



DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	THE LARCHES STATION TRUST
RM reference:	RM150552
Location:	446 Cardrona Valley Road, Wanaka
Proposal:	Subdivision of an allotment into two independent fee simple allotments, one of which will be amalgamated with the Larches Station (Lot 2), and establishment of a building platform on proposed Lot 1. Land use consent is also sought to undertake associated earthworks and landscaping, and to construct the access way.
Legal Description:	Sections 1-3, 7-10 Survey Office Plan 453339 and Lot 2 Deposited Plan 480813 help in Computer Freehold Register 673826
Zoning:	Rural General
Activity Status:	Discretionary
Notification:	17 March 2016
Closing Date of Submissions:	18 April 2016
Commissioners:	Commissioner Jane Taylor
Date:	5 August 2016
Decision:	Consent is granted subject to conditions

Decision following the hearing of an application for resource consent under the Resource Management Act 1991

Proposal

The Larches Station Trust has applied for resource consent to subdivide an allotment into two independent fee simple allotments, one of which will be amalgamated with The Larches Station, and to establish a building platform on proposed Lot 1. Land use consent is also sought to undertake associated earthworks and landscaping, and to construct the access way.

Resource consent is **GRANTED** with conditions as attached.

Application number:	RM150552
Site address:	446 Cardrona Valley Road, Wanaka
Applicant:	The Larches Station Trust
Hearing commenced:	21 June 2016
Hearing panel:	Jane Taylor (Independent Commissioner)
Appearances:	<p><u>For the Applicant:</u> Ms Bridget Irving, Legal Counsel, Gallaway Cook Allan, Dunedin Mr Duncan White, Planner, Paterson Pitts Limited Partnership Mr Paul Smith, Landscape Architect, Vivian & Espie Limited</p> <p><u>For the Submitter:</u> Mr Julian Howarth, Upper Clutha Environmental Society Incorporated</p> <p><u>For the Council:</u> Ms Erin Stagg, Reporting Officer Mr Richard Denney, Consultant Landscape Architect Ms Mishka Banhidi, Committee Secretary</p>
Hearing adjourned:	21 June 2016
Commissioner's site visit	21 June 2016
Hearing closed:	22 July 2016

Introduction

1. This decision is made on behalf of Queenstown Lakes District Council (“the Council”) by Independent Hearing Commissioner Jane Taylor, appointed and acting under delegated authority pursuant to sections 34 and 34A of the Resource Management Act 1991 (“the Act”).
2. This decision contains the findings on the application for resource consent and has been prepared in accordance with section 113 of the Act.

Summary of proposal

3. The Larches Station Trust (“the Applicant”) has applied for resource consent to:
 - (i) Subdivide an allotment into two fee simple lots comprising Lot 1 (27.7 hectares) and Lot 2 (67.6 hectares). Lot 2 is to be amalgamated with the balance of the Larches Station;
 - (ii) Establish a 875 square metre building platform on Lot 1; and
 - (iii) To undertake associated earthworks, landscaping and to construct the accessway.
4. The legal description of the property is Section 1 SO 453339 and Sections 2 to 3, 7 to 10 SO 453339 and Lot 2 DP 480813 held in Computer Freehold Register 673826. The total area of the Station is 1,003.4 hectares.
5. A copy of the application and accompanying assessment of effects and supporting reports was appended to the Section 42A report. A detailed description of the site, locality and history can be found in Section 2 of the AEE prepared by Paterson Pitts Group. It is proposed that Lot 1 will comprise a 27.75 hectare vacant parcel; while Lot 2, which comprises the balance of 67.66 hectares, will be amalgamated with and continue to be managed as part the Larches Station.
6. A building platform of 875 square metres is proposed to be located on the upper slopes of Lot 1. Extensive earthworks have been proposed to cut the proposed building platform into the site and to create three earth mounds to screen the building platform (and future dwelling). Additional landscaping to mitigate the visual effects of the proposed development is also proposed. A suite of building controls has been included to avoid, remedy and mitigate landscape effects of any future building on the proposed building platform, which include:
 - A limitation on the height of any buildings to 5 metres (with the exception of two chimneys).
 - Roofs and external cladding must be in colours with a light reflectivity value between 7% and 20%.
 - Exterior lighting is restricted to the curtilage area, and must be directed downward. Lighting is to be no more than 1 metre above ground, except where attached to a building where it may be no higher than 3 metres.
 - Monumental gates are prohibited.

- All domestic elements must be contained within the curtilage area.
7. Following the issue of the Section 42A report, two further amendments to the proposal were volunteered:
- (i) Several of the proposed landscaping measures were modified to address concerns raised by Mr Denney in his landscape report for Council. An additional earth mound to be located immediately south-west of the building platform, which will appear as an extension to the spur, was included. Correspondingly, two areas of proposed beech trees have been removed, as the visual screening that was to be provided by these trees will now be achieved by the additional earth mound.
 - (ii) A minimum of 0.5 hectares of wilding conifers will be eradicated from the site per annum, with all wilding conifers to be eradicated within seven years. It is proposed that the deforested land will be returned to pasture grass.
 - (iii) The two chimneys (for which consent has been sought to breach the five metre height control by 1.2 metres each) will be restricted to flues with a maximum diameter of 400mm. The flues must be dark and non-reflective in colour.
8. Access to Lot 1 from the Cardrona Valley Road is proposed via the existing farm track, which will be resurfaced in gravel and the drainage upgraded as far as the proposed building platform. The lower section of the farm track closest to the road is to be reconstructed further to the west of the current track exit to provide sufficient site distances. Access to the top terrace of Lot 2 will be via a right-of-way over the Lot 1 track for farm management purposes.

Planning and assessment framework

9. The subject site is zoned Rural General under the Operative District Plan (“the District Plan”). The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:
- “ ...
- protects and enhances nature conservation and landscape values;
 - sustains the life-supporting capacity of the soil and vegetation;
 - maintains acceptable living and working conditions and amenity for residents of and visitors to the zone; and
 - ensures a wide range of outdoor recreational opportunities remain viable within the zone.”
10. Section 5.1 of the Section 42A Report sets out the resource consents required under the District Plan. These are summarised as follows:
- (i) Three **restricted discretionary** activity consents pursuant to Rule 22.3.2.3(a), as the proposal breaches Site Standard 22.3.3(i)(a) in relation to the maximum volume of earthworks, Site Standard 22.3.3(ii)(a)(iii) in relation to the maximum height of fill and Site Standard 22.3.3(iv)(a) in relation to the proximity of earthworks to water bodies.
 - (ii) A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i)(b) for the identification of a building platform of not less than 70 square metres and not greater than 1,000 square metres.

- (iv) A **discretionary** activity consent pursuant to Rule 15.2.3.3(vi) for a subdivision in the Rural General Zone.
11. Overall, the application was considered by both the Applicant's Planner and the Reporting Officer to require assessment as a **discretionary** activity.
 12. In accordance with section 104(1)(b)(i) to (vi) of the Act, I have determined that there are no relevant national environmental standards, other regulations or national policy statements directly applicable to the proposed development. The evidence has established that the subject property is not a HAIL site and, accordingly, the national environmental standard for assessing and managing contaminants in soil and to protect human health does not apply.
 13. The objectives and policies of the District Plan relevant to this application are contained within Part 4 (*Districtwide Issues*), Part 5 (*Rural Areas*), Part 15 (*Subdivision*) and Part 22 (*Earthworks*). As the site falls within an Outstanding Natural Landscape ("ONL") the landscape assessment matters found in Part 5.4.2.2(2) of the District Plan are applicable.
 14. The Proposed District Plan was notified by the Council on 26 August 2015. Ms Stagg considered that given the minimal extent to which the proposed District Plan has been exposed to testing and independent decision-making, minimal weight should be given to its provisions at this stage. The relevant provisions of the Proposed District Plan are found in Chapter 3 (*Strategic Directions*), Chapter 6 (*Landscapes*), Chapter 21 (*Rural Zone*) and Chapter 27 (*Subdivision and Development*). These sections contain a number of objectives and policies that are relevant to this proposal and to which I have had regard, albeit that due to the early stage of the review process very little weight can be assigned. None of the Proposed District Plan rules relevant to the proposal have been identified as having immediate legal effect; accordingly, the proposed rules are not relevant to the determination of this proposal.
 15. The provisions of the Act relevant to the assessment of this application as a discretionary activity are sections 104, 104B, 108, 220 and Part 2 of the Act.

Notification, submissions and affected party approvals

16. The application was publically notified on 17 March 2016. Thirteen submissions were received prior to the closing date of 18 April 2016, of which twelve were in support and one in opposition to the application, as set out in the Section 42A Report.
17. Reasons for support included that the proposal would improve the efficiency of currently non-productive land, would result in the clearance of wilding conifers and return of the land to pasture, and that there would be no adverse effect with respect to visual amenity.
18. The Upper Clutha Environmental Society Incorporated ("UCES") opposed the application on the following grounds:
 - (i) The adverse visual effects of the proposal on landscape and amenity will be significant;
 - (ii) The subject site is "strategic" in relation to the maintenance of the ONL in this area;
 - (iii) The subject site is elevated and therefore does not easily absorb development;

- (iv) The proposal will result in domestication of the landscape; and
- (v) The cumulative effect of the proposal will result in adverse effects on the landscape that are more than minor, as the threshold for the landscape to absorb development in this area has already been reached.

Application information

19. The following information has been received and considered by the Commission in reaching this decision:
 - (a) The application as notified on 17 March 2016 titled *"The Larches Station Trust Resource Consent Application for Subdivision Consent – Two Lot Fee Simple Subdivision with Building Platform, Cardrona Valley Road, Wanaka"* prepared by Paterson Pitts Group;
 - (b) The supporting information attached to the application, which included the Assessment of Environmental Effects, the Certificate of Title, scheme plans, earthwork plans, a structural landscape plan, onsite waste water disposal report, service confirmations, water quality tests, geotechnical report and a landscape report prepared by Mr Paul Smith of Vivian & Espie Limited;
 - (c) A Section 42A Report dated 5 May 2016 prepared by the Reporting Officer, Ms Erin Stagg, Planner, Queenstown Lakes District Council ("the Section 42A Report");
 - (d) The appendices to the Section 42A report, which included a landscape assessment report, together with a further addendum to that report, prepared by Mr Richard Denney, Consultant Landscape Architect for the Council; and an engineering report prepared by Ms Lyn Overton, Resource Management Engineer, Queenstown Lakes District Council, and
 - (e) Further correspondence between the Applicant and the Council following issue of the Section 42A report in relation to amendments to the proposal to address concerns raised in the Section 42A report.
20. The Council's Reporting Officer recommended that resource consent be refused pursuant to section 104 of the Act for the following reasons:
 - (i) The Applicant has provided insufficient assurance that the adverse effects on landscape can be avoided or mitigated;
 - (ii) The adverse effects of the activity on landscape values associated with the ONL are considered to have the potential to be more than minor, as the proposed location of the residential building platform is on a prominent ridgeline and sufficient information has not been provided to ensure that their adverse effects have been adequately mitigated; and
 - (iii) Aspects of the proposal, in its current form, are considered contrary to the objectives and policies of the applicable planning instruments in relation to the adverse effects on landscape and visual amenity.

21. On this basis, the Reporting Officer did not consider the application, in its original form, to promote the overall purpose of the Act. However, Ms Stagg noted that there was opportunity for the Applicant to provide further information with respect to the proposal to reduce the effects of the development and to address areas where the proposal was considered to be contrary to the District Plan and Proposed District Plan.

Summary of the evidence heard

22. The Reporting Officer's Section 42A Report was circulated prior to the hearing and was taken as read.
23. Prior to the hearing, the Applicant pre-circulated a statement of evidence of Mr Duncan White, a Planner with Paterson Pitts Limited Partnership, together with a brief of evidence of Mr Paul Smith, Landscape Architect with Vivian & Espie Limited. The content of this evidence will be referred to during the course of my assessment as relevant to the key issues.

Evidence for the Applicant

24. Ms **Bridget Irving**, the Applicant's legal counsel, introduced the case for the Applicant. She described the application in some detail and highlighted the mitigation that had been proposed both in the application as notified and as subsequently amended to address the landscape and visual amenity concerns. She confirmed that the proposal should be assessed as a discretionary activity and discussed the approach required to be taken under section 104(1)(a), submitting that the only "live issue" in this case is whether the landscape effects of the proposed platform are so significant "as to justify declining consent". Overall, it was the Applicant's submission, based on its expert evidence, that the proposal would not have significant adverse effects on the landscape and that any minor adverse effects are outweighed by the positive effects of the application.
25. Ms Irving submitted that Mr Denney's evidence was inconclusive with regard to the potential adverse effects of the proposed development on the ONL and, accordingly, the Applicant had commissioned a series of surveyed cross-sections to provide further information on the potential visibility of the proposed building platform (as tabled at the hearing). The Applicant had also removed a proposed area of beech trees in exchange for some further earth mounds to provide more immediate and enhanced screening. Ms Irving submitted that although the development is located within an ONL (and, accordingly, section 6(b) of the Act is engaged), this does not preclude development entirely but rather provides protection from *inappropriate* development. She submitted that the objectives and policies within the District Plan mirror section 6(b) and noted that none of the District Plan provisions call for "invisibility".
26. Of particular relevance, Ms Irving submitted that the assessment of the application in the Section 42A report had failed to take adequate account of the proposed wilding management plan as a positive effect and the corresponding landscape consequences of "doing nothing". She submitted that the open and natural character of the application site and the wider Cardrona Valley would be increasingly compromised if wilding conifers continue to spread "unchecked". In her submission, control of the wilding conifers within the site outweighs the very minor effects that might arise from the establishment of a building platform on Lot 1.
27. Ms Irving then addressed section 104(1)(b) of the Act – the objectives and policies of the Operative District Plan. She submitted that the Section 42A report had relied on Mr Denney's landscape assessment when considering the proposal against the relevant objectives and

policies. As a result, the assessment was “*laced with the same errors as the landscape assessment*”. She also noted that the Section 42A report did not identify the landscape benefits associated with the removal of wilding species, meaning that the assessment of objectives and policies was incomplete. Ms Irving submitted that, as a result, the evidence of Mr White should be preferred.

