

The application must also be assessed with respect to the purpose of the Act which is to promote the sustainable management of natural and physical resources. Section 9.5 of this report outlines Part 2 of the Act in more detail.

Section 108 empowers the Commission to impose conditions on a resource consent.

## **9.0 ASSESSMENT**

The proposal requires assessment in terms of the following:

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

### **9.1 LANDSCAPE CLASSIFICATION**

Both the Applicant and Mr Denney consider that the site is contained within an Outstanding Natural Landscape (ONL). It is agreed that the site is located within an ONL. The following assessment will therefore be undertaken in accordance with the ONL District Plan provisions.

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

#### **9.2.1 The Permitted Baseline/Existing Environment/Receiving Environment**

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

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

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

- Farming activities;
- A fence slightly less than 2 metres high anywhere within the site; and
- Earthworks which do not breach Site Standard 5.3.5.1(vii), including less than 300m<sup>3</sup> of earth being moved, over an area of less than 1000m<sup>2</sup> (within any one consecutive 12 month period) cuts of 65° and fill of up to 2m in height.

There are no current but unimplemented resource consents for the subject site.

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

The proposal raises the following actual and potential effects on the environment:

##### *Visual Effects and Effects on the Landscape*

Mr Denney has undertaken an assessment of visual and landscape effects in paragraphs 15 - 29 of the landscape report. The site is located within an Outstanding Natural Landscape (ONL) and Mr

Denney's report is structured in accordance with the assessment matters for an ONL (rule 5.4.2.2(2)) and general assessment matters (rule 5.4.2.3). The following assessment will also be structured in this regard, with the relevant assessment matters in ***bold and italics***.

***(a) Potential of the landscape to absorb development*** - Paragraphs 16 - 20 of the landscape report.

Mr Denney considers that the proposed dwelling would be visually prominent from Cardrona Valley Road, however would be viewed within the context of the Cardrona Village fringe.

The dwelling was originally proposed to be coloured in a black tone. As Mr Denney raised concerns in this regard, the application has subsequently been amended so that all elements of the dwelling will be coloured in '*Ironsand*'. Mr Denney has advised acceptance with this.

Mr Denney also raised concerns with the submitted landscape plan. However the landscape plan has been subsequently amended accordingly and Mr Denney has advised that the new plan resolves his concerns. The site does not contain indigenous ecosystems of significance nor are the planting of any trees with wilding potential proposed.

The conclusion reached by Mr Denney in this regard is agreed with. Therefore it is considered that the landscape has potential to absorb the development proposed.

***(b) Effects on openness of landscape*** - Paragraphs 21 - 23 of the landscape report.

Mr Denney considers that while the development would adversely affect open space values, the building would be seen in the local context and the existing open space values have already been compromised by the surrounding residential land uses. Adverse effects on open space values are therefore considered to be small. Mr Denney has recommended that the existing poplar trees on the site are retained to avoid adverse effects in this regard.

The conclusion reached by Mr Denney in this regard is agreed with. It is therefore considered that adverse effects on the openness of the landscape will be minor.

***(c) Cumulative Effects on Landscape Values*** - Paragraphs 24 - 26 of the landscape report.

Mr Denney considers that the addition of the proposed dwelling would not be out of character with the surrounding landscape. Mr Denney has referred to an approved subdivision to the south of the application site that has created a local landscape where built form is prevalent within a rural setting. Given the existing pattern of development, Mr Denney considers that the development proposed would not increase the domestication of the landscape, nor represent a threshold with the ability of the site to absorb future change. It has been advised that an increase in domestication can be limited by dwelling design controls and lighting restrictions.

The conclusion reached by Mr Denney in this regard is agreed with. Therefore it is considered that cumulative effects on landscape values will be minor.

***(d) Positive Effects*** - Paragraph 27 of the landscape report.

Mr Denney considers that the re-establishment of indigenous species on site would result in a small positive effect, which is accepted.

***5.4.2.3 Assessment Matters (General)*** – Paragraphs 28 - 29 of the landscape report.

Mr Denney has advised that the proposed dwelling would not break the skyline when viewed from Cardrona Valley Road. While concerns were raised in respect to the external appearance (colour) of the building, as outlined above, these concerns have subsequently been resolved. Therefore it is considered that the location and external appearance of the dwelling will be appropriate and result in a minor adverse effect.

Taking into account the advice provided by Mr Denney, it is considered that adverse visual effects on the environment and landscape will be minor.

#### *Urban Sprawl, Rural Character, and Rural Amenity*

The site is located on the southern edge of the Cardrona Village. However as seen in Figure 3 below, recent approved development in the vicinity has created a sprawling southern edge, consisting of



Figure 3 - The southern edge of the Cardrona Village

quasi-rural development. The majority of this sprawl has occurred on the western side of Cardrona Valley Road.

The Cardrona Village Structure Plan (2009) is a QLDC-initiated non-statutory document promoted as a tool to manage growth and development in the Cardrona Valley over the next 20 years; to ensure that development occurs in an integrated manner. One of the key principles of the Structure Plan is to ensure development is contained against sprawl.

The Structure Plan does identify a potential rationalisation of the Rural Visitor Zone boundary - by extending the zone to the south on the eastern side of Cardrona Valley Road (to a point just north of the application site). However the Structure Plan does not identify the application site as an area for future growth.

In this regard it is considered that the proposed development will not be consistent with the Structure Plan. However the Structure Plan needs to be considered in light of the physical environment, as can be clearly seen in Figure 3. The proposed development will 'fill in' the gap between the edge of the Village and the quasi-rural development to the south. While the proposed dwelling will represent a minor degree of urban sprawl to the south of the village, when viewed from Cardrona Valley Road it will appear both logical and appropriate. The development will not increase the overall spread of urban/quasi-rural development further south into the Cardrona Valley and therefore avoid adverse effects in this regard.

Furthermore it is considered that the development proposed will be at a much lower density to the Rural Visitor zoning to the north, as characterised by the adjacent VA units and the Benbrae VA resort. This difference in density will smooth the transition between the Cardrona Village and the rural living lots to the south.

Mr Denney has arrived at similar conclusions in his report, commenting how the proposed dwelling will be viewed in conjunction with the existing and consented development in the surrounding area. Therefore while the proposal is not strictly consistent with the Cardrona Village Structure Plan, it is

considered that the development will not undermine the integrity of this document given the physical location of the site in relation to existing and consented development.

Therefore adverse effects on the environment will be less than minor in respect of urban sprawl. The development proposed will not adversely affect the rural character and amenity of the area to a degree that is more than minor.

#### *Internal Boundary Setback Infringement*

The applicant has undertaken an assessment of effects resulting from the proposed internal setback infringement in section 6.1.4 of the Applicant's AEE. This assessment is accepted and adopted for the purposes of this report. Therefore adverse effects on the environment will be less than minor in this regard.

#### *Earthworks - Visual Effects*

Mr Denney has undertaken an assessment of the visual effects resulting from the proposed earthworks in paragraphs 30 and 31 of the landscape report. Mr Denney has advised that the proposed earth mounding would not be a prominent modification, however has recommended that additional planting be undertaken on the proposed cut face so as to soften its appearance. The proposed landscape plan has since been amended accordingly and Mr Denney has advised acceptance in this regard.

Therefore adverse visual effects resulting from the proposed earthworks are considered to be less than minor.

#### *Earthworks - Engineering*

Ms Overton has undertaken an assessment of the proposed earthworks on page 3 of the engineering report. Ms Overton has advised that all earthworks will be adequately setback from property boundaries and that the submitted geotechnical report advises that the proposed works can be undertaken without risk of failure. Ms Overton has recommended that earthworks be undertaken in accordance with the geotechnical report and areas of cut and fill are stabilised upon completion.

As fill material is proposed within the building footprint, Ms Overton has recommended that the fill is either certified or the foundations of the dwelling designed accordingly.

The advice and recommendations provided by Ms Overton are accepted. Based on this advice it is considered that adverse effects on the environment will be less than minor in this regard.

#### *Access, Parking, and Traffic Generation*

Ms Overton has undertaken an assessment of the proposed access on page 2 of the engineering report. Ms Overton has not raised any concerns in relation to access and recommended that an access is formed to the Council's standards. This assessment and recommendation is accepted as adequate to avoid adverse effects. Adverse effects on the environment will therefore be less than minor with respect to access.

A double garage is proposed and will adequately fulfil the car parking requirements of the site.

With respect to traffic generation, it is noted that the presence of a building platform will likely result in an increased traffic loading on Cardrona Valley Road. However any increase is likely to be limited to traffic resulting from the single residential unit. Ms Overton has not raised any concerns in this regard.