28. Ms Irving submitted that the objectives and policies of the District Plan that seek to maintain and enhance the openness and naturalness of the district's ONL are achieved by this proposal by:
 - (a) Control of built development through associated screening, landscape planting, proposed building controls and controls on domestic activities such as lighting and the placement of parking areas; and
 - (b) Through control of undesirable vegetation within the site.
29. Ms Irving stressed the positive effects of the proposed management of wilding conifers within Lot 1 and submitted that the extent to which the proposal achieves the aims of the Council's wilding control strategy is relevant to my assessment in accordance with section 104(1)(c).
30. Ms Irving then addressed section 104(1)(c) in detail, giving detailed submissions on the wilding conifer control proposed by the application, which she submitted was an important environmental benefit.
31. In closing, Ms Irving addressed Part 2 of the Act, noting that my assessment under section 104 must take place subject to Part 2. She submitted that with respect to section 6(b), the application protects the ONL from inappropriate use and development given the very careful way in which the building platform and associated mitigation measures have been designed, together with the wilding control programme that will be secured through a grant of this consent. Overall, Ms Irving submitted that, as concluded by Mr Denney, the subdivision is consistent with surrounding land use patterns and would be indiscernible in the wider landscape. Although she agreed that potential effects arise from the proposed building platform and future development within it, she considered that any adverse effects had been adequately avoided, remedied or mitigated to an acceptable degree. When the associated positive effects that arise from the proposal are considered, including the maintenance of the productive potential of the balance of the land and the active management and removal of wilding species within Lot 1, she submitted that the proposal has considerable benefits for the wider area and would protect the landscape, amenity, local biodiversity and economy from potential adverse effects into the future. Accordingly, the Applicant submitted that the purpose of the Act is best served by the granting of consent.
32. Mr **Duncan White**, Resource Management Planner, elaborated on his written brief of evidence and responded to a number of questions from the Commissioner. He explained that the subdivision had been designed to deliberately include the area of wilding conifers in Lot 1 so as to enable their removal. It is intended that Lot 2, which will be amalgamated with the Larches Station, will be continued to be farmed and, accordingly, would remain in pasture.
33. In relation to the access track, Mr White confirmed that it was proposed that the existing farm track would largely comprise the accessway, although the entrance off Cardona Valley Road was proposed to be realigned to overcome an issue with site distances. He then responded to questions about the proposed water supply, explaining that the spring is located on Lot 1. It

is proposed that 2,500 litres per day will be extracted from the spring and pumped to tanks on the building platform. As this is a domestic water supply, ORC consent is not required.

34. There was considerable discussion in relation to the proposed methods of controlling the wilding conifers on the property and how this should be provided for in the conditions of consent. It is the Applicant's intention to experiment with a number of methods to determine the most efficient and effective means of removal, and also to ensure that the land is returned to pasture. Mr White commented that the Applicant expects to have completed the wilding conifer removal and re-establishment programme well within the seven year time period requested.
35. In response to questions from the Commission in relation to alternative locations for the building platform (on less elevated parts of the site), Mr White agreed that there are potential locations for building platforms but these are more likely to be on proposed Lot 2. In addition, the current site was geologically the most stable and was more suited to built form, as it has a good level of internal amenity (including access to sunlight) and is less exposed to the southerly weather prevalent in this part of the Cardona Valley.
36. Mr **Paul Smith** expanded on his written brief of evidence in relation to the landscape issues. He spent considerable time explaining the landscape mitigation that was proposed, including the additional earth bund. The photographs depicting key views of the subject site were explained in detail, with reference to the ground profile alignments location plan and the various site line cross-sections supplied in the appendix to his evidence. Mr Smith concluded that the mounding has been designed so that no part of a future building will be visible from viewpoints A, B, C, D or E; which means that a viewer to the north, north-east or east of the proposed building platform would need to be very distant from the site before they would see any built form rising above the mounding. To an observer that is closer to the site than Studholme Road (approximately 3.3 kilometres away), no part of the building would be visible. Mr Smith explained that once a viewer is beyond Studholme Road a small horizontal sliver of built form may theoretically come into the line of sight above the mounding; however, there are, in his opinion, many foreground elements that are likely to block views once a viewer is this far away from the site. Accordingly, Mr Smith concluded that for observers that are on the floor of the Upper Clutha Basin to the north, north-east or east of the site, the proposed activity would be either invisible or very difficult to see. He suggested that in the unlikely event that future built form may raise concern, a review condition could be included to provide for further visual screening to mitigate any potential effect. He also noted that in views to the south of the site, any built form and curtilage will effectively be invisible.
37. With respect to cumulative effects and the threshold of development, Mr Smith accepted that the cumulative effects of development in this ONL location are "an important issue", noting that the Hillend development includes a number of building platforms on the same broad terrace as the currently proposed building platform, including Hillend Lot 10 which is on the north-eastern lip of the same terrace. In Mr Smith's opinion, poorly designed or located development in this vicinity could degrade the landscape quality. However, he considered that his assessment has established that the actual effects of the proposed building platform in this particular instance are very limited in degree. In terms of landscape character, it was Mr Smith's opinion that the proposed dwelling would be located on a broad elevated terrace that already accommodates a number of consented building platforms. In terms of visual effects, a future dwelling and associated activity would be only slightly visible in very distant views; accordingly, it was his opinion that overall visual amenity would be preserved. Mr

Smith therefore concluded that this vicinity can absorb the effects of this specific proposal without the threshold of unacceptability being breached.

Evidence for the Submitter

38. Mr **Julian Howarth** presented evidence on behalf of UCES. It was UCES' view that the overall effects of the application, after weighing adverse effects against positive effects, remain significant and adverse. In the Society's opinion, the proposed subdivision and development would set a precedent for residential complexes in elevated and visible locations within the ONL that would significantly detract from the character of the ONL and would weaken future protection of the natural character of the landscapes in the Cardrona Valley and the ONLs in the District as a whole.
39. Mr Howarth explained the Society's concerns with regard to the cumulative effects of the residential complex and curtilage in conjunction with already consented development in the Cardrona Valley, which the Society considered would be significantly adverse. It was the Society's view that the Hillend development had already reached the threshold of cumulative effects that could be accommodated in this area of ONL. Mr Howarth noted that "tucked down valley bottom" residential sites, such as that approved in a previous application for the same Applicant, are recognised as traditional sites for farm houses and would result in much more acceptable effects. The site of the current application is not traditionally sited; rather, the proposed building platform is situated on a prominent ridge at an elevation of 463 metres above sea level.
40. The Society was also concerned that granting consent to the proposal would set a precedent for lots to be subdivided off in a piecemeal fashion in elevated and inappropriate locations in the Cardrona Valley. Concern was also expressed in relation to the access road to the site of the proposed building platform, as traffic using the access would be visible from public places and would detract significantly from existing landscape values.
41. Accordingly, UCES considered that the application does not satisfy section 6(b) of the Act and should be declined in its entirety. In the Society's opinion, there were less visible locations on Lot 2 that could be considered and that any loss of productive land would be *de minimus*. Mr Howarth also questioned whether removing wilding conifers that had been permitted to become established on land owned by the Applicant could be considered a positive effect of the application.

Council response

42. Mr Denney reiterated that assessment of the landscape aspects of the site had been very challenging due to the presence of wilding conifers in and around the proposed building platform. Accordingly, he was heavily reliant on the cross-sections that had been provided by the Applicant. He recognised that finding an alternative location for the building platform on the site would be challenging and that any such location would have to be suitable from a geological perspective (which appeared to be an issue). With respect to the threshold of development, Mr Denney noted that the proposed building platform goes to the edge of the terrace and is therefore highly sensitive to development (as is Lot 10 of the Hillend subdivision). Both of these lots are subject to a broad viewing catchment. However, Mr Denney acknowledged that the proposed earth bunds and mitigation planting would greatly assist to mitigate any built form and curtilage activities on the building platform, provided that

these were constructed to the specifications proposed. Accordingly, any impact on the ONL would be less than minor.

43. With respect to the proposed access road, Mr Denney considered that there would be a slight increase in visibility but that this would not be much greater than the existing farm track once the wilding conifers had been removed.
44. Ms Stagg acknowledged that the application was very finely balanced. In her view, provided that the conditions ensured that the adverse effects generated by the proposed building platform were fully mitigated, particularly with respect to visual amenity, in her opinion the cumulative effects of the development on the wider area would not be more than minor. She suggested that the conditions should provide for a variation to the mounding (once constructed) to ensure that views of the building platform are adequately screened from external viewpoints. She also considered that the removal of the proposed wilding conifers was a positive effect that could be taken into account under section 104 of the Act.
45. Overall, given the modifications to the proposal, the benefit of the evidence at the hearing and provided that appropriate conditions were imposed, Ms Stagg was of the opinion that consent could be granted to the proposed development as amended.

Applicant's right of reply

46. In the Applicant's right of reply Ms Irving addressed a number of matters that were raised during the hearing from the Commissioner, Mr Howarth, and Council Officers.
47. Ms Irving commented in detail on the platform design and its visibility from outside the site. Referring to Mr Smith's evidence, she submitted that the building platform and landscape bunds had been carefully designed to appropriately screen any built form and curtilage activities from external viewpoints and to avoid and/or mitigate adverse effects on landscape and visual amenity. Notwithstanding this, expansive views from the platform towards the distant mountain peaks from Mt Burke to Grandview would be provided, whilst screening Wanaka township from view when on the platform. However, views to Wanaka township and Lake Wanaka would be able to be gained from the north-eastern extent of the curtilage area.
48. Ms Irving then addressed precedent effect in response to Mr Howarth's concerns in relation to the potential for the application to become a precedent for buildings to be located on a "ridgeline". She submitted that the Applicant's experts are of the view that the proposed site is not on a ridgeline and that a future building would not break the skyline from any viewing location. Ms Irving further submitted that the proposed building platform sits "*inside a ring of development created by the Hillend consents*" and to that extent does not represent an extension or expansion of development above or beyond the area already consented for development within this valley. Noting that the wilding species control proposed creates a significant positive effect, Ms Irving was of the view that for this application to set a precedent any future applications would need to demonstrate a commensurate level of mitigation, similar surrounding environment and positive effects. She submitted that the application, on the contrary, creates a positive precedent by demonstrating the lengths to which an applicant must go in order to obtain consent for a building platform in a more sensitive ONL location.
49. With regard to alternative sites, Ms Irving submitted that any assessment of alternative sites is only relevant if the Commission's assessment of environmental effects concludes that the proposed activity will have significant adverse effects. Notwithstanding this, she commented

on a number of alternative locations that had been investigated by the Applicant, all of which had significant issues in relation to geotechnical matters, amenity and access to sunlight, and exposure to southerly winds. Accordingly, it was the Applicant's position that the site of the proposed building platform was the only viable site on the property.

50. Ms Irving then set out a number of changes to the proposed conditions in response to comments from the Council Officers. Of particular note is Land Use Condition 14, which seeks to respond to Ms Stagg's concerns about gaining greater certainty or confirmation that the proposed landscape bunds will screen the building platform. This condition requires the landscape bunds to be surveyed following completion and the specified cross-sections to be reproduced confirming that the building platform envelope is screened as stipulated in the proposal. The reproduced cross-sections must be submitted to Council prior to the consent holder obtaining resource consent or building consent to construct a dwelling within the platform.
51. In summary, Ms Irving concluded that, with the proposed amendments to the conditions, the application *"achieves all of the things that are expected of an application under the Act"*.

The principal issues in contention

52. A wide range of matters were traversed in the application, submissions, the Section 42A Report and supporting material, and during the hearing.
53. After analysis of the application and supporting evidence (including proposed mitigation measures and the volunteered conditions), a full review of the Section 42A Report, consideration of the UCES submission and my site visit, I have determined that the proposed activity raises a number of issues that require particular consideration. The principal issues in contention are as follows:
 - (i) The extent to which the proposed development will have adverse effects on visual amenity and landscape character;
 - (ii) The cumulative effects of the development when considered in conjunction with other consented development in this area, and whether the area has reached a threshold for development; and
 - (iii) The extent to which the positive effects of the application, principally the wilding species control programme, offset any adverse effects of the proposal with particular respect to landscape character and visibility, and cumulative effects.
54. My main findings on the principal issues in contention, and the reasons for my findings are as follows.

Effects on landscape character and visual amenity

55. It was common ground that the landscape is classified as an Outstanding Natural Landscape ("ONL"). It was also agreed that the permitted baseline is of limited assistance given the scale and scope of the activity as proposed; however, it was noted that farming, viticultural and horticultural activities are permitted within the Rural General Zone.