Therefore it is considered that any adverse effects resulting from an increased level of traffic associated with residential activity will be minor.

Overall adverse effects on the environment will be minor in relation to access, parking, and traffic generation.

### *Servicing*

Ms Overton has provided an assessment of the servicing to the site on page 4 of the engineering report. It has been advised that the site is fully serviced and a fire hydrant is located in the near vicinity. Ms Overton has advised that connections into the available services can be adequately assessed and inspected as part of the Council's building consent process. Based on this advice, it is considered that the development can be adequately serviced.

Adverse effects on the environment will therefore be less than minor with respect to servicing.

### *Nuisance*

In respect to nuisance effects resulting from earthworks and construction, Ms Overton has recommended a condition of consent that basic site management measures be undertaken to avoid dust and sediment run-off effects. It is considered that should consent be granted, this recommended condition will be appropriate. Additionally a condition of consent could be imposed to ensure works are undertaken during reasonable daylight hours. Therefore adverse effects on the environment will be less than minor in this regard.

In respect to nuisance effects resulting from residential activity (noise, light spill etc) it is considered that these effects will be less than minor. The proposed residential activity will be experienced in conjunction with residential activity to the north and south of the application site and avoid adverse effects.

Overall adverse effects on the environment are likely to be less than minor with respect to nuisance.

### *Culture*

Being located near the Cardrona Village, there is potential for the proposal (earthworks in particular) to adversely affect historic values associated with gold mining history of the town. The applicant has submitted a brief appraisal (dated 22 December 2000) from *W N Becker*, Geologist, that was undertaken as part of the wider 18 unit development (which includes the current RM140254 application site).

The report advises that while there may have once been gold mining tailings on the road boundary frontage, further modification has likely been undertaken in recent times. The report concludes that there is no historic features on the land which would be worthy of preservation or of interest to the Historic Places Trust. Should consent be granted, a condition can be imposed to ensure that any historic items discovered during works are immediately reported to Heritage New Zealand, and an appropriate accidental discovery protocol is adhered to.

Therefore it is considered that adverse effects on the environment will be less than minor with respect to culture.

### *Natural Hazards*

The site is identified on the Council's current (June 2014) hazard maps as being susceptible to a landslide hazard and as being at risk to liquefaction. Ms Overton has undertaken an assessment in this regard on page 2 of the engineering report. Based on a submitted geotechnical report, Ms Overton has advised the site is not at risk of the identified hazards. No conditions of consent have been recommended in this regard.

Therefore it is considered that adverse effects on the environment will be less than minor in relation to natural hazards.

### **9.2.3 Effects on Persons**

As outlined above, the owners of the neighbouring property to the south have provided their written approval to the application. Therefore this party will be disregarded from the following assessment.



Notice of the application was served on the following neighbouring land owners (marked with blue squares in Figure 4 below):



Figure 4 - Affected Parties

- All unit owners on Lot 2 DP 377465
- The owner of Lot 1 DP 353006
- The owners of 2359 Cardrona Valley Road (Pt Section 52 Block I Cardrona Survey District)
- The owner of the neighbouring land to the west (Lots 4 and 6 DP 391023)

While no submissions were received from any party, an assessment of effects resulting from the proposal on these neighbours still needs to be undertaken.

#### *North*

The proposed dwelling will be clearly visible from the neighbouring apartment complex to the north, and will break the skyline when viewed from the southern units (as advised by Mr Denney). However it is considered that the comparatively modest size of the proposed dwelling, the recessive colours/materials, and proposed landscaping will provide an effect level of visual mitigation from northern neighbours.

The primary orientation and views/outlook of northern neighbours is to the north, evidenced by large windows on the northern elevations of the buildings. Any interference to the views/outlook of northern neighbours is therefore likely to be minimal, and over time proposed landscaping will assist in providing visual softening.

While residential activity is not anticipated on the application site, the dwelling will be setback an adequate distance from the common boundary to avoid adverse effects on northern neighbours.

Nuisance effects (i.e. construction noise, effects of earthworks) will result during the construction period. However these effects will be temporary and will cease upon completion of the development. To protect the amenity of neighbouring properties conditions of consent can be imposed to ensure dust/sediment mitigation measures are undertaken, and that works are limited to reasonable daylight hours.

It is therefore concluded that adverse effects on northern neighbours will be minor and the development proposed will not result in an undue reduction to their amenity or views/outlook.

#### *West*

The land to the west above the application site is zoned Rural General and as such has no right for residential development (being no approved building platforms). The land to the west is of a steep upward slope and contains an access track. The dwelling is proposed to be setback approximately 40m from the common boundary. Any view of the proposed development from this land would be

down the slope toward the dwelling and would be viewed in conjunction with the existing residential development on adjoining properties.

It is therefore considered that the presence of the proposed dwelling will not adversely affect the views/outlook or amenity of the western neighbouring land owner to a significant degree.

#### *East*

There are two properties to the east, being Lot 1 DP 353006 and 2359 Cardrona Valley Road. The proposed development will be visible from both these properties.

While containing no buildings or building platforms, Lot 1 DP 353006 is identified in the Cardrona Village Structure plan as being a potential area for future re-zoning to rationalise the Rural Visitor Zone boundaries.

While the development will be visible from both of these properties, it will be from across Cardrona Valley Road. The slope of the application site, proposed earthworks, and recessive colours/materials will ensure that the dwelling will visually settle into the landscape when viewed from these neighbours. Over time proposed landscaping will provide an effective level of screening.

It is also noted that the dwelling will be viewed in conjunction with residential development on either side of the application site. Therefore the development proposed is not considered to reduce the views/outlook or amenity of eastern neighbours to a significant degree.

Overall adverse effects on eastern neighbours are considered to be minor. The development proposed will not result in an undue reduction to their amenity or views/outlook.

#### **9.2.4 Summary of Effects on the Environment and Persons**

In summary, it is considered that the landscape has the ability to absorb the development proposed, the development will not affect the openness of the landscape, and cumulative effects on landscape values will be minor.

Adverse effects in terms of earthworks, access/traffic generation, servicing, nuisance, culture, and natural hazards will either be minimal or are able to be adequately mitigated. While the proposal will represent a degree of urban sprawl, it will essentially 'fill in' a gap between existing residential development along Cardrona Valley Road.

Any adverse effects on neighbouring properties will be at a level that would not result in an unacceptable reduction to their views/outlook, or amenity.

Overall the proposal is considered to represent an appropriate balance between enabling the applicant to provide for their residential needs and avoiding and mitigating adverse effects on both the wider environment and neighbours.

#### **9.3 OBJECTIVES AND POLICIES**

Section 104(1)(b)(iv) of the Act requires the consent authority to have regard to any relevant provisions of a Plan or Proposed Plan. Therefore, the application is now considered in terms of the relevant provisions of the District Plan.

As discussed above, an assessment of effects against the relevant assessment matters of the District Plan has been undertaken, and the proposal will avoid or mitigate the adverse effects on the environment. The assessment above has determined that the proposed development, together with appropriate recommended conditions of consent, is appropriate in the form proposed.

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

- *Part 4 District Wide Issues*
- *Part 5 Rural Areas*



While part of the application land is located within the Rural Visitor Zone, as described above the 'site' is considered to be wholly within the Rural General Zone. Therefore only the Rural General Zone provisions contained within the District Plan will be assessed below.

Objectives and policies of Section 4 are over-arching in nature and cover aspects including Landscape and Visual Amenity, Takata Whenua, Hazards, Earthworks, and Rural Areas. The objectives and policies related to this application include landscape and visual amenity, rural areas, and earthworks.

The objectives and policies relating to landscape and visual amenity seek to avoid, remedy, or mitigate the adverse effects of development on landscape and visual amenity values, including by undertaking planting.

#### **4.2.5 Objective:**

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

#### **Policies:**

##### **1 Future Development**

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

As has been discussed in detail, the proposed dwelling, earthworks, and landscaping will adequately avoid and mitigate the adverse effects of the development on the landscape and visual amenity values of the Cardrona Valley. The site has the ability to absorb the change proposed and the dwelling will be located on the lower extent of a slope so as not to be inconsistent with the topography of the area.

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

- (a) *To maintain the openness of those outstanding natural landscapes and features which have an open character at present.*
- (b) *To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.*
- (c) *To allow limited subdivision and development in those areas with higher potential to absorb change.*
- (d) *To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.*

The proposed dwelling will not adversely affect the openness of the Cardrona Valley ONL, given the location adjacent to existing residential development. Despite being located in an ONL, the site has the capacity to absorb the nature and scale of development proposed. Mitigation planting will enhance the amenity values of the site as viewed from Cardrona Valley Road.

## **6. Urban Development**

...

- (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.*

The development proposed will represent a small degree of urban sprawl along Cardrona Valley Road - however will be contained within an area of existing development. The development will not result in any further sprawl into the southern Cardrona Valley than already exists.

## **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.*

The development will not extend the urban/quasi-rural edge of the Cardrona, but will 'fill in' a current small gap in development. The design of the building and earthworks, and associated landscaping will represent a design solution to satisfactorily manage the southern urban edge of the Village, and smooth the transition between urban and rural living development.

## **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.*

The site will not reach a threshold with its ability to absorb future change as a result of the proposal. The planting proposed will be appropriate in the context of the site and surrounds and will not result in an undue domestication of the landscape. The design and external appearance of the building will be adequately sympathetic to the local landscape.

## **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.*

The proposed dwelling will not break the skyline or ridgeline when viewed from either Cardrona Valley Road or the wider environment. The proposed 'Ironsand' colour of the building will be compatible with the local landscape. While the building will not be constructed from natural materials, given the modest size and mitigation proposed this is not considered to be necessary.

Objectives and policies relating to earthworks seek to ensure the effects of earthworks are limited so as to not affect water quality, the nature and form of landscapes, land stability, amenity values, and heritage sites. In this case Ms Overton has not raised concerns with the earthworks proposed and Mr Denney considers that related visual effects can be effectively mitigated. The requirement to undertake site management measures can be imposed as a condition of consent to protect water quality and avoid nuisance effects. A condition of consent can be imposed to protect any historical/archaeological items uncovered during works.

Therefore the proposal is considered to be consistent with the relevant objectives and policies of Section 4.

Objectives and policies of Section 5 primarily relate to protecting character/amenity values and natural resources of the rural environment, whilst providing for farming-related activities. Relevant objectives and policies are as follows:

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

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

#### ***Policies:***

- 1.1 *Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.*
- 1.2 *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.*
- 1.4 *Ensure activities not based on the rural resources of the area occur only where the character of the rural area will not be adversely impacted.*
- .....
- 1.6 *Avoid, remedy or mitigate adverse effects of development on the landscape values of the District.*
- 1.7 *Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.*
- 1.8 *Avoid remedy or mitigate the adverse effects of the location of structures and water tanks on skylines, ridges, hills and prominent slopes.*

The relevant district-wide objectives and policies have been considered above. The application site is a sloping 5251m<sup>2</sup> lot sandwiched between two residential land uses. Therefore it is considered that the land is more suitable for a residential use than for productive activities. The development and associated mitigation measures will avoid and mitigate adverse effects of the development on the rural area and will not impact the character of the Cardrona Valley. It is considered that the site has the ability to absorb the change in land use and while the dwelling will be located on the lower extent of a slope, it will be visually mitigated by earthworks and landscaping.

### **Objective 2 - Life Supporting Capacity of Soils**

***Retention of the life supporting capacity of soils and/or vegetation in the rural area so that they are safeguarded to meet the reasonably foreseeable needs of future generations.***

#### **Policies:**

- 2.1 *Avoid, remedy or mitigate adverse effects of subdivision and development on the life-supporting capacity of the soils.*
- 2.2 *Enable a range of activities to utilise the range of soil types and microclimates.*
- ...
- 2.4 *Encourage land management practices and activities, which avoid, remedy or mitigate adverse effects on soil and vegetation cover.*

The proposal will prevent the site from being used as production land, as is anticipated by the District Plan. However as discussed above the site is unlikely to be a suitable source of life-supporting soil for the District. The development proposed will not affect any other soil outside of the site. Therefore while the proposal is not strictly in accordance to this objective and associated policies, it is also not inconsistent with them.

### **Objective 3 - Rural Amenity**

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

#### **Policies:**

- ...
- 3.2 *Ensure a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values.*
- 3.3 *To avoid, remedy or mitigate adverse effects of activities located in rural areas.*
- ...
- 3.5 *Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.*

The proposed use of the land will be undertaken without a significant loss to the rural amenity values of the Cardrona Valley. Adverse effects will be avoided and mitigated by the design of the building, the recessive colours/materials, and landscaping. The building will be adequately setback from neighbouring properties so as to avoid adverse effects on neighbours.

Overall it is concluded that the development proposed will generally align with the relevant objectives and policies of the District Plan.

## 9.4 OTHER MATTERS

### 9.4.1 Precedent Effects

With respect to the potential for the granting of the application to set a precedent, it is noted that the application site is unique that it is both split-zoned, and located between adjacent developed sites. It is considered unlikely that the granting of the application would set a precedent in Cardrona or other areas due to these circumstances.

### 9.4.2 Any Other Relevant Document

The Cardrona Village Structure Plan (2009) is relevant in assessing the application. While the Structure Plan seeks to contain urban sprawl and to ensure that development occurs in an integrated manner. While the proposal is not strictly consistent with the Cardrona Village Structure Plan, it is considered that the development will not undermine the integrity of this document for the reasons outlined in section 9.2.2 above.

## 9.5 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

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

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

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

It is considered that the use of the land resource proposed will not affect the ability of future generations to meet their needs. Adverse effects on the environment will be adequately avoided and mitigated.

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

- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.*

While the site is located within an ONL the development proposed will be set amongst existing urban development on the fringe of the Cardrona Village. It is considered that the development will be appropriate in the context of the site and surrounds.

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:*
- (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:*

It is considered that the proposal will represent kaitiakitanga/stewardship, will represent an efficient use and development of the land resource, and will not degrade the quality of the environment.

Section 8 of the RMA requires a consent authority to take into account the principles of the Treaty of Waitangi. It is considered that the development proposed will not be contrary to any of the principles of the Treaty of Waitangi.

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

## **10.0 CONCLUSION**

A resource consent application has been received to erect a three-bedroom dwelling and associated earthworks, access, and landscaping. There is no building platform on site and no building platforms are proposed.

In making a decision on a resource consent application for a discretionary activity, the judgement made under section 104B of the Act must not be contrary to the purpose of the Act. In addition, when making the judgement, regard must be given to the various matters stated in Section 104 of the Act, as has been done in this report.

Section 9 of this report considers the proposal in relation to:

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

Adverse effects on the environment and neighbours will be adequately avoided and mitigated to an acceptable level. Specifically the development will not reduce the amenity and landscape values of the Cardrona Valley ONL. While the development will represent a small degree of urban sprawl, this has been determined to be appropriate in the context of the site and surrounds.

While the development will be visible from neighbouring properties, proposed mitigation measures will limit adverse effects on their views/outlook and amenity to an acceptable level. No submissions were received from neighbours.

The proposal has been assessed against the relevant objectives and policies of the Queenstown Lakes District Plan. It has been determined that overall, the proposal will align with these provisions.

In terms of Part 2 of the Act, the proposal is considered to promote sustainable management by enabling the applicant to provide for their social and economic wellbeing, while avoiding, remedying or mitigating adverse effects on the environment, and is therefore considered appropriate.

Having regard to Section 104B I recommend that resource consent is granted, subject to appropriate conditions.

---

**Report prepared by**



Richard Kemp  
**PLANNER**

**Reviewed by**



Blair Devlin  
**RESOURCE CONSENT MANAGER**

**Attachments:**           **Appendix 1** - Applicant's AEE  
                                  **Appendix 2** - Landscape Report  
                                  **Appendix 3** - Engineering Report

**Report Dated:**           1 August 2014

**APPENDIX 1 - APPLICANT'S AEE**



# C. HUGHES & ASSOCIATES LTD

Surveying and Resource Management • Central Otago

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Ref: 5278

11 April 2013

Queenstown Lakes District Council  
Private Bag 50072  
Queenstown

Attn: Manager, Resource Consents

Dear Sir

## LAND USE CONSENT APPLICATION NEW RURAL DWELLING, EARTHWORKS & LANDSCAPING

### 1.0 Introduction

On behalf of our client, Jeremy & Anna Coleman, we are applying for consent to construct a new residential dwelling, undertake earthworks and landscaping. The Rural General/Rural Visitor zoned site does not contain a residential building platform and the application is a discretionary activity in terms of Council's District Plan.

Profile poles are being erected on the site over the next few days indicating the dwelling location and height (please call us to confirm these have been put up prior to a site visit). The application fee of \$3075 has been paid directly to Council via internet banking.

### 2.0 The Land

#### **2.1 Location, Legal Description & Background**

The site is located on the north western side of Cardrona Valley Road approximately 450m south of the Cardrona Hotel.

The 5251m<sup>2</sup> site is legally described as Lot 1 DP 377465, comprised in Certificate of Title 311061.