56. Mr Denney and UCES both raised concerns with regard to the effects of the proposal on the ONL, together with the effects on visual amenity. The effects largely arise as a result of the sensitivity of the site and, in particular, the elevated location of the proposed building platform. It is fair to say that Mr Denney experienced a degree of frustration in endeavouring to assess the site due to the extensive and dense nature of the wilding species that effectively blocked all views of the height poles erected (from outside the platform). He considered an understanding of the nature of the local topography critical for the proposed development on *“such a prominent ridgeline located within the ONL”*. Accordingly, Mr Denney initially considered there was a limitation to any visual assessment of the proposal due to insufficient topographical information (as supplied with the original application) and acknowledgement that vegetation that currently visually screens the platform is not part of the mitigation. To remedy this matter, the Applicant provided a number of detailed cross-sections and an analysis of viewpoints from locations to the north, north-east and east of the proposed building platform (as set out above). Mr Denney, in his second landscape report appended and dated 21 March 2016, noted that the proposed built form would be fully screened from locations less than 2.5 kilometres from the site, and barely visible at a location to the south, 2.5 kilometres distant. He noted that the further away from the site an observer travels, the more a potential building would become visible, as the vertical angle of viewing decreases.
57. Mr Denney considered the additional information provided in the application *“highlights the marginality of the site in terms of increased presence of built form and landscape domestication”*. Prior to the hearing, he remained concerned that the proposed mitigation would site built form on the cusp of the ridge in some views and just protrude above it in others. Associated domesticating effects on the landscape such as chimney smoke, lights and domestic planting would indicate the presence of a domestic dwelling and would have moderate adverse effects on the open space values of the site and surrounding landscape that is generally devoid of such presence. In summary, it is fair to say that Mr Denney’s residual concerns (after the amendments proposed by the Applicant, which included additional visual screening of the proposed building platform) primarily stemmed from the visual effects of a future building, its chimneys and outdoor activities.
58. In response, Mr Smith prepared detailed evidence to aid the Commission’s understanding of visibility, including the detailed cross-sections referred to above. It is apparent that the future dwelling will sit in a remote location on a relatively flat curtilage area. Due to the presence of the earth bunds, the curtilage area will be enclosed by the mounding landform and planting that will surround it. Although it will be enclosed from the north-east, east and south-east by bunding, the platform will gain dramatic views to the north and north-east over the top of the bunds to the distant peaks of Mt Burke to Corner Peak, Grandview Mountain and Great Rock. Mr Smith explained that the intention of the proposed design was to provide for a low dwelling with an enclosed curtilage area that provides a feeling of isolation and total privacy while allowing spectacular “long views” to the mountains. In particular, the bunding has been designed to block views to the floor of the Upper Clutha Basin, when experienced from a future dwelling. He reiterated that the bunding and other mitigation measures have been designed so that a future dwelling will be very minimally visible from outside the site. I am satisfied that provided the earth bunds are established as designed, views of any built form will only be available in very distant views beyond Studholme Road. In this respect, intervening trees and other elements, coupled with the very small scale of the building in these views, would greatly reduce the visibility of any future building to the extent that this would be minimal.

59. In relation to views from elevated public areas (the Little Criffel Track, Roys Peak/Skyline/Spotts Creek Track), I accept Mr Denney's finding that from these tracks looking down onto the site, views would be part of a much broader landscape where development on the valley and basin floor would be easily visible. The platform would be viewed in the context of such development and the Hillend platforms to the immediate west, and would be a very small element within a broader modified surrounding landscape of the flats and valley floor.
60. In relation to the access track, Mr Smith concurred with Mr Denney's view that only the very lowest part of the track upgrade will be visible to the public and the improvements will have a minimal effect on visual amenity compared to the existing situation, in which a reasonably well formed track already exists.
61. Having considered the evidence in detail, I am satisfied that, provided the earth mounds and landscaping are established as designed, any effects on landscape and visual amenity of a future dwelling and activities will be acceptable. In reaching this conclusion, I acknowledge that the building platform is close to the brow of a prominent spur and that the site is very sensitive in this respect. However, considerable thought has been given to means of mitigating any adverse effects on landscape and visual amenity from outside the site whilst ensuring that the building platform remains an attractive, private setting with extensive wide views to the mountains beyond. In other words, the future dwelling and associated activity will be very well contained by land form in a relatively remote location but will still gain very good solar access and dramatic long views. I also accept Mr Smith's evidence that given the design controls proposed for the chimneys, the two additional flues proposed will not adversely impact on visibility in any material way. I am also satisfied that the curtilage area has been designed to ensure that any adverse visual effects are minimised and that domesticating elements do not detract from the natural landscape. A condition of consent that restricts the mature height of variegated ornamental and domestic plant species within the curtilage area to a maximum height of 4 metres has been imposed in this respect.
62. Overall, I am satisfied that the Applicant has adequately demonstrated that the proposed building platform and any future dwelling and related domestic activities will not create any unacceptable adverse effects on landscape and visual amenity.

Cumulative effects and threshold of development

63. Both Mr Denney and UCES have raised the issue of cumulative effects and whether the threshold for development in this area has already been reached or exceeded with reference to the consented Hillend development.
64. In my view, this is the most difficult aspect of this application and I fully accept the UCES submission that cumulative effects are an extremely important consideration.¹
65. Mr Denney considered that the proposed development would cross the threshold with respect to the site's ability to absorb further change, as the proposal would introduce a residential building platform on a sensitive ridgeline that would be "slightly to moderately visible". For the reasons set out above, I am satisfied that the proposed development will not be moderately visible except, potentially, in very distant views.

¹ With reference to the relevant District Plan objectives and policies.

66. However, given that the Hillend development includes a number of building platforms on the same broad terrace to that currently proposed, including Hillend Lot 10 which is on the north-eastern lip of the terrace, the extent to which this proposal gives rise to cumulative effects that are unacceptable and/or exceed the existing threshold of development is critical. I concur with Mr Smith and Mr Denney that poorly designed or located development in this vicinity could degrade landscape quality and result in adverse cumulative effects.
67. Having considered the evidence before me, I have concluded that:
- (i) The effects on the environment of the proposed building platform are acceptable, as a result of the additional mitigation that has been proposed;
 - (ii) Any future dwelling and associated activity will be only slightly visible in distant views and will not impact in any significant way on visual amenity; and
 - (iii) Although the dwelling will be located on a prominent spur on a broad elevated terrace, it will be indiscernible from more distant aspects and public places as one of a number of already consented building platforms.
68. In summary, I am not persuaded that this particular development will cumulatively change the character of the Cardrona Valley and, in particular, this part of the valley (as has currently been consented). Accordingly, I find that the proposed development can be absorbed into the general area without creating adverse cumulative effects, although this is a very finely balanced decision. I have only reached this view due to the extensive mitigation that has been proposed, which will result in very minor effects on landscape and visual amenity. In reaching this conclusion, I note that Mr Denney's principal concern was the positioning of the proposed platform within a landscape that has very limited ability to absorb development due to the exposed nature of the site once existing wilding trees are removed, and his inability to assess the effectiveness of the proposed mounding and planting mitigation. It goes without saying that the effectiveness of the proposed mitigation is a central aspect of my assessment and subsequent decision (as set out above).

Positive effects of the application

69. The Applicant's volunteered condition to remove all wilding conifers from Lot 1 within a seven year timeframe was emphasised by both Ms Irving in her submissions and Mr White in his evidence as a positive effect of the application.
70. In his initial report, Mr Denney noted that the site is a "high risk wilding site" due to the elevated ridgeline nature of the property providing a launching point for cone dispersal and its proximity to nearby ungrazed land. He noted that it is evident from the aerial imagery of the site that in the last ten years wilding conifer spread has intensified significantly within the site and in the location of the proposed platform. He further noted that any removal of existing wilding species would be of some benefit to the broader landscape and ONL.
71. From my site visit, together with a further opportunity to view the site from the air, it is readily apparent that the wilding problem is at present more or less confined to Lot 1 and that the infestation has largely resulted from the neighbouring plantation on the Hillend property. Accordingly, removal of the wilding species would, in my assessment, have a very significant positive effect, not only on the site and neighbouring properties but the wider environs of the Cardrona Valley. Accordingly, I have given this aspect of this proposal considerable weight

and, had I decided the threshold of development in this area had been reached as a result of the Hillend development, would have held that the positive effects of the proposed wilding control programme outweighed the adverse effects of cumulative development. I am satisfied that the condition proposed by the Applicant in relation to wilding species removal is adequate.

72. I have given some thought to Mr Howarth's comment that credit should not be given for volunteering to remove wilding species that had been permitted to become established within an Applicant's property in seeking the grant of a resource consent for future development. Whilst I appreciate the force of the argument, in my view it would not be reasonable to apply this in a situation where the infestation has largely stemmed from a source that is not within the Applicant's control (the plantation established on the neighbouring property) and where the terrain is very marginal for pastoral grazing. On the contrary, the application demonstrates that a net environmental gain can be obtained by permitting sensitively and appropriately designed development that will facilitate the removal of wilding species and ensure that the site remains free from any further infestation in perpetuity.
73. I also concur with the submitters in support of the application that the proposed development, particularly the wilding species removal, is an effective and efficient use of rural land that cannot be used for productive purposes. In this respect, I note that the subject site is separated from proposed Lot 2 by Timber Creek and is therefore topographically distinct. Ms Stagg, in a similar vein, considered that given the topography and size of proposed Lot 1 it would be difficult to utilise it for productive purposes and, accordingly, the use of the site for rural residential purposes is an efficient use of the site.
74. Overall, I accept that the development will result in a number of positive effects, such that a grant of consent would be appropriate even if the effects of cumulative development on the wider landscape were more than minor. In particular, the ongoing management and control of wilding conifers on this important landscape will have a material positive effect on the quality of the landscape, without which the continued spread of wilding conifers beyond this site would be a considerable risk.

Section 104 of the Act

75. Section 104(1) sets out the matters that must be addressed in making a decision as to whether to grant or refuse consent. With respect to section 104(1)(a), I have concluded that the proposal will not have any significant effects on the landscape character or visual amenity of the site, nor will there be any significant cumulative effects, albeit that the latter is a very finely balanced decision. The positive effects of the application, particularly the removal of wilding species from Lot 1, will result in an important environmental gain and, accordingly, has been given significant weight in my analysis.
76. The District Plan anticipates that development within an ONL will be inappropriate in almost all locations in the zone, particularly within the Wakatipu Basin or the inner upper Clutha areas. It was common ground that the property is situated in an important ONL, notwithstanding that there is a considerable amount of consented development (the Hillend development) in close proximity. The location of the proposed building platform is sensitive due to the prominence of the spur on which it is located and its elevation; however, I am satisfied that provided the proposed mitigation measures are established, any adverse effects on landscape and visual amenity will be insignificant.

77. Section 104(1)(b) requires an assessment of the proposal against the relevant objectives and policies of the various planning instruments. Both Ms Stagg and Mr White have carried out very comprehensive assessments of the proposal against the relevant objectives and policies of both the District Plan and the Proposed District Plan, which have been of enormous assistance. Having reviewed these in the light of my findings above, I am satisfied that the proposal is, in the main, consistent with the relevant objectives and policies, although I concur with Ms Stagg that this is a very finely balanced judgment with respect to the landscape and visual amenity matters. Ms Stagg's assessment was predicated on there being moderate effects on the landscape and in turn rural amenity; however, for the reasons set out above, I am satisfied that the proposal will have only slight effects in this respect.
78. In forming this view, I have considered the importance attached to ONLs by both the District Plan and the Proposed District Plan, and note that this particular category of ONL does not require any development to be "reasonably difficult to see". However, I note that Mr Smith considered that the current proposal would meet this test even if it were applicable.
79. In terms of section 104(1)(c), I have considered the issue of precedent that was raised by UCES, having particular regard to Ms Irving's submissions on this issue. I am satisfied that a grant of consent to this application will not create a precedent for buildings to be located on a "ridgeline". The proposal is very unique in terms of the proposed mitigation measures and positive effects, including the wilding species management proposal, such that it is highly unlikely that any adverse precedent would be created. From locations where built form may be visible (distant views and elevated locations), the building will be viewed within the context created by other development on the Hillend property and will not extend development to new areas of the valley that are currently unmodified. I concur that from more elevated locations the building will be viewed as a very small element within a broad landscape where it will be viewed alongside the development with Hillend and the valley floor. Accordingly, I concur with Ms Irving that for this application to set a precedent, any future applications would need to demonstrate a commensurate level of mitigation, similar surrounding environment and positive effects. I concur with her position that, on the contrary, the application creates a positive precedent demonstrating the lengths to which an Applicant must go in order to obtain consent for a building platform within a sensitive ONL location.
80. Ms Irving submitted that the volunteered condition to remove wilding species from Lot 1 and to prevent their future re-infestation is a matter that can be considered under section 104(1)(c). It is significant that granting consent will secure the removal of wilding pines within Lot 1 and halt the potential for further spread from the application site. As a result, the potential for adverse landscape, amenity, biodiversity and economic effects that would arise from the continued spread of wildings within the Cardrona Valley will be minimised. I concur with Ms Irving's submission that this aspect of the application is consistent with the relevant objectives and policies within the District Plan and the Proposed District Plan, and the Council and Department of Conservation's wilding control strategies. As outlined above, I consider this aspect of the proposal to be a very important positive environmental effect which will result in a net environmental gain. Accordingly, it has been given significant weight in my analysis.

Part 2 of the Act

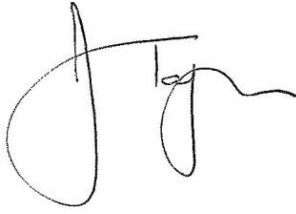
81. The purpose of the Act is to promote the sustainable management of natural and physical resources. The assessment under section 104(1) above is subject to Part 2 of the Act. I have found that the proposed development will enable the social and economic wellbeing of the Applicant by providing an economic use for proposed Lot 1, which will have a positive

environmental outcome for not only the Applicant's property, but for the surrounding environment. The application will enable the most productive rural land within the site to continue to be used for farming purposes (Lot 2). The Applicant has stated that the capital realised by the sale of Lot 1 will enable The Larches Station to undertake further development of the farm, including weed removal and infrastructure upgrades that will maximise the productive potential of this farm.

82. The evidence in relation to Part 2 was primarily focused on section 6(b) which concerns development within an area of ONL. For the reasons set out above, I have concluded that the application does not represent an inappropriate development due to the detailed and sensitive design of the proposed mitigation measures which will largely avoid any significant adverse effect on the ONL. As previously explained, the proposed removal of wilding species will have a significant positive effect on ONL values, particularly in this prominent landscape. I therefore accept Mr White's evidence that the development provides for this relevant matter of national importance. I am also satisfied that the application adequately addresses the matters set out in sections 7 and 8 of the Act.
83. When making a decision, an overall broad judgment based on a weighting of the factors contained within Part 2 is required to be undertaken, recognising the hierarchy of considerations within Part 2. Any decision-making process should focus on the avoidance, remediation or mitigation of adverse effects in order to promote sustainable management. Having considered the matters in Part 2, and in particular section 6(b), I have concluded that the proposed development achieves the purpose of the Act.

Decision

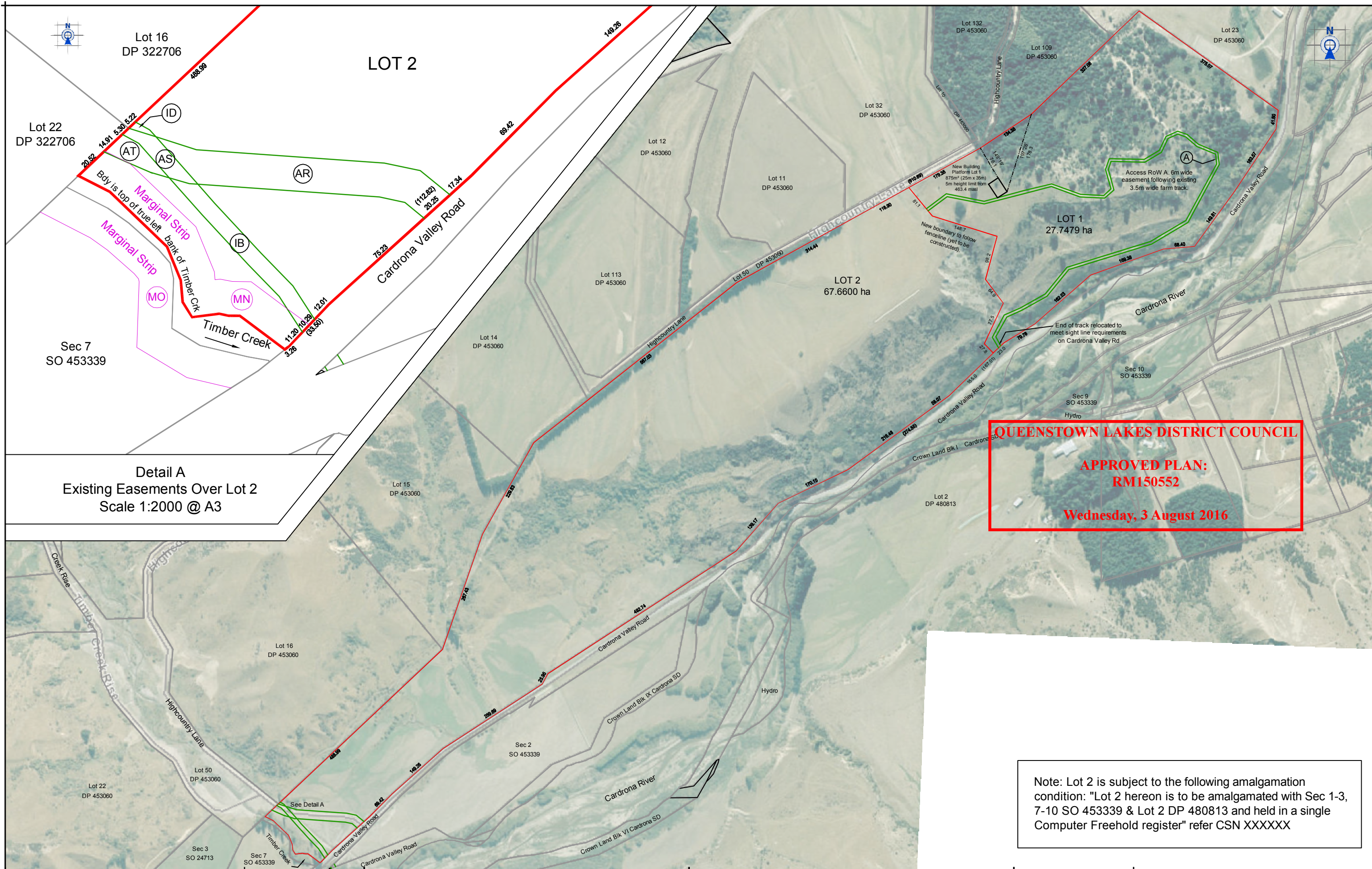
84. In exercising my delegation under sections 34 and 34A of the Act, and having regard to the matters discussed above under sections 104 and Part 2 of the Act, I have determined that consent to the discretionary application for development located at 446 Cardrona Valley Road, Wanaka, be granted for the reasons given above and subject to the conditions set out below.
85. I am satisfied that the proposed application achieves an acceptable outcome given the significant mitigation that will be achieved through the development of the landscape bunds, the clearance of wilding conifers that is facilitated by the granting of the consent and the retention of rural productivity for the balance of the site (Lot 2). I am also persuaded that there are no alternative locations on the subject site that would potentially result in a better environmental outcome, given the difficulties that have been assessed.
86. The Applicant has offered a very full and comprehensive set of conditions to ensure that the proposal achieves the outcome that has been proposed. In order to ensure that the appropriate mitigation is in place before the construction of any built form, and hence to provide assurance that the proposed development within the building platform will not be visible within the landscape, a suite of conditions requiring bunding and landscape screening (in accordance with the structural landscape plan) have been included in the conditions associated with the subdivision consent. In addition, a review condition will enable Council to assess the effectiveness of the proposed mitigation and to enforce any changes that are necessary once the development has been completed.


A handwritten signature in black ink, appearing to be 'Jane Taylor', with a large loop on the left and a horizontal line across the top.

Jane Taylor

Independent Hearings Commissioner

5 August 2016



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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM150552

Wednesday, 3 August 2016



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LEGEND



Property boundary lines.



Proposed building platform - 35m x 25m (875m²).



Proposed curtilage area.

+ The proposed curtilage area is to be cleared and remain free of conifer vegetation. The removal of all conifer vegetation within this area will be undertaken prior to earthworks associated with the building platform and two earth mounds being undertaken.



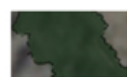
Existing access-way alignment.



Proposed kanuka - *Kunzea ericoides*.

+ Plants are to be spaced with centres no more than 1.0m apart.

+ The overall area of planting is large. Therefore, it is recommended that revegetation grade plants are used; a minimum grade of V150.



Proposed mountain beech - *Nothofagus solandri* and silver beech - *Nothofagus menziesii*. Refer to "Planting Area Management Plan".



PLANTING AREA MANAGEMENT PLAN

Plant Species

Species	Common Name	Overall Species Composition
<i>Nothofagus solandri</i>	Mountain beech	50%
<i>Nothofagus menziesii</i>	Silver beech	50%

Plant Grades

Beech trees shall have a minimum height of 0.8m when planted.

Plant Density and Numbers

Beech trees are to be spaced at 1 plant per 2m. The proposed planting area is 1100m². Therefore 550 plants will be implemented.

Management Strategy

Stock & rabbit proof fencing will be located around the perimeter of the planting area and shall be installed prior to the implementation of any plant species. All grass cover within 0.5m of a new plant location is to be sprayed with a suitable weed spray to remove grass competition. Twice yearly, all invasive weed plants shall be removed from within 0.5m of all new plants within the planting area. Any pest plant species that inhibit growth of new or existing native vegetation shall be excluded from the planting area in an ongoing way. Straw or bark mulch is to be applied to new plants to suppress weed regrowth and conserve moisture. All plants are to be automatically irrigated by sprinklers or drippers for the first 5 years following their planting.

Staging

Existing conifer vegetation within the planting area shall be removed and replaced with beech trees. This area will be planted with beech trees, as outlined above, within the 1st planting season after earthworks associated with the building platform are completed on site and prior to the construction of a dwelling.

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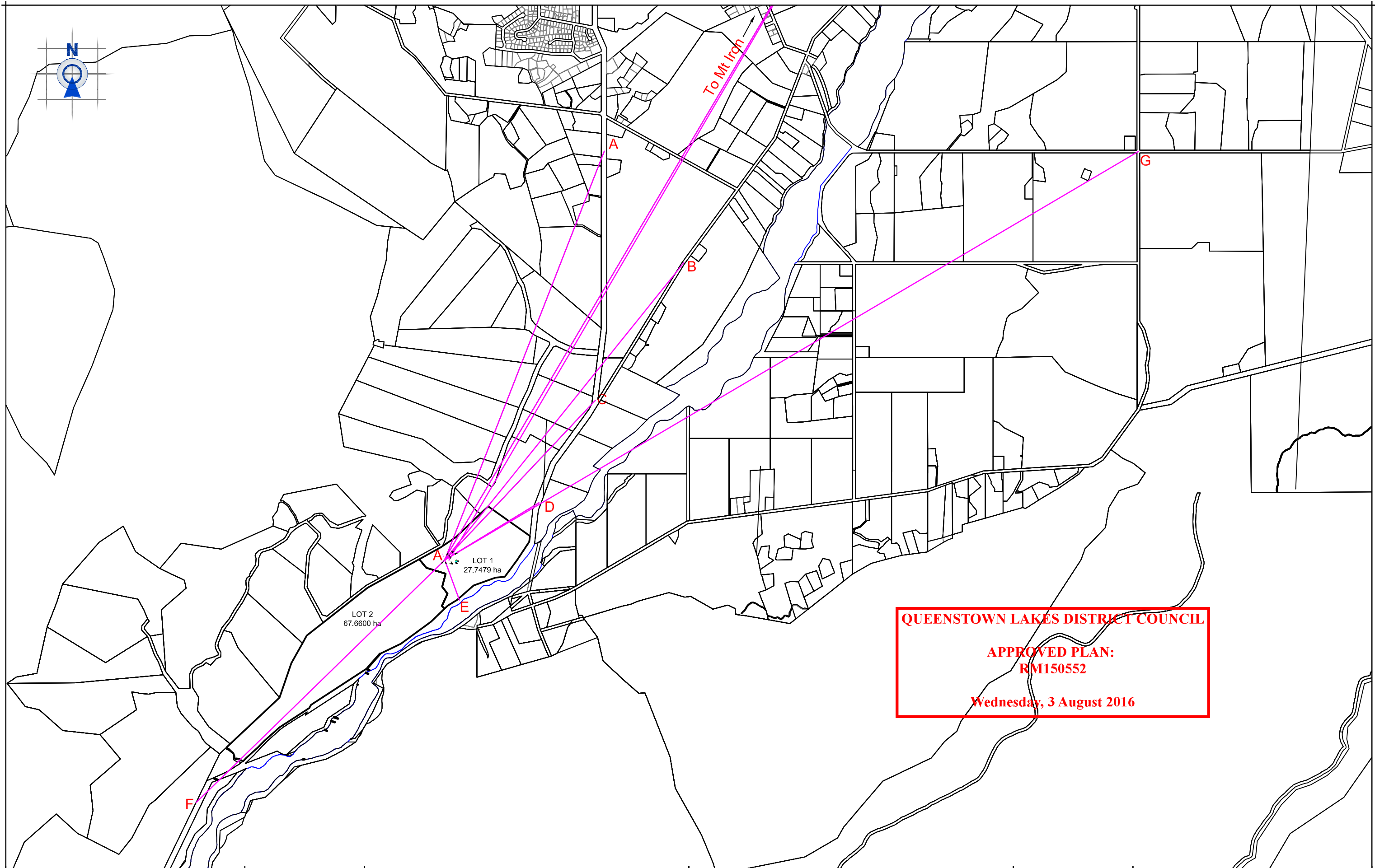


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DATE: 19.02.2016
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Structural Landscape Plan
J. Robertson - Cardrona Valley Road, Wanaka

vivian+espie
resource management and landscape planning

vivian+espie Limited Resource Management and Landscape Planning
PO Box 2514 Queenstown
Physical Address: Unit 15, 70 Glenda Drive, Frankton, Queenstown
Tel: +6434414189 Fax: +6434414190 Web: www.vivianespie.co.nz



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Client & Location:

Jamie Robertson
The Larches
Cardrona Valley Road

Purpose & Drawing Title:

Ground Profile Alignments
Location Plan

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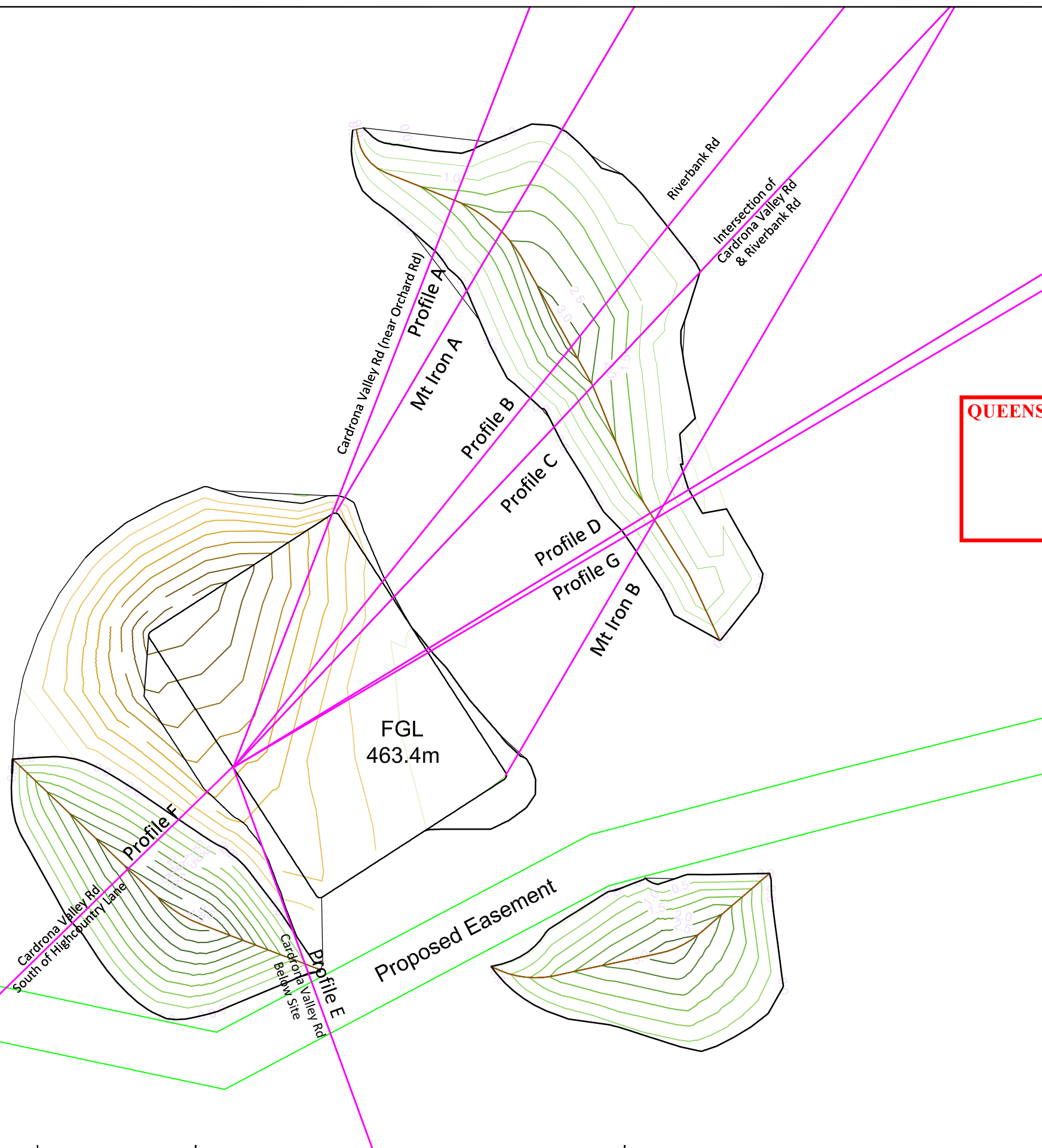
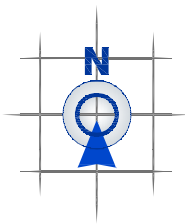
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RM150552

Wednesday, 3 August 2016

LEGEND

- Depth contour - Fill
- Depth contour - Cut
- Natural Contour - Major
- Natural Contour - Minor

Earthwork Volumes

Cut 2260 m3
Fill 2070 m3

Total earthworked area 3290m2

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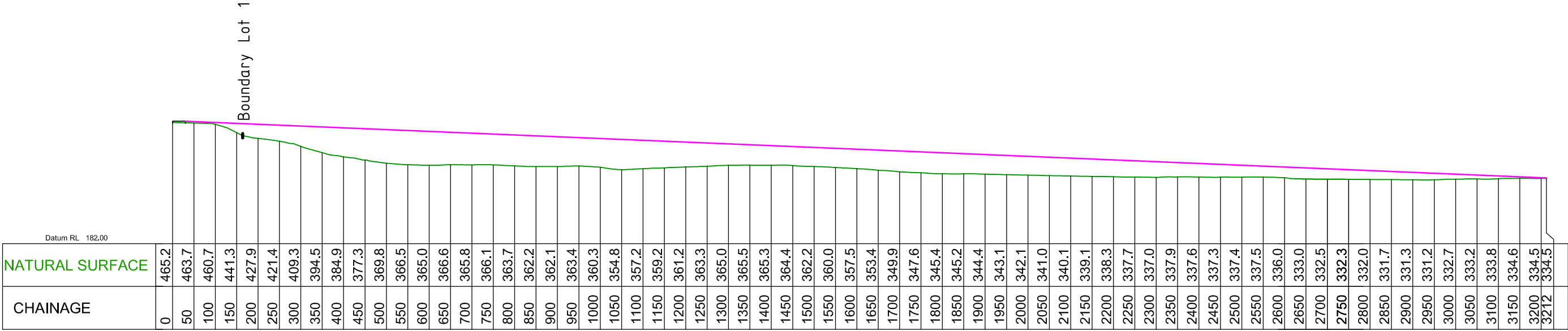
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The Larches
Cardrona Valley Road

Purpose & Drawing Title:

Engineering Design
Sight Lines

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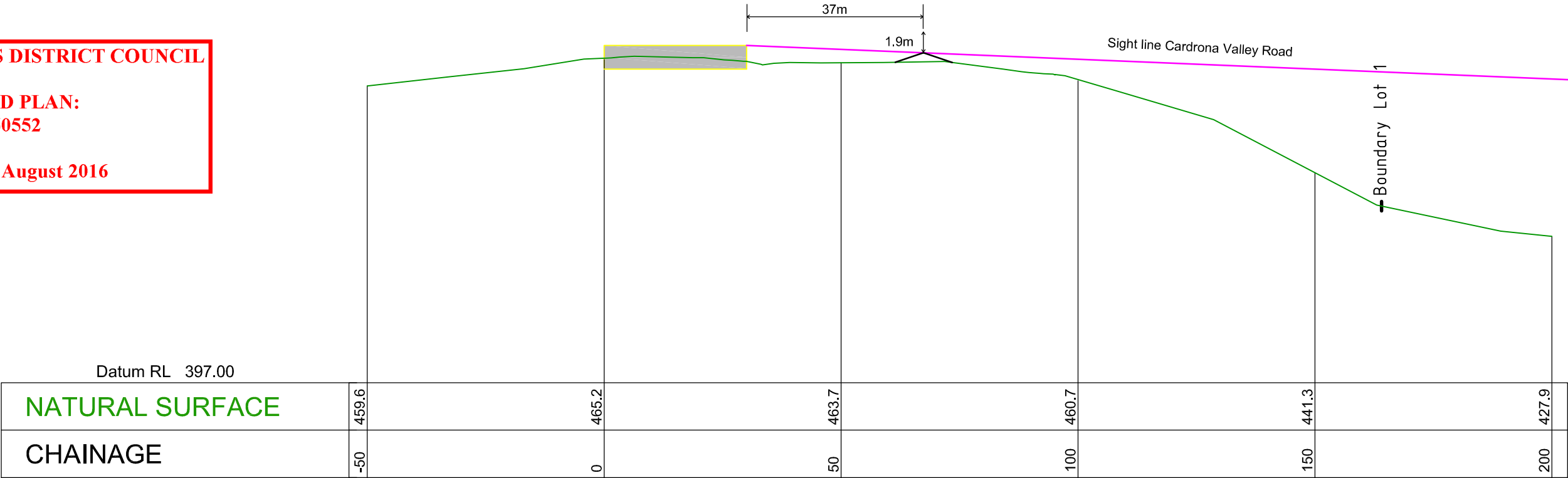


Profile A - A

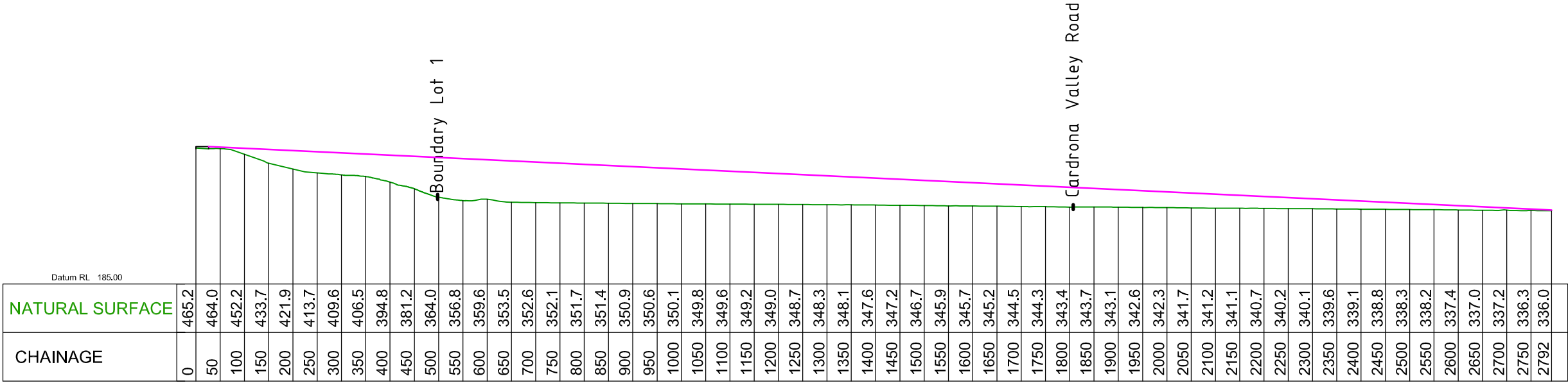
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APPROVED PLAN:
RM150552

Wednesday, 3 August 2016



Note: View line is based on
eye height of 1.15m and
Building height of 5m

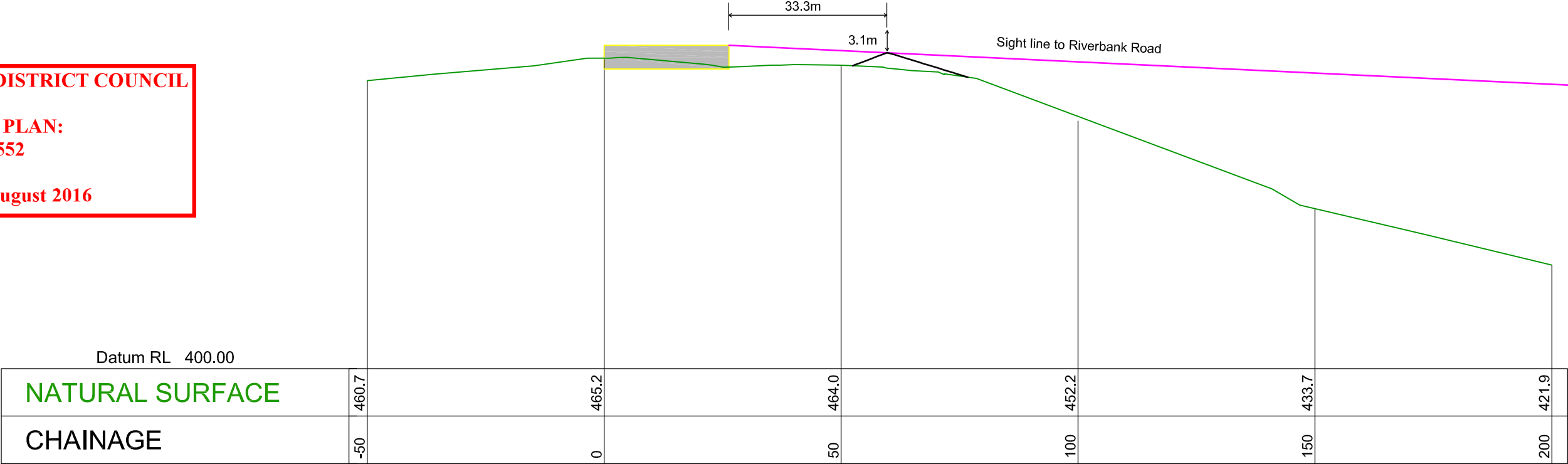


Profile A - B

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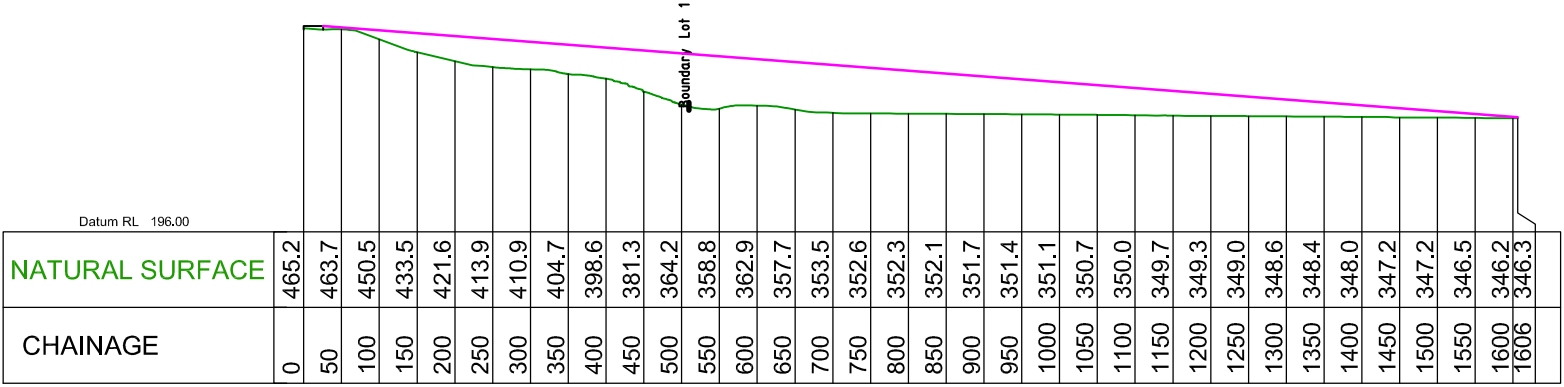
Jamie Robertson
The Larches
Cardrona Valley Road