The site was created via subdivision consent RM060572. This subdivision was created to separate a 12 unit development on one lot from a proposed 4 units on

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**CSNZ** THE CONSULTING  
SURVEYORS  
OF NEW ZEALAND  
REGISTERED PROFESSIONAL ENGINEERS

the subject lot (within the Rural Visitor zoned portion). The construction of the 4 units on the subject site was approved via RM020774 however they have never been constructed. This consent has now expired. It is noted that the references to Lots 1 and 2 from RM060572 were switched in the final Title Plan. The subject Lot is now Lot 1, but is referred to within RM060572 and on the initial scheme plan as Lot 2.

## **2.2 Topography and Vegetation**

The subject land is vacant of buildings. To the immediate north is the 12 unit Cardrona Alpine Village and to the south a similar sized lot contains a small cottage. The Benbrae Resort units are located some 200m south. The lot to the rear is also owned by Benbrae but is steep undeveloped land.

There are approximately 12 established poplar trees along the road frontage and a post and rail fence. The right of way vehicle entrance from Cardrona Valley Road has a stacked stone wall on the sides. The site is largely covered in pasture grasses with areas of exotic weed species (broom and gorse).

## **3.0 The Proposal**

The applicant is proposing to construct a three bedroom, single storey 153m<sup>2</sup> dwelling with an attached garage, and 24m<sup>2</sup> low decking. The maximum height of the building above ground level is 4.7m, excluding the chimney.

The materials for the exterior of the dwelling are as follows:

Cladding	Ply and batten, Resene 'Pitch Black' Waterbourne Cool Colours Stain
Roofing	Coloursteel 'Ebony'
Spouting/Downpipes	Coloursteel colour 'Ebony'
Window Joinery	Dulux Duraloy colour 'LSG Matt Black'
Garage door	Symonite 'Alcotex Black'

## **3.1 Services and Access**

Services for the supply of water, wastewater, phone and power were provided for at the time of the underlying subdivision. An as-built plan is attached indicating water, sewer and stormwater connection points within the lot.

The provision of fire hydrants was a condition of the underlying subdivision consent. Telephone and electricity connections exist to the boundary and will be continued underground to the dwelling.

There is an existing sealed vehicle crossing and right of way from Cardrona Valley Road. A driveway from the right of way to the dwelling will provide further access.

### **3.2 Earthworks**

Earthworks are required for the construction of a level building platform due to the sloping nature of the site. The estimated volume of earthworks is a cut of 996m<sup>3</sup>. Some of this will be used as the required 35m<sup>3</sup> fill at the front of the building platform. The remainder will be utilised as fill within the site for landscaping and disposed of to a slight depression toward the east boundary (refer to the earthworks plan W778 for extents of cut/fill). Therefore the total cut to fill volume of earthworks within the site will be approximately 2000m<sup>3</sup>.

### **3.3 Landscaping**

A landscape plan has been prepared for the site as attached to this application.

## **4.0 Consultation with Affected Parties**

Written approval from one adjoining landowner has been obtained for the application, as follows:

Barry & Katrina Hastings, 2372 Cardrona Valley Road, Cardrona (Lot 1 DP320515).

The Hastings requested that one beech tree be removed from the landscape plan. The submitted final landscape plan has removed this tree.

It was not considered that any other parties are adversely affected by the proposed dwelling. The approval from the above party was sought due to their property outlook in relation to the subject site, and the low density nature of the development (small cottage) on that site.

The adjoining land to the south is steep and undeveloped. The proposed dwelling on the subject site is not expected to adversely affect any future development potential of this land, given the differing elevations and topography of the adjoining land.

The 12 unit development to the north is not considered adversely affected by the proposed new dwelling. The outlook from those units is to the north and away from the subject land. A right of way also separates the residential developments. Substantial landscaping is proposed between the two properties (refer landscape plan zones 2 and 7). This planting includes species of manuka, cabbage tree and

flaxes ranging in mature height from 3-8m, with those plants to be sown initially at a reasonable grade/size.

## **5.0 District Plan Provisions**

The land is zoned part Rural General and part Rural Visitor within the District Plan. The dwelling is to be constructed within the Rural General part of the site.

The proposal requires land use consent for the following reason:

- A **discretionary** activity pursuant to Rule 5.7.3.3.(i)(a) for the construction of a building that is not located on an approved residential building platform and for any physical activity associated with any building such as roading, landscaping and earthworks; and
- A **discretionary (restricted)** activity pursuant to Rule 5.3.3.3. for a breach of site standard 5.3.5.1(vi)(a) regarding the internal boundary setback between the Rural General and Rural Visitor zone boundaries. The dwelling (deck only) is located 12m from the zone boundary; and
- A **discretionary (restricted)** activity pursuant to Rule 5.3.3.3. for a breach of site standard 5.3.5.1(viii)(1)(b) regarding earthworks in excess of 1000m<sup>3</sup> per site.

The whole of the Cardrona Valley has been previously recognised as being an Outstanding Natural Landscape. Therefore with reference to the District Plan provisions, the site forms part of a wider Outstanding Natural Landscape (District Wide).

## **6.0 Assessment of Environmental Effects**

A small portion of the site on the northern corner is zoned Rural Visitor. Potentially a dwelling could be constructed on this area of the site within the controlled activity rules, although in practical terms the required internal boundary setbacks would push the status to restricted discretionary.

The subdivision of the site (RM060572) which created the subject lot was granted as a non-complying activity given that there was no building platform proposed for the Rural General zoned land. It was intended that four residential units (previously approved) would be contained in the Rural Visitor zoned portion of the subject lot, thereby maintaining a use to the allotment and ensuring that servicing was provided. These units were never constructed.

The proposed dwelling location in the central part of the lot and within the Rural General zone is a superior position than the Rural Visitor part of the site. The proposed location is less elevated on the site, flatter and allows for better vehicle access. The current proposal will have less visual effects on the site and surrounds than if the previously approved units had been constructed as proposed in 2006.

## **6.1 Actual and Potential Effects**

The following actual and potential effects have been given consideration in assessing this proposal:

- Visual Amenity Values
- Openness and Character of the Landscape
- Cumulative Effects
- Rural Amenities
- Infrastructure & Earthworks
- Natural Hazards
- Historic Features

Some of these matters are covered in detail in the attached landscape assessment report, however comments will be included here for the sake of completeness.

### ***6.1.1 Visual Amenity Values***

The proposed dwelling is only a modest size at 153m<sup>2</sup> including the attached garaging. The single storey nature and height at 4.7m will ensure that the building is not obtrusive on the site. Generally dark and recessive colours help blend the dwelling into the site and surrounds. Existing Poplar trees along the road frontage and the proposed landscaping will adequately screen the dwelling from Cardrona Valley Road and adjoining properties.

The site earthworks will only create adverse visual effects of a temporary nature. When the dwelling is constructed the earthworks will be largely obscured from view of the road by the building. Site landscaping and re-vegetation will further mitigate any adverse effects of the excavation. Any filled areas will be screened from view of the road by the existing site topography along the frontage.

### ***6.1.2 Openness & Character of the Landscape***

While the subject site itself is devoid of buildings and therefore open in nature, the immediately surrounding landscape is characterised by residential buildings and development. The 12 unit development immediately to the north is

particularly dense, and while located within the Rural Visitor Zone it reduces the open nature of the landscape in the vicinity.

### **6.1.3 Cumulative Effects**

The cumulative effects are the effect of the current proposal when added to the existing environment. The existing environment includes the consented but unimplemented building platforms on subdivided land to the south.

It is not considered that the additional 153m<sup>2</sup> of built development on the site leads to cumulative effects that tip the balance for what is able to be absorbed in this landscape. The dwelling will be located only approximately 30m from the existing units on the lot to the north, so that built form is closely clustered. The dwelling will be contained within the domesticated area of the wider Cardrona Village development and does not sprawl beyond the existing residential properties.

### **6.1.4 Rural Amenities**

The neighbouring landowner that is potentially affected by the proposal has provided their written approval and therefore any potential adverse effects on this party cannot be taken into consideration.

The zone boundary between the Rural Visitor zone and Rural General zone runs through the site. This technically provides an 'internal' boundary and therefore setback distances are relevant - 15m for the Rural General zone. The proposed house itself is setback 15m from the zone boundary, however the deck is located 12m from it. It is considered that this is a technical point and really has no adverse effects outside the site.

Any effects on the amenities of the neighbouring site to the north are considered to be less than minor in regards to this deck setback. The deck is a low structure, located only just above ground level. As mentioned in a previous section of the application, the outlook from the 12 neighbouring units is to the north and away from the subject land. A right of way also separates the residential developments. Substantial landscaping is proposed between the two properties (refer landscape plan zones 2 and 7). This planting includes species of manuka, cabbage tree and flaxes ranging in mature height from 3-8m, with those plants to be sown initially at a reasonable grade/size.