Purpose & Drawing Title:

Ground Profiles
View line A-B

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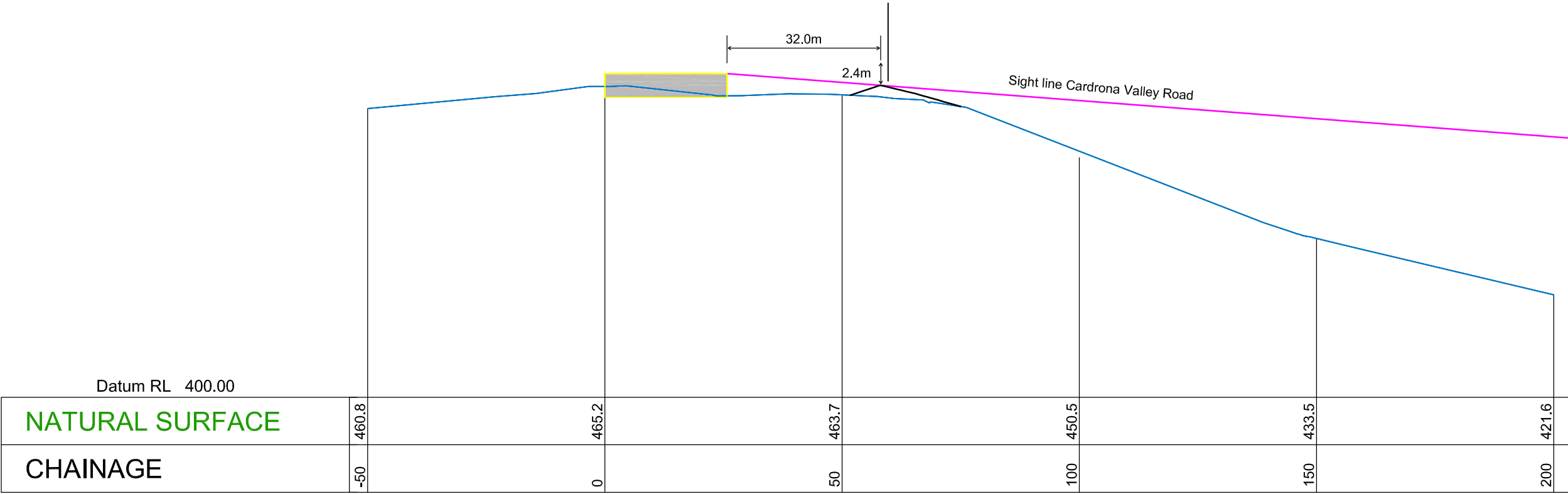


Profile A - C

QUEENSTOWN LAKES DISTRICT COUNCIL

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RM150552

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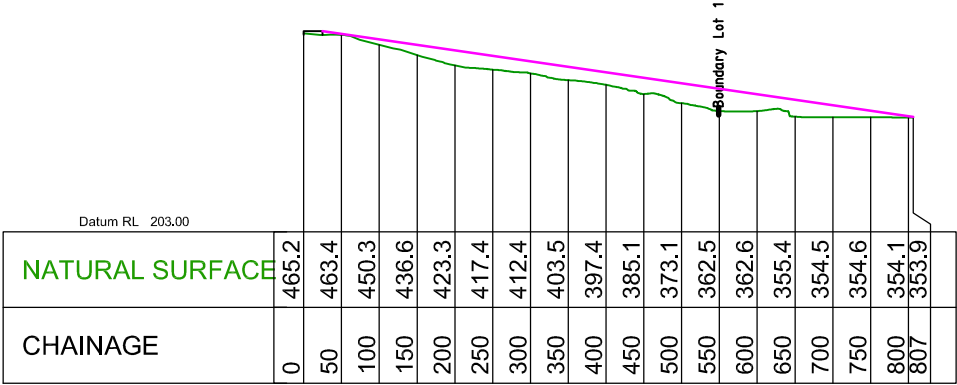


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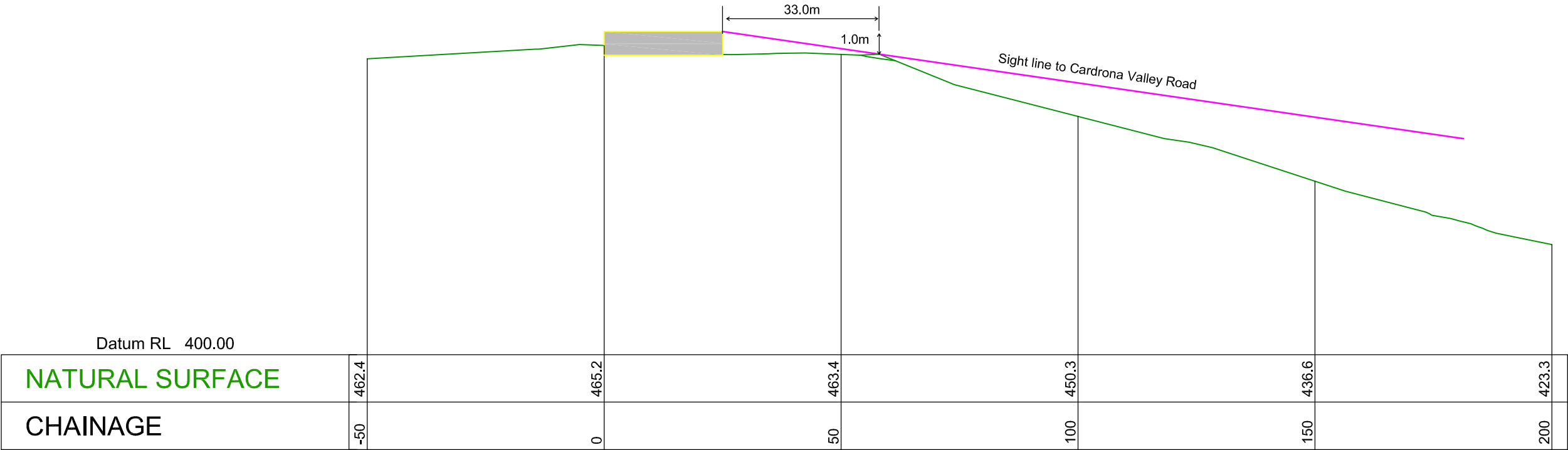
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Profile A - D

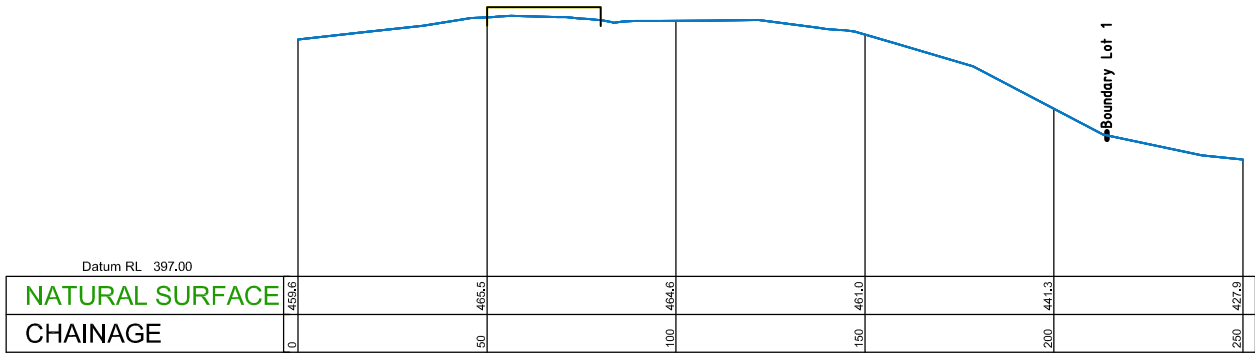


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eye height of 1.15m and
Building height of 5m

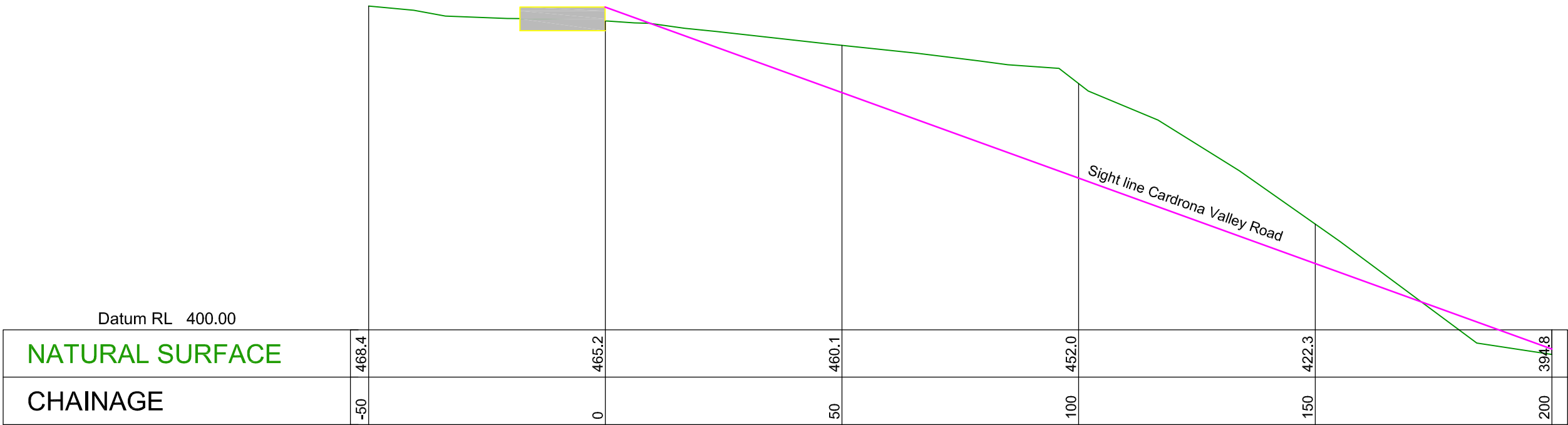
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM150552

Wednesday, 3 August 2016



Profile A - E



Note: View line is based on
eye height of 1.15m and
Building height of 5m

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Client & Location:

Jamie Robertson
The Larches
Cardrona Valley Road

Purpose & Drawing Title:

Ground Profiles
View line A -E

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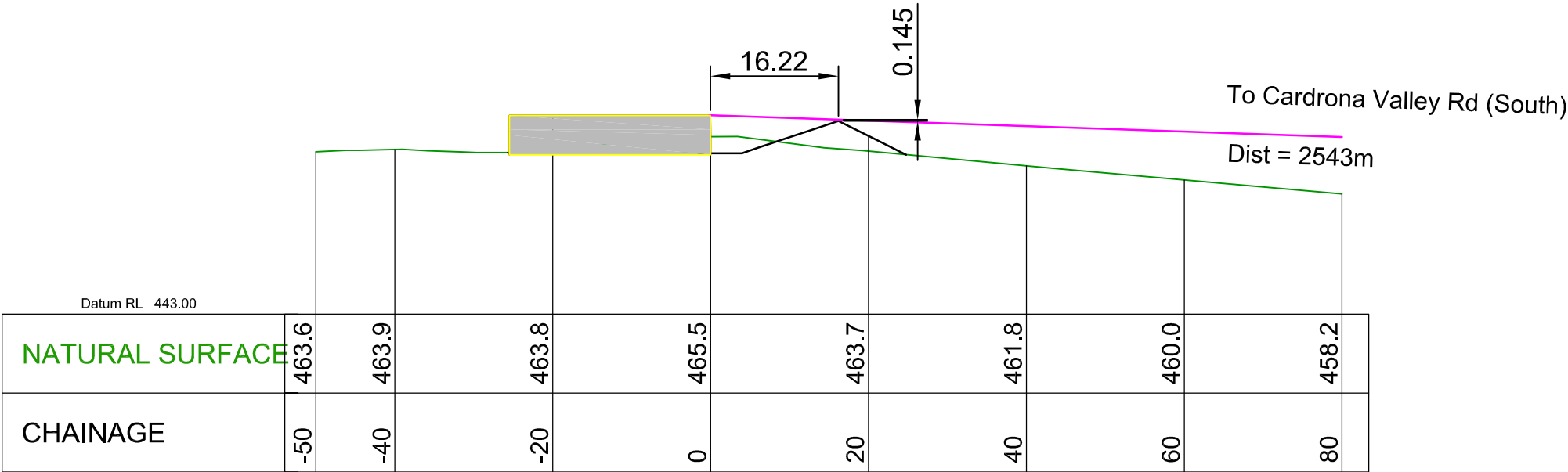
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Job No:	W4300	Sheet No:	207
		Revision No:	D
		Date Created:	23/02/2016