Overall, the existing amenities in the surrounding environment will remain largely unchanged by the proposed activity.

### ***6.1.5 Infrastructure & Earthworks Site Management***

Services for the supply of water, wastewater, access, phone and power were provided for at the time of the underlying subdivision. The proposal makes efficient use of existing infrastructure as the site has been fully serviced in anticipation of future residential development. Overall, the dwelling can be appropriately serviced with no detrimental effects on the environment.

Earthworks for the preparation of a flat building area are estimated to be 2000m<sup>3</sup> cut to fill volume. The surplus earth from the building platform will be utilised for landscaping and to fill an area with a slight depression.

Sediment run-off from proposed earthworks is likely to be largely filtered through existing grass and weed species along the eastern boundary of the site. The topography is slightly raised along the road boundary providing a good buffer for any potential run-off. Sediment control in the form of either hay bales or a cut-off drain may need to be installed in the north eastern corner of the site to prevent run-off onto the neighbouring property or road at this point. Dust control can be mitigated with irrigation of the exposed earth when necessary.

In regards to potential noise issues, the earthworks are of a temporary nature and earthmoving equipment will only be on the site for a short period. With the soil to remain on-site there will be limited truck movements to and from the property. When the site development is complete, with proposed landscaping, the earthworks will have a less than minor effect.

### ***6.1.6 Natural Hazards***

It is noted on the Council GIS maps that the site is susceptible to liquefaction and landslide. Engineer, Jeff Bryant has undertaken a Geohazards assessment and this report is attached. The report investigates landslide, liquefaction and alluvial fan potential hazards, and overall concludes that the site and the proposed building are not susceptible to geohazards.

### ***6.1.7 Historic Features***

An investigation of the lot was undertaken in terms of any historical features of interest when the site was prepared for development of the proposed 18 units (then legally described as Lot 3 DP 27042). This report dated the year 2000 is attached and concludes that no historic features were found on the land that would be worthy of preservation or be of interest to the Historic Places Trust.



### **6.1.8 Summary of Effects**

The assessment above indicates that the proposed development, with existing site vegetation and proposed landscaping plus design mitigation measures, will not result in actual or potential adverse effects that are more than minor.

## **6.2 Assessment Matters for Outstanding Natural Landscape**

A Landscape and Visual Effects Assessment for this application is attached separately. The whole of the Cardrona Valley has been previously recognised as being an Outstanding Natural Landscape. Therefore with reference to the District Plan provisions, the site forms part of a wider Outstanding Natural Landscape (District Wide).

Overall, the attached assessment concludes that:

*“The proposed mitigation measures in the form of a low building height, small scale of built form, recessive colours and materials and proposed landscaping will ensure that visual effects remain at an acceptable level.*

*It is considered that the site is capable of absorbing the proposed dwelling due to the nature of the surrounding modified landscape. The development is of a modest scale and will not significantly affect the outstanding natural landscape.”*

## **7.0 Objectives and Policies**

The relevant Objectives and Policies which require consideration of this development proposal are contained within the District Wide and Rural Areas sections of the District Plan. The Rural Visitor zone objectives and policies are not specifically addressed as there is no proposed building in that part of the site. However the following comments are still relevant in terms of those Rural Visitor policies relating to landscape values, rural resources and amenities.

### **7.1 Part 4 – District Wide**

The key issues in Section 4 for this proposal are those concerned with landscape and visual amenity under section 4.2. These policies and objectives seek to protect the outstanding natural landscapes from inappropriate subdivision, use and development and to encourage development in areas with the ability to absorb change. The existing site vegetation and proposed landscaping assists in screening of the proposed dwelling from neighbouring properties and public roads and places. The proposal is of a small scale and will be clustered close to the existing unit development immediately to the north. The combination of

appropriately recessive materials and low height of the building ensure that the development will not be obtrusive in the landscape.

We believe the site can absorb the development, and the proposal is therefore not contrary to these policies and objectives.

## 7.2 *Part 5 – Rural Areas*

The proposed dwelling will be located within a site which has the capacity to absorb the change due to the existing site vegetation and surrounding residential development. The proposed planting will in time further screen views from Cardrona Valley Road.

Rural amenity is maintained as the proposed dwelling is appropriately set back from property boundaries and proposed planting will further screen between neighbouring properties.

Overall the application is considered to be consistent with the Objectives and Policies of the District Plan

## **8.0 NES (Contaminants in Soil)**

On Lot 1 DP 377465, no HAIL activities are being, have been, or are more likely than not to have been, undertaken on that land.

The area near to and north of the subject site was developed as the Cardrona Township during the 1860's. This included public buildings, hotels and stores. The subject site is on the immediate southern boundary of the Rural Visitor zone. An 1875 surveyor's plan of the Town of Cardrona identifies the subject site as part of a proposed small-lot residential development, although the full extent of this did not eventuate. It is assumed therefore that no farming practices have been undertaken on the subject site in many years, if ever.

Otago Regional Council confirm that records held on the Otago Regional Council's "Database of Selected Landuses" show there are no identified land uses or site contamination information for the subject site.

To undertake this site investigation we utilised the following information:

- QLDC on-line Edocs
- QLDC on-line NCS data management system
- QLDC on-line mapping system
- Email enquiry to Otago Regional Council

We have not uncovered any evidence of activities that would have the potential to contaminate the land. Therefore, on the balance of probabilities, the site is not a HAIL site, and should be considered as a Permitted Activity under the NES.

## **9.0 Conclusion**

This application proposes to construct one small dwelling with an attached garage and undertake earthworks and landscaping. The site is relatively unique in that although the proposed dwelling is on Rural General land the site contains a small portion of Rural Visitor (RV) zoning. The location of this RV portion is not practical in terms of siting a new building. However, the site was subdivided with boundaries as they currently exist due to a previous proposal to include four approved, but unimplemented, residential units in the RV zone.

The current proposal introduces a small increase in domestic development within an area of Cardrona that is already largely developed (or consented) for residential living. It will not spread residential development beyond boundaries that have already been established by previous subdivisions.

Overall, the potential adverse effects on the environment are of a no more than minor nature.

Yours faithfully  
C. HUGHES & ASSOCIATES LTD



Nicola Scott  
Planning Consultant

Reviewed by:



Matthew Suddaby  
Director  
Registered Professional Surveyor (RPSurv)

Encl: Form 9  
Location Plan  
Certificate of Title  
Title Plan  
Consent Notice  
Written Approval  
As-built plan of services  
Landscape Plan

Landscape Assessment  
Site Plan  
Elevations  
Floor Plan  
Geohazards Assessment  
Building Materials list  
Historic Features Investigation  
Earthworks Plan

**APPENDIX 2 - LANDSCAPE REPORT**

**LANDSCAPE REPORT**                      **RM140254, J & A Coleman**

**TO:**    Richard Kemp, Planner,  
Queenstown Lakes District Council

**FROM:**                                         Richard Denney, Landscape Architect,  
Denney Landscape Architecture

**DATE:**                                         June 3<sup>rd</sup> 2014

## **INTRODUCTION**

1. An application has been received by council for resource consent for the construction of a dwelling that is not contained within a residential building platform, undertake associated earthworks and establish landscaping at Cardrona Valley Road, Cardrona. The site is legally described as Lot 1 DP 377465 and is 5251m<sup>2</sup> in area. In terms of the Queenstown Lakes District Council - District Plan (the District Plan) the majority of the site is within the Rural General zone and a smaller proportion of the site within the Rural Visitor zone.
2. Following advice from council's planner I understand that the activity status of the application is discretionary.

## **PROPOSAL**

### *Dwelling*

3. A single storey three bedroom house with an attached garage is proposed with a combined area of 162m<sup>2</sup> as measured of the plans within the application. An additional deck 24m<sup>2</sup> in area is proposed on the north side of the dwelling. The maximum height of the building would be approximately 5.5m above the natural ground level as measured of the drawings. The external materials and colour of the proposed dwelling would be as follows:

Walls	Ply and batten stained " <i>Pitch Black</i> " (Resene Waterbourne Cool Colours stain) LRV not available.
Roof	Colorsteel coloured ' <i>Ebony</i> ', a very dark grey with a LRV of 5%.
Spouting / Downpipes	Colorsteel ' <i>Ebony</i> ' a very dark grey with a LRV of 5%.
Window joinery	Dulux Duraloy coloured ' <i>LSG Matt Black</i> ' a very dark grey with a LRV of 4%.
Garage door	Symonite ' <i>Alcotex Black</i> ' a very dark grey / black, a LRV not available but appears to be black with a LRV of below 5%.

### *Earthworks*

4. An earth platform would be cut into the slope to site the proposed building. Maximum cut height would be 2.6m with cut material volume of 414m<sup>3</sup>. Fill depth required would be up to 1.6m and 114m<sup>3</sup> in volume. An access drive would be formed from the adjoining right of way that appears to require only a scrape. A low earth mound would be formed to run parallel with the roadside boundary with a maximum height of 1.2m

above natural ground level and 300m<sup>3</sup> of fill. It is understood the mound would not require the removal of the existing poplars in this location.

#### *Landscaping*

5. Proposed landscaping would be of border type planting generally alongside the access drive and right of way. Planting would be of mixed native shrubs, grasses and some trees. The proposed trees include a row of 12 cabbage trees between the dwelling and the property boundary to the north, a cluster of 3 cabbage trees near the dwelling entrance and another row of cabbage trees alongside the southern side of the drive from the gate to the dwelling. A group of 5 cabbage trees is proposed at the fork in the access drive with the right of way, one of which may be a beech tree. There are eight existing poplars alongside the Cardrona Valley Road within the subject property. These are younger trees over 6m in height and are part of informal row that extends into the neighbouring property to the north of the subject property.

#### **LANDSCAPE and SITE DESCRIPTION**

6. The landscape is part of the Cardrona Valley, that runs roughly south to north between the Crown Range and Harris Mountains to the west, and the Criffel and Pisa Ranges to the east. Cardrona village is located approximately at a transition point in the valley where the flatter flood plains begin to narrow into the steeper upper reaches of the catchment leading up towards the Crown saddle. The valley north of Cardrona village is broad for most of length with the opposing ridgelines about 10km apart. The western ridgeline of the valley is the higher with peaks around the 1500masl to 1934masl at Mt Cardrona with a number of branching valleys leading back into the Harris Mountains. The eastern ridgeline is lower with peaks around 1300masl to 1600masl and has more continuous valley face with few branches except for the slight valley leading over to Roaring Meg that breaks away to the southeast near Cardrona village.
7. For the most part the landscape is open pastoral in character with the more cultivated landscape on the valley floor. The upper catchment south of Cardrona village includes the Pisa Conservation area, and is typified by a greater prominence of indigenous grasses and sporadic shrubs, and exotic weeds such as briar rose that have colonised the slopes. South of the village the flats are more cultivated with pastoral grasses, riverside willows and occasional shelterbelts of conifers.
8. Cardrona Village is a historic gold mining settlement with the Cardrona Hotel as its core. The village has a mix of a few historic buildings with more recent built form including clusters of higher density holiday accommodation units. Development around the village is eclectic with a mix of old and new styles possessing urban and rural characteristics. There are a few clusters of exotic trees, and recent avenue planting around the village that provide some sense of a village centre. Buildings are somewhat sporadic with areas of intense built form followed by vacant lots. There is a distinct ribbon development along the road from the top of the rise to the south of the village and down to the Cardrona Ski Field turn off with a number of smaller rural lots and rural dwellings leading into the denser clusters of buildings and much smaller lots within the Rural Visitor zone. The sense of arrival to Cardrona is staggered with a number of arrival thresholds along the road. Road narrowing, the Cardrona Ski field sign, planter bays of native vegetation, 50kmph speed limit signs and recent avenue plantings and rock boulder gateways each signal differing arrival points of some form or another.





Photo 1. Subject site from Cardrona Valley Road viewing north, height poles visible mid photo (18mm lens, May 4, 2014, 2 pm)



Photo 2. Subject site from Cardrona Valley Road viewing south (18mm lens, May 4, 2014, 2 pm)

9. The subject property is located on the western slopes of the valley and borders the Crown Range Road. The property has a general eastern aspect facing onto the road. The site is moderately sloping with the gradient increasing in steepness towards the rear of the site. The site is vacant and is vegetated with rough grass, a row of poplars alongside the roadside boundary and scrub including weeds species broom and gorse. The site is relatively open to the road. To the north is a cluster of two level holiday units that are within close proximity to the boundary of the subject site. To the south is another smaller rural lot that is occupied by a small rustic cottage in the early gold mining pioneer cottage style with the balance of the site as open grassland with few older stand alone willows and poplar trees.

10. *Appendix 8B – Map 1 Landscape Categorisation in the Wanaka Area* of the District Plan defines the Cardrona Valley as being separated from the visual amenity landscape of the upper Clutha outwash plains with the valley being within an Outstanding Natural Landscape (District Wide), (ONL (DW)). I concur with this categorisation, as whilst the land has been modified by farming practices with a higher level of cultivation on the valley floors the natural mountain and valley floor landforms are dominant, dramatic and highly legible. The openness of the landscape provides clear legibility of the form of the land and the processes that have shaped it, and the changing light of day and seasonal snow highlights the relief, folds and flow of the dramatic mountain and valley landforms. It is a landscape of historical importance with evidence of the gold mining past displayed in the landscape.

## **BACKGROUND**

11. Resource consent RM060572 subdivided the original lot to create the current lot. That consent enabled the 12-unit development on the neighbouring lot to the north. It also granted consent for 4 units within the rural visitor zone portion of the subject property. This has now expired.
12. Of note is the Environment Court Decision No. C 62/2007 that quashed council's decision to decline consent for the four-lot subdivision and four building platforms 320m up the road of the subject property. These lots range in size around 5000m<sup>2</sup> each with a consented building platform. This decision also recognised the landscape as being within an ONL (DW).
13. Affected party approval has been obtained for the neighbouring lot to the south at 2372 Cardrona Valley Road (The Overlook Trust, B.R & K.A. Hastings and R.A Riddell).

## **ASSESSMENT**

14. The appropriate assessment matters are within part 5.4.2.2 (2) *Outstanding Natural Landscapes (District Wide)*, and 5.4.2.3 *Assessment Matters General* of the District Plan. I have read the '*Landscape and Visual Assessment*', by Nicola Scott within the application.

### 5.4.2.2 (2) Outstanding Natural Landscape (District Wide)

15. The row of poplars alongside the roadside boundary is part of larger group that extends to the neighbouring property. They are a deciduous tree providing autumn colour and with open branch structure enable a degree of visual permeability through to the site. Immediately adjacent within the roadside is a recently planted avenue of street trees leading into the Cardrona Village centre. The poplars within the subject site appear to be planted after 2002. I consider they are appropriate for the location and the context of the proposed development in that they form part of establishing treed context on the verge of the village and are of species that is complimentary to the pastoral rural landscape.

### *Potential of the landscape to absorb development*

16. The proposed dwelling would be highly visible from the adjacent Cardrona Valley Road and to a lesser degree from unformed legal roads coming off the Cardrona Valley Road about 400m south of the subject site, and about 90m north of the subject site. The site may also be visible from the Cardrona Ski Field access road and the Tuohys Gully Road, although I have not visited these viewpoints to confirm. I would assume that these viewpoints at over 2km distant that any building would be viewed in a broad valley landscape and within the local context of a more treed and built up area around the Cardrona Village and so would be seen in the context of the village surrounds.

17. The proposed dwelling would be visually prominent from the Cardrona Valley Road. However it would be viewed within the context of the fringe of the village and in what is a more modified part of the ONL adjacent to the rural visitor zone. In terms of distracting upon views otherwise characterised by natural landscapes I consider the proposed development would have a moderate to small effect on such views. This is largely due to the prominence of the black colouring of the dwelling which would be contrasting colour as black is not a natural colour in the landscape.
18. The proposed planting is a mix of native species predominantly of shrubs and grasses. The planting largely follows the line of the platform and driveway access rather than the natural form of the land, and with the rows of cabbage trees appears more domestic in layout. Structural planting is largely left to the cabbage trees with only one beech tree that 'may' be planted. Proposed earthworks cutting into the rear bank appears to have no mitigation planting and given the prominence of the building some structural planting to the rear of the building would site the building into a more integrated landscape context. The retention of the poplars would retain some bulk and size to vegetation on the site and provide an established context for the dwelling. I recommend that these trees are retained and that further structural planting should occur to the rear of the building to provide some integration between built form and the land. There is heavy reliance for cabbage trees to provide structural planting and I recommend that three species of trees be provided rather than one to spread the risk of a species failing. It is noted near to the site within the road reserve is a cluster of beech that has established well and it is suggested further beech are included within the site as this is species that would be naturally found in the area (Mountain, Silver and Red Beech) and has successfully been planted nearby.
19. The site does not include indigenous ecosystems of significance that I am aware of.
20. The planting schedule does include species with wildling potential.