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM150552

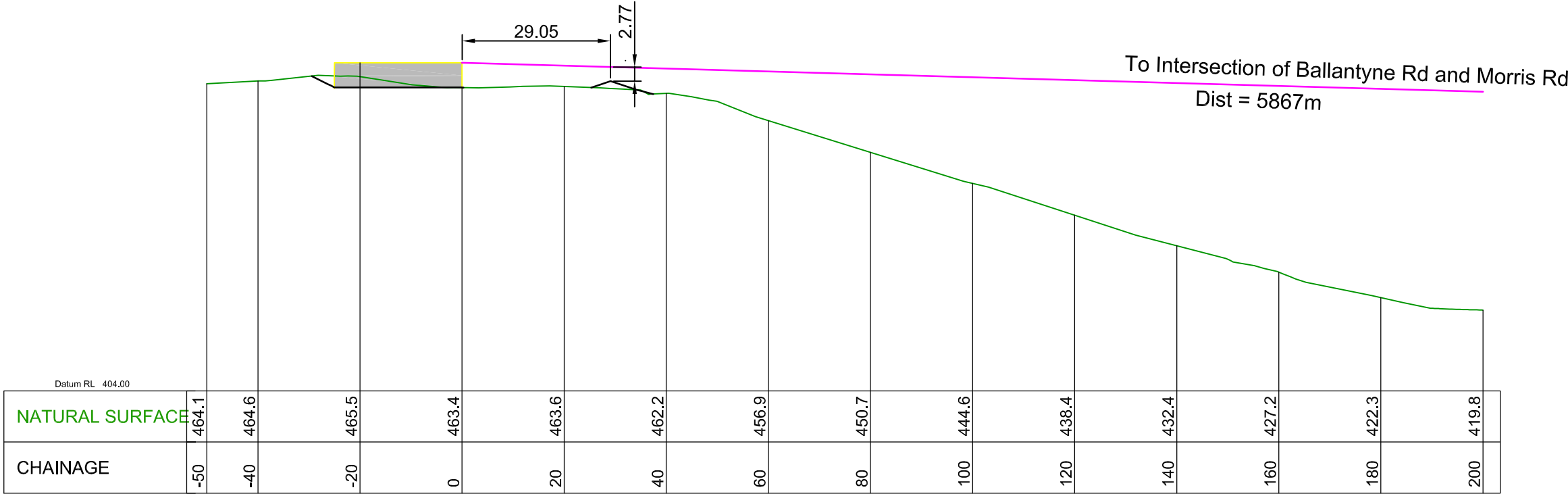
Wednesday, 3 August 2016

Profile A - F



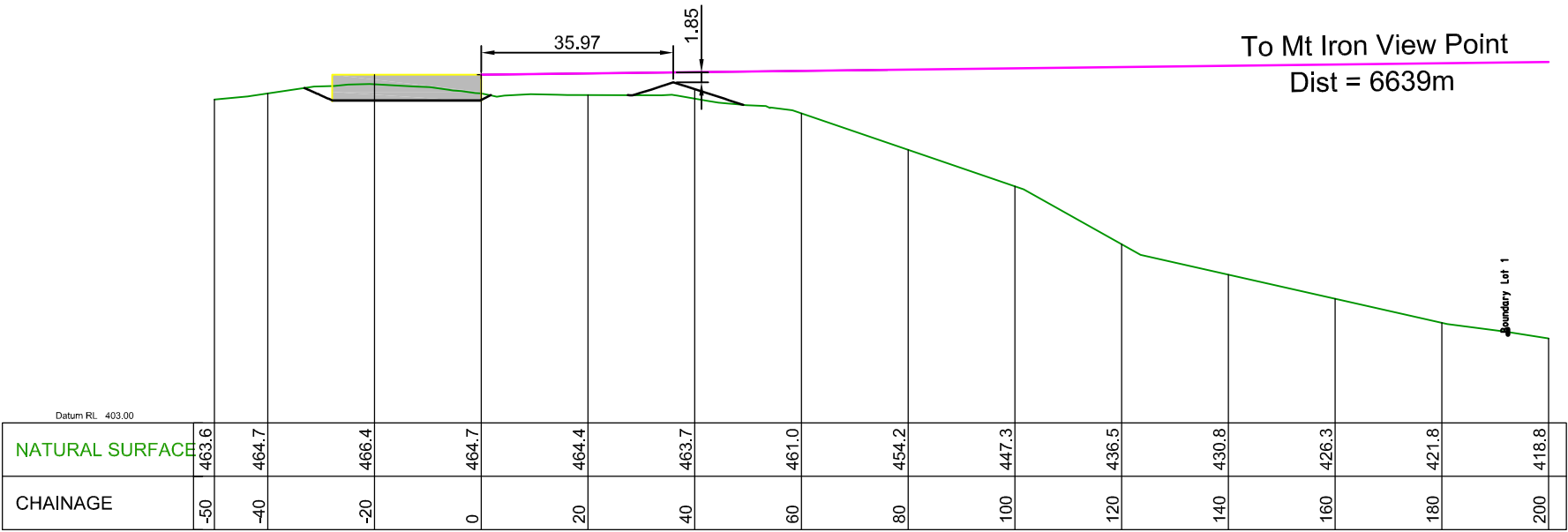
Note: View line is based on
a driver eye height of 1.15m
and a Building height of 5m

Profile A - G

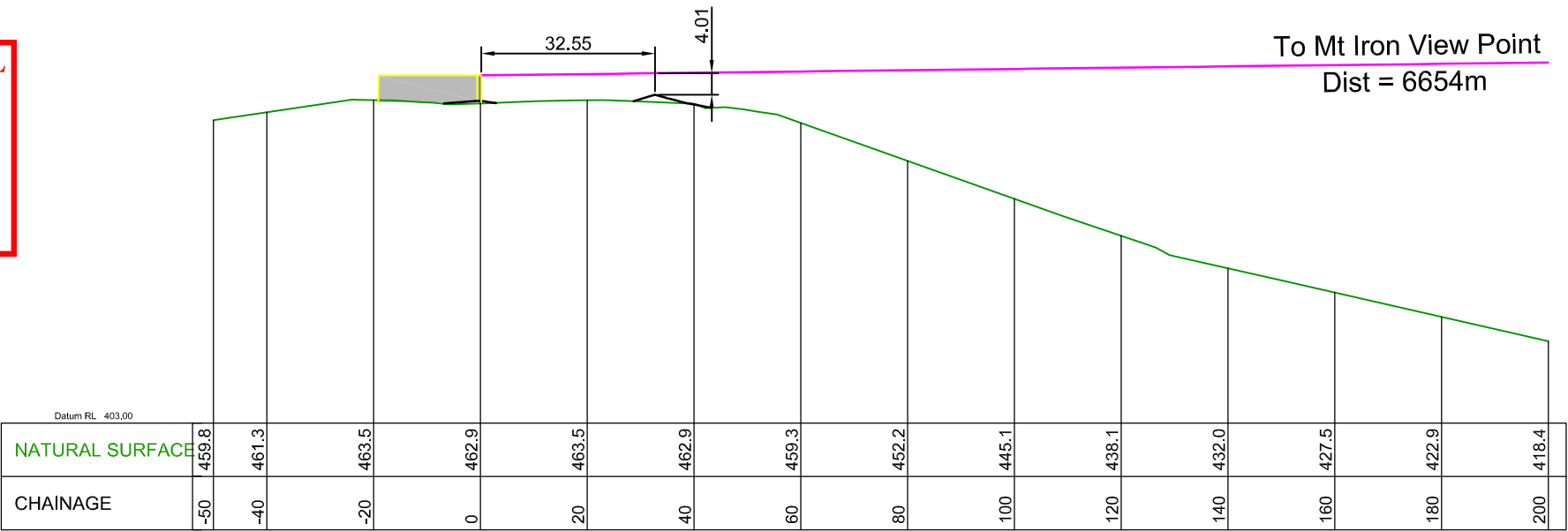


Note: View line is based on
a driver eye height of 1.15m
and a Building height of 5m

Profile A (North Corner Building) - Mt Iron



Profile A (East Corner Building) - Mt Iron

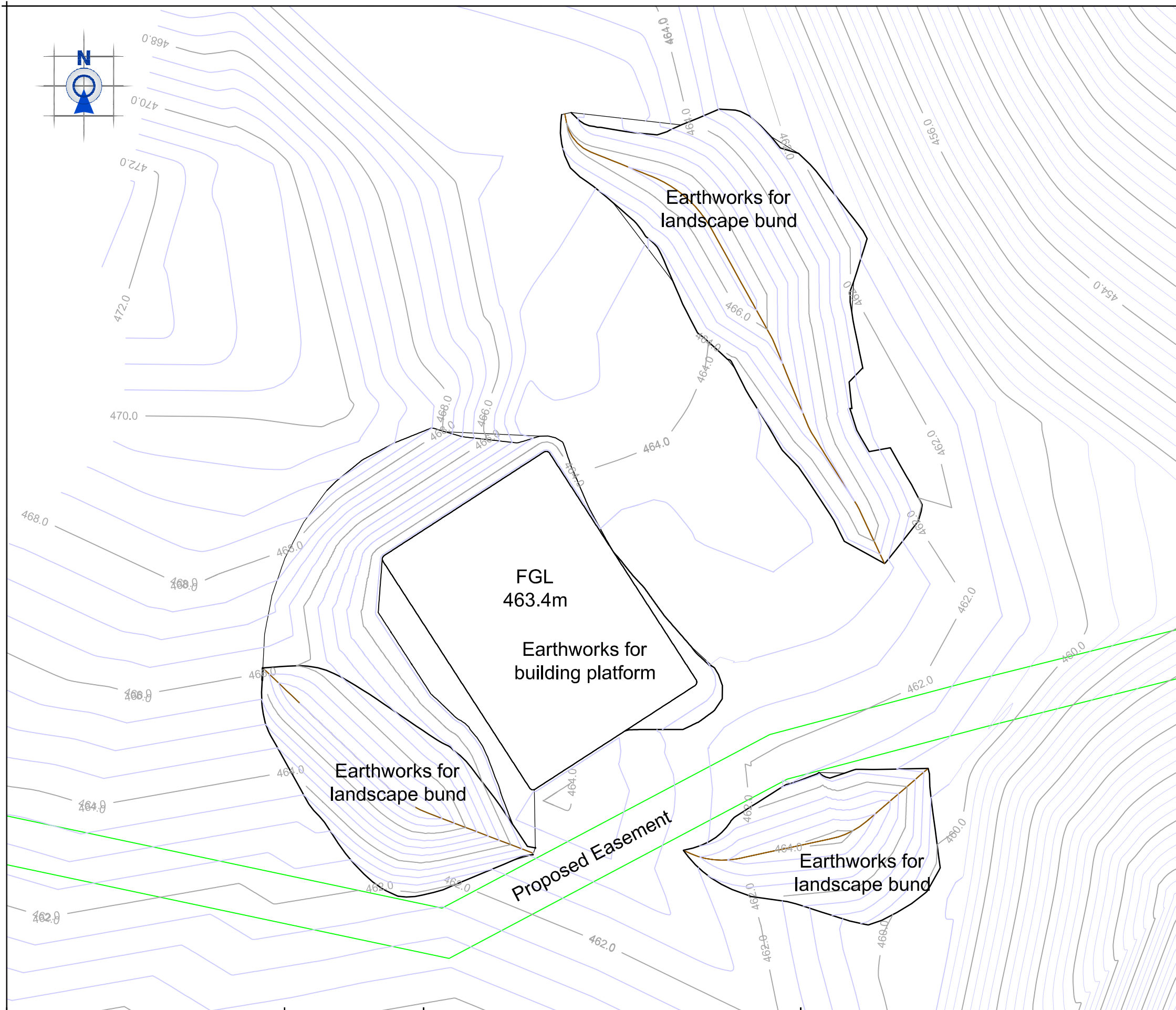


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM150552

Wednesday, 3 August 2016

Note: View line is based on a
standing eye height of 1.4m
and a Building height of 5m



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM150552

Wednesday, 3 August 2016

LEGEND

- Contour - Major
- Contour - Minor

Earthwork Volumes

Cut 2260 m3
Fill 2070 m3

Total earthworked area 3290m2

<div><div><div>PATERSONPITTSGROUP</div><div>Your Land Professionals www.ppgroup.co.nz 0800 PPGROUP</div></div><div></div></div>	<div>WANAKA BRANCH 19 Reece Crescent or P.O. Box 283 Wanaka 9343 T 03 443 0110 E wanaka@ppgroup.co.nz</div>	<div>Client & Location:</div> <div>Jamie Robertson The Larches Cardrona Valley Road</div>	<div>Purpose & Drawing Title:</div> <div>Engineering Design Design Contours</div>	<div>© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Group Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Group Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Group Limited for its unauthorized use.</div>	<table><tr><td>Surveyed by:</td><td>-</td><td rowspan="4">Original Size: A3</td><td rowspan="4">Scale: 1:500 @ A3</td></tr><tr><td>Designed by:</td><td>-</td></tr><tr><td>Drawn by:</td><td>GW</td></tr><tr><td>Checked by:</td><td>DW</td></tr><tr><td>Approved by:</td><td>DW</td><td colspan="2">DO NOT SCALE</td></tr><tr><td>Job No:</td><td>W4300</td><td>Sheet No: 101</td><td>Revision No: A</td></tr><tr><td colspan="2"></td><td colspan="2">Date Created: 18/02/2016</td></tr></table>	Surveyed by:	-	Original Size: A3	Scale: 1:500 @ A3	Designed by:	-	Drawn by:	GW	Checked by:	DW	Approved by:	DW	DO NOT SCALE		Job No:	W4300	Sheet No: 101	Revision No: A			Date Created: 18/02/2016	
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		Date Created: 18/02/2016																									



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM150552

Wednesday, 3 August 2016

LEGEND

- Depth contour - Fill
- Depth contour - Cut
- Natural Contour - Major
- Natural Contour - Minor

Earthwork Volumes

Cut 2260 m3
Fill 2070 m3

Total earthworked area 3290m2

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Client & Location:

Jamie Robertson
The Larches
Cardrona Valley Road

Purpose & Drawing Title:

Engineering Design
Earthworks Depths

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Approved by:	DW		
Job No:	W4300	Sheet No:	Revision No:
		102	A
			Date Created:
			18/02/2016

RM150552 The Larches Station Trust Conditions of Consent

Part A Subdivision Consent

1. That the development must be undertaken/carried out in accordance with the plans:
 - Paterson Pitts Group; Scheme Plan, Lots 1 & 2 Being Subdivision of Section 1 SO 453339; Revision D; Sheet number 101; Date 07/07/2015
 - Paterson Pitts Group; Scheme Plan - Detail, Lots 1 & 2 Being Subdivision of Section 1 SO 453339; Revision E; Sheet number 102; Date 08/10/2015
 - Structural Landscape Plan, J. Robertson – Cardrona Valley Road, Wanaka, Ref 0919-SLP4 dated 19/02/2016.
 - Paterson Pitts Group; Engineering Design - Earthworks Depths; Revision A; Sheet number 102; Date 18/02/2016
 - Paterson Pitts Group; Ground Profile Alignments - Location Plan; Revision D; Sheet number 201; Date 23/02/2016
 - Paterson Pitts Group; Engineering Design - Sight Lines; Revision D; Sheet number 202; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-A; Revision D; Sheet number 203; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-B; Revision D; Sheet number 204; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-C; Revision D; Sheet number 205; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-D; Revision D; Sheet number 206; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-E; Revision D; Sheet number 207; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-F; Revision D; Sheet number 208; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-G; Revision D; Sheet number 209; Date 23/02/2016
 - Paterson Pitts Group; Ground Profiles – View line A-Mt Iron; Revision D; Sheet number 210; Date 23/02/2016

stamped as approved on **3 August 2016**

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

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

Landscaping

3. All areas of earthworks except the carriageway and watertables for the track shall be re-sown in grass in keeping with the surrounding site and shall be maintained to achieve a healthy and continuous sward of grass, or planted as per the certified landscape planting plan within four months or the first planting season, which ever is the sooner after earthworks associated with the building platform are completed.

Engineering

General

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

Note: The current standards are available on Council's website via the following link: <http://www.qldc.govt.nz/planning/resource-consents/qldc-land-development-and-subdivisioncode-of-practice/>

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

5. The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising as to who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that this representative will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of Queenstown Lakes District Council's Land Development and Subdivision Code of Practice, in relation to this development.
6. Prior to commencing works within the road reserve, the consent holder shall submit a traffic management plan to the Road Corridor Engineer at Council for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor ("STMS"). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Principal Resource Management Engineer at Council prior to works commencing.
7. Prior to the commencement of any works on the land being developed the consent holder shall provide to the Queenstown Lakes District Council for review and approval, copies of design certificates in the form of Schedule 1A of Queenstown Lakes District Council's Land Development and Subdivision Code of Practice, specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition 4, to detail the following engineering works required:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 1 that can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).
 - b) The provision of a sealed vehicle crossing to Lot 1 from Cardona Valley Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
 - c) The formation of the right of way access, in accordance with Council's standards, and shall include:
 - i) The gradient of the access way shall not exceed 1:6.
 - ii) The access way shall have a formed metal carriageway width of no less than 3.5 metres.
 - iii) The carriageway shall have a minimum cross-fall of 4% to prevent stormwater ponding on the carriageway surface.
 - iv) Drainage swales shall be provided for stormwater disposal from the carriageway. The invert of the water channel shall be at least 200mm below the lowest portion of the subgrade.
 - v) Passing bays or road widening shall be provided to prevent vehicle conflicts on narrow, steep and/or curved sections of the access. The number and design of passing areas shall form part of the overall access design with consideration given to available sight lines, vehicle safety and minimising earthwork cuts.

To be completed before Council approval of the Survey Plan

8. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
- a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include right of way A indicated on the Paterson Pitts Group '*Scheme Plan Lots 1 & 2 Being Subdivision of Section 1 SO 453339*' (Dated 8/10/2015, sheet 101 rev E).

Amalgamation Condition

9. The following shall be registered with Land Information New Zealand (CSN XXXXX):
- "That Lot 2 hereon is to be amalgamated with Sections 1 – 3, 7 - 10 SO 453339 and Lot 2 DP 480813 and be held in a single Computer Freehold Register"

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

10. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
- a) The consent holder shall provide "as-built" plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including rights of way), Water reticulation (including private laterals and toby positions).
 - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
 - c) The completion and implementation of all certified works detailed in Condition 7 above.
 - d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.co.nz/mohlabs/labmain.asp>).
 - e) In the event that the test results required in Condition 10(d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
OR
 - ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the dwelling an individual water treatment

system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM150552 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.

- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform on Lot 1 and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform on Lot 1 and that all the network supplier's requirements for making such means of supply available have been met.
- h) Any earthworks required for the provision of access and services associated with this subdivision shall be carried out in accordance with the conditions of the Land Use Consent: Earthworks, as outlined above.
- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- j) All planting and protective fencing as shown on the approved landscape plan, *Structural Landscape Plan, J. Robertson – Cardrona Valley Road, Wanaka, Ref 0919-SLP4* dated 19/02/2016 shall be fully implemented to all areas outside of the curtilage area of the approved building platform. All plantings shall be mulched with partly decomposed mulch to a depth no less than 150mm. All plants shall be in a healthy condition. No less than 550 beech trees shall be planted in the 1100m² area as identified on the plan.
- k) The consent holder shall complete an as built survey of the landscape bunds and reproduce the cross-sections along the following view lines (identified on the Paterson Pitts Group; Ground Profile Alignments - Location Plan; Revision D; Sheet number 201; Date 23/02/2016 and Paterson Pitts Group; Engineering Design - Sight Lines; Revision D; Sheet number 202; Date 23/02/2016):
 - i) Profile A (Cardrona Valley Road near Orchard Road).
 - ii) Profile B (Riverbank Road).
 - iii) Profile C (Cardrona Valley Road, Riverbank Road Corner).
 - iv) Profile D (Cardrona Valley Road (north)).
 - v) Profile F (Cardrona Valley Road (south)).
 - vi) Profile G (Ballantyne Rd and Morris Road).
 - vii) Profile Mt Iron

These cross-sections must be submitted to the Council for certification and shall demonstrate that the landscape bunds screen the building platform to the same extent or better than predicted in the approved cross-sections (refer condition 1(f)-(i) and (k)).

- l) The consent holder shall clear all the wilding pines necessary so that sightlines of the proposed location of the building platform can be gained from all viewpoints listed in Condition 10(k).
- m) Subsequent to Condition 10(l), the consent holder shall install height poles for the building platform and notify Council for an inspection to certify that:
 - i) From viewpoint A (Cardrona Valley Road near Orchard Road) no part of the building platform shall extend above the bunding;
 - ii) From viewpoint B (Riverbank Road) no part of the building platform shall extend above the bunding;
 - iii) From viewpoint C (Cardrona Valley Road, Riverbank Road Corner) no part of the building platform shall extend above the bunding;

- iv) From viewpoint D (Cardrona Valley Road (north)) no part of the building platform shall extend above the bunding;
- v) From viewpoint F (Cardrona Valley Road (south)) no more than 0.145m of the building platform shall extend above the bunding;
- vi) From viewpoint G (Ballantyne Road and Morris Road) no more than 2.77m of the building platform shall extend above the bunding;
- vii) From the Mt Iron viewpoint no more than 4m of the building platform shall extend above the bunding.

Ongoing Conditions/Consent Notices

11. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the CFR to Lot 1 by way of Consent Notice pursuant to s.221 of the Act.

- a) All residential buildings shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
- b) All mounding and landscape planting as per *Structural Landscape Plan, J. Robertson – Cardrona Valley Road, Wanaka, Ref 0919-SLP4* dated 19/02/2016 shall be fully implemented and certified by Council prior to construction of any building within the consented building platform.
- c) The maximum height for all buildings *within the building platform* shall be 5m above the finished ground level of 463.4 masl.
- d) Up to two flues can exceed the 5 metre height limit by a maximum of 1.2 metres. These flues shall be dark grey, brown or green coloured (light reflectivity value between 7% and 20%) and have a matte finish with a maximum diameter of 400mm.
- e) Roofs shall be limited to tray or colorsteel finished in a dark recessive grey, brown or green colour with a light reflectance value of between 7% and 20% and a matte finish. Opaque or pale coloured PVC panels or similar shall not be installed on any roof.
- f) External wall claddings shall be limited to plaster finish, schist, weatherboards finished with a natural stain or painted weatherboards. These finishes and all finishes of other external elements such as spouting, joinery, down pipes etc. shall be of a dark grey, brown or green recessive colour with a light reflectance value of between 7% and 20%.
- g) Roof top structures e.g. satellite dishes (excluding flues) shall not extend beyond the building platform height controls. Solar panels are to be ground based or located so as not to be visible from beyond the site.
- g) Rooftop structures e.g. satellite dishes will be finished in recessive dark grey, brown or green colours with a light reflectance value of between 7% and 20% and with a matte finish.
- h) All exterior lighting shall be restricted to the curtilage area and shall be down lighting only. Lighting shall not exceed 1m above ground level, except where attached to a building where it shall not exceed 3m above ground level. There shall be no light spill beyond the curtilage area. Lighting shall not be used to highlight buildings, structures or feature landscape elements such as trees that are visible beyond the site.
- i) Entrance gateways off public roads or public land shall be of a standard farm gate design of timber or steel construction in keeping with rural context and no higher than 1.5m.
- j) All fencing, including fencing around curtilage areas shall be standard post and wire (including rabbit proof fencing), deer fencing or timber post and rail in keeping with traditional farm fencing.
- k) There shall be no linear planting along the curtilage area boundary to avoid highlighting the curtilage area within the broader landscape.

- l) Access drives up to the domestic curtilage area shall be a gravel of a local grey coloured stone such as schist and exclude concrete kerb and channels to maintain rural character.
- m) All domestic landscaping and structures including but not limited to clotheslines, outdoor seating areas, external lighting, swimming pools, tennis courts, pergolas, and amenity gardens and lawns shall be confined to the curtilage area as shown on the certified landscape planting plan.
- n) Planting within the curtilage area shown on the certified landscape planting plan with a mature height of over 4m will be of species typical of the rural pastoral landscape such as poplar, oak (green), non-wildling pines, or indigenous species and shall exclude the problematic weed species such as birch or sycamore and brightly coloured ornamental species such as red oaks, golden elms, or ornamental maples and other similar species.
- o) Polycarbonate or similar skylight panels installed on the roof of buildings within the approved building platform shall be 100% transparent or of dark tint such as to avoid opaque or pale colouring roofing panels that may cause a contrasting banding effect that would highlight built form in the broader landscape.
- p) Eaves on all buildings above all glazed areas shall extend no less than 800mm beyond glazing on all eastern, northern or western facing sides of the building to reduce the effect of glare highlighting the building from distant viewpoints.
- q) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of Queenstown Lakes District Council's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Principal Resource Management Engineer at Council prior to implementation and shall be installed prior to occupation of the dwelling.
- r) At the time a dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Petherick Consultancy Ltd, dated 22/04/2015. The proposed wastewater system shall be subject to Council for prior to implementation and shall be installed prior to occupation of the dwelling.
- s) At the time a dwelling is erected on Lot 1, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the NZFS as larger capacities and flow rates may be required.

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

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the New Zealand Fire Service Central North Otago Area Manager is obtained for the proposed method.

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

Advice Note: The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 8km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand Volunteer Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the new dwelling.

- t) A minimum of 0.5 hectares of wilding conifers within the site shall be removed and replaced with pasture per annum and all wilding conifers shall be eradicated from the property within 7 years of the date of issue of the 224 certificate. Cleared areas and other areas of the site shall be managed to prevent the re-establishment of wilding conifers. Any wilding conifer seedlings that re-establish must be removed immediately.
- u) All planting as shown on the approved landscape plan, Structural Landscape Plan, J. Robertson – Cardrona Valley Road, Wanaka, Ref 0919-SLP4 dated 19/02/2016 shall be maintained to ensure healthy and natural growth, and to sustain a closed canopy once established. Planting shall be maintained in its natural state and form and shall not be trimmed or modified in any manner. If any tree or plant shall die it shall be replaced as per the plan within 12 months.

All mitigation earth mounds shall be retained as per the certified as-built earth plans and shall not be altered or modified in any manner that reduces the visual mitigation of the mounding as approved by council.

Advice Notes