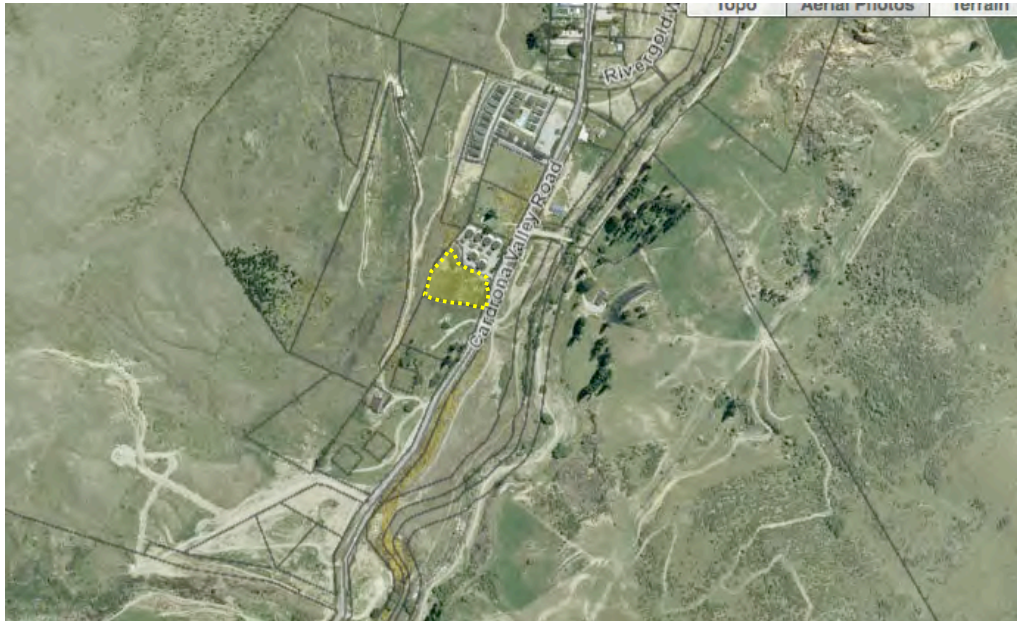
*Effects on openness of landscape.*

21. The subject site is within a broadly visible expanse of open landscape. As viewed from the Cardrona Valley road the proposed dwelling would be in view for about 500m along the road with some of this view broken by existing trees and buildings. Generally the building would be seen in the local context of the slope immediately behind the subject property.
22. The development would adversely affect open space values by creating increased presence of built form within the rural landscape in a location that is highly visible from the main road. However in this location the open space values have been compromised to a degree by existing buildings and the land use patterns created by smaller rural lots. In this regard the adverse effects on open space values would be small.
23. The topography of the site does not lend itself to provide mitigation to the development as it slopes towards the road presenting the development to the road. Existing poplars on the site are well established and assist in breaking views into the site and providing an established context for built form. It is recommend that these trees are retained.

*Cumulative Effects on Landscape Values*

24. The proposed development would introduce built form and domestication of the land to the current open site. Given the neighbouring cluster of rural visitor accommodation and existing rural dwellings within close proximity up the Cardrona Valley road it is considered this addition would not be out of character with the surrounding landscape.
25. The proposed dwelling would exacerbate the domestication of the landscape to a moderate degree that would further compromise the existing natural character of the

landscape. However the consented four lot subdivision and approved platforms approved by the environment court C 62/2007, 300m up the Cardrona Valley Road has created a character of the local landscape where built form is more prevalent within a rural setting. Recent consented development on these lots is creating a village fringe landscape on this slope adjacent to the road from about 450m south of the subject property that is more rural living in character. The adjacent lot to the south of the subject property is of similar size and has one existing dwelling within it. The proposed development would be generally consistent with such development patterns alongside the road between the rural visitor zone boundary and the crest of the road and descent into Cardrona village about 450m south of the subject site.



Aerial photo of the subject area showing lot boundaries, subject property in yellow. (QLDC Mapping)

26. I consider the relatively small rural lot sizes along this stretch of road and the consented building platforms in a number of these lots has determined a rural pattern of development that the proposed development would be generally consistent with. In this regard I consider the existing development is not at the threshold with the sites ability to absorb further change. The proposed development would increase domestication of the landscape although I consider this could be limited by design controls on the dwelling and lighting controls to reduce the prominence of such domestication.

#### *Positive Effects*

27. The proposed development would include the reestablishment of indigenous species within the subject site although this is more in an amenity type planting it would provide a small ecological benefit.

#### 5.4.2.3 Assessment Matters General

*The following is additional comment on those matters within assessment matters general not previously discussed above.*

*iv) Controlled and Discretionary Activity - All Buildings (except in Ski Area Sub-Zones)*



28. The proposed dwelling would not break the skyline as viewed from the Cardrona Valley Road. It would be viewed against the lower slope behind the proposed dwelling but this is not considered a prominent slope. The building would breach the skyline up to around 2m as viewed from the neighbouring property to the north. Proposed planting would soften this breach from this viewpoint to some degree although a building would still be prominent.



Photo 3. View from the neighbouring lot to the north, height poles beaching the skyline. (May 2 2014, 18mm angle lens).

29. I consider the external appearance of the building is not appropriate within this rural context as the overall blackness of the building would accentuate the mass of built form and would be contrasting to the softer tones of the natural landscape. I recommend the colours be amended to be in softer tones more sympathetic to the rural landscape.

#### *xxvii Earthworks*

30. Proposed earthworks would be largely for the locating of the dwelling and the formation of earth mound alongside the road frontage. The proposed mound would be located in an area that *The Historic Features Investigation* report within the application identifies as being an area of gold mining tailings that has been modified, and not of historic value. The mound would be 1.2m in height and with a gentle gradient so would not be prominent modification.
31. The earthworks required for the formation of a platform for the dwelling would have a cut face of up to 2.6m in height with a 1m retaining wall and a fill depth of 1.6m. The proposed dwelling would largely screen the cut face from view from the road except for the southern end of the cut face that would be visible travelling down the Cardrona Valley Road. It is recommended that additional planting be provided on the cut face to soften the cut face and provide integration of the works into the landscape.

## CONCLUSION

32. An application has been received by council for resource consent for the construction of a dwelling that is not within a residential building platform and associated earthworks and landscaping at Cardrona Valley Road, Cardrona. The site is 5251m<sup>2</sup> in area and is zoned Rural General with a small portion of the property within the Rural Visitor zone. The site is within an outstanding natural landscape (district wide), (ONL(DW)). It is to the immediate south of the Cardrona Village within a rural context that has a number of smaller rural lots and rural dwellings that forms part of the entry into the village.
33. A pattern of development from the crest of the road from about 400m south of the subject property and down to the village limits has been established with smaller rural lots and rural dwellings within them. The proposed dwelling would be consistent with this pattern.
34. The proposed dwelling would be visually prominent from the Cardrona Valley road partly due to its aspect but also the colouring of the building that is predominantly black. Black is not a natural colour in the landscape and the building would be in contrast to the surrounding tones in the landscape. With softer colouring in more sympathetic tones to the surrounding landscape and additional planting to the rear of the dwelling the building would sit more naturally in the landscape with less prominence from the road. The building would breach the skyline and would be prominent from the neighbouring property to the north, although proposed planting would soften the presence of built form.

## RECOMMENDATIONS

35. Should consent be granted I consider that the following conditions should be included:
  - (i) The external colour for the roof, garage door and walls shall be submitted to council for certification prior to construction beginning on site. The colours shall be in the range of natural tones of grey, green or brown with a light reflectivity value of between 8 and 20% for the roof, and 8 and 36% for the walls and garage door to ensure the building is sympathetic to the natural tones of the surrounding landscape.
  - (ii) The landscape plan shall be amended and resubmitted to council for certification prior to construction beginning on site. The plan shall be amended to provide planting to the rear or west of the dwelling, on the cut earth face behind the dwelling and to provide three species of indigenous trees to replace the structural planting of cabbage trees. The purpose is to soften the presence of built form and earth works, to provide structural tree planting of substance, and to provide greater species diversity to increase the successful establishment of trees on the site.
  - (iii) All planting and existing trees as shown within the certified landscape plan shall be maintained to establish a healthy vegetated cover. If any plant or tree shall die, become diseased or is pruned or a modified in a manner that compromises the mitigation value then it shall be replaced within the next 12 months as per the plan. If the poplar trees should be replaced this shall be with indigenous beech planted in clusters.
  - (iv) All external lighting shall be limited to down lighting only within close proximity of the dwelling only and shall not be used for lighting the access drive, landscape planting, landscape features or for highlighting built form. Placement of lighting shall not create light spill onto neighbouring properties or create a direct light source that is visible from the road.

Report prepared by



Richard Denney  
**LANDSCAPE ARCHITECT**

**DENNEY LANDSCAPE ARCHITECTURE**

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Arrowtown, New Zealand.

**APPENDIX 3 - ENGINEERING REPORT**





## ENGINEERING REPORT

**TO:** Richard Kemp

**FROM:** Lyn Overton

**DATE:** 30/05/2014

APPLICATION DETAILS	
REFERENCE	RM140254
APPLICANT	J & A COLEMAN
APPLICATION TYPE & DESCRIPTION	Land Use consent is sought to construct a dwelling that is not contained within a residential building platform, undertake associated earthworks and establish landscaping at Cardrona Valley Road, Cardrona
ADDRESS	Cardrona Valley Road
ZONING	Split Zoned Rural Visitor and Rural General – With the majority being Rural General
LEGAL DESCRIPTION	Lot 1 DP 377465
SITE AREA	5251m <sup>2</sup> .
ACTIVITY STATUS	Discretionary

Application	Reference Documents	Consent application and Hazard assessment by Geoconsulting Ltd.
	Previous Relevant Consents	RM060572 – 2 lot subdivision
	Date of site visit	30/04/2014

### Location Diagram



Comments	
Existing Use	Vacant lot.
Neighbours	Cardrona Alpine Village is located to the north and shares the existing entrance way off Cardona Valley Road.
Topography/Aspect	Sloping down to the east.
Water Bodies	Approximately 90m west of the Cardrona River.

ENGINEERING		COMMENTS	Condition
TRANSPORT	Parking	The WRD plans submitted with the application indicate that there will be a double garage within the dwelling. I am satisfied that this will meet the District Plan requirement of two parking spaces for the development. No conditions are proposed in relation to parking.	X
	Access Means of Access	Access to the site is via a formed sealed vehicle crossing from Cardona Valley Road. Condition 2 registered on consent notice 7626348.4 requires the lot owners to "... construct an access way to the development as required by the land use consent RM020774 or shall otherwise construct an access that complies with the guidelines provided for the Rural Roading Corridors table 3.2(a) as adopted by the Council in September 2005." The C Hughes & Associates Ltd 'Proposed Earthworks, J & A Coleman, Cardrona Valley Road' (dated April 2014, Plan W778, Job No. 5278) indicates the location of the access. A condition is recommended to ensure that the access is formed to council's standards.	

NATURAL HAZARDS	Hazards on or near the site	The site is identified as being susceptible to a landslide hazard from fine grained soils susceptible to sliding and as being a risk to liquefaction on council's hazards maps.	
	Report on Hazards	<p>Geoconsulting Ltd 'Hazard Assessment: 2352 Cardona Valley Road' (dated 28 February 2014).</p> <p>The report confirms that the site is unaffected by the alluvial fan identified on the neighbouring lot to the south and that the liquefaction risk to the site is nil to slight. The report also makes the following comments in regards to slope stability:</p> <p><i>"Both the field work and examination of stereo aerial photographs found no evidence for landsliding on the terrace riser above the property. The proposed earthworks will involve excavations between 1.5 and 2.0 m (site layout yet to be confirmed) in the middle of the property (see Figure 1). Cuts of this height can safely be undertaken at say 0.5(h):1(v) without risk of failure in the excavated slope. There would also be no risk of initiating failure on the terrace riser as the building platform is some distance from the toe of slope."</i></p> <p>I accept the report and I am satisfied that the site is not at risk from the identified hazards. No conditions are proposed in relation to hazards.</p>	

ENGINEERING		COMMENTS	Condition	
EARTHWORKS	Extent	Description	Earthworks are required to create a level area for construction purposes.	
		Cut /Fill Volume (m <sup>3</sup> )	414m <sup>3</sup> of both cut and fill to be undertaken in a balanced cut to fill operation.	
		Total Volume (m <sup>3</sup> )	828m <sup>3</sup>	
		Area Exposed (m <sup>2</sup> )	Not specified.	
		Max Height Cut/Fill (m)	The maximum height of cut is approximately 2.6m and is located along the west side of the dwelling. The maximum height of fill will be approximately 1.6m and will be placed to the east of the dwelling. There will also be an area of fill approximately 1.2m deep placed to the east.	
		Prox. to Boundary	I am satisfied that the earthworks are well set back from the site boundaries.	
		Prox. to Water	Nil.	
	Geotech	Geotech assessment by	Geoconsulting Ltd	
		Report reference	'Hazard Assessment: 2352 Cardrona Valley Road' dated 28 February 2014	
		Retaining	The applicants are proposing to construct a low retaining wall approximately 1m in height with a battered slope above to support the cut area located to the west and south of the dwelling. An advice note is recommended in relation to retaining walls and the Building Act.	X
		Recommendations on cut/batter slopes	The Geoconsulting report confirms that cuts up to 2m in height can safely be undertaken at 0.5(h):1(v) without risk of failure in the excavated slope. A condition is recommended to ensure that earthworks are undertaken in accordance with Geoconsulting report.	X
		Fill certification/specific foundation design required	The plans submitted with the application indicate that there will be an area of fill within the building footprint. A condition is recommended to ensure that all areas of fill placed within the footprint are either certified or suitable foundations are designed.	X
		Engineers supervision	The fill placement will need to be supervised by the engineer responsible for certifying it. An appropriate condition is recommended.	X
Uncertified fill covenant		The applicants are placing a large area of fill within a depression near the eastern boundary of the site. There is an electricity easement within this area. However I am satisfied that the depth of fill will not affect the services.	X	
Site Management	Report reference	A Guide to Earthworks in the Queenstown Lakes District brochure.	X	
	Neighbours	The Cardrona Alpine Village is located on the north side of the site. I am satisfied the earthworks are feasible and that there should be minimal effects on the neighbouring site.		
	Traffic management	Not required.		
	Construction crossing	Required as there will construction vehicles working within the site.		
	Revegetation	The fill and cut areas will need to be revegetated at the completion of works.		

<b>SERVICES</b>	<b>Existing Services</b>		The site is fully serviced.	
	<b>Water</b>	<b>Potable</b>	There is a water connection available to a private water scheme provided at the time of the underlying subdivision RM060572	
		<b>Fire-fighting</b>	There is a fire hydrant located approximately 60m of the proposed dwelling. I am satisfied that fire fighting requirements can be met. No further conditions are recommended in regards to fire fighting.	
	<b>Effluent Disposal</b>		There is a wastewater connection available to connect into within the site. This is connected to the private wastewater treatment facility located nearby. I am satisfied that connecting the dwelling will be a requirement of Building Consent.	
	<b>Stormwater</b>		Condition 1) registered on consent notice 7626348.4 relates to stormwater disposal design. This condition is no longer applicable as there is a stormwater connection available to connect into within the site. This was placed at the time of the underlying subdivision RM060572. I am satisfied that connecting the dwelling will be a requirement of Building Consent.	
	<b>Power &amp; Telecoms</b>		Connections for utility services were provided at the boundary of the site at the time of the underlying subdivision RM060572. I am satisfied that connecting the dwelling will be a requirement of the underlying subdivision.	
<b>TITLE</b>	<b>Covenants/ Consent notices</b>		Conditions registered on consent notice 7626348.4 relate to stormwater disposal and access. Please refer to these sections of the report above.	

### **RECOMMENDED CONDITIONS**

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

#### ***General***

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

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

2. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site.

3. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and “A *Guide to Earthworks in the Queenstown Lakes District*” brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
4. 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 shall supervise the excavation procedure and fill 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.

***To be monitored throughout earthworks***

5. The earthworks and batter slopes, shall be undertaken in accordance with the recommendations of the report by Geoconsulting Ltd ‘*Hazard Assessment: 2352 Cardona Valley Road*’ (dated 28 February 2014).
6. 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.
7. No earthworks, temporary or permanent, are to breach the boundaries of the site with the exception of the construction of the construction crossing.

***On completion of earthworks and prior to construction of the dwelling***

8. On completion of earthworks and prior to the construction of the dwelling, a suitably qualified engineer experienced in soils investigations shall either:
  - a. The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site; or
  - b. Provide certification to the Principal Resource Management Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any). Note this will require supervision of the fill compaction by a chartered professional engineer.

***To be completed when works finish and before occupation of dwelling***

9. Prior to the occupation of the dwelling, the consent holder shall complete the following engineering works, in accordance with Condition **(1)**:
  - a) The provision of an access way to the dwelling that complies with the guidelines provided for in Council’s development standard NZS 4404:2004 with amendments as adopted by the Council in October 2005. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. Provision shall be made for stormwater disposal from the carriageway.
  - b) All earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
  - c) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

## **Recommended Advice Notes**

1. The consent holder is advised that any retaining walls proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.
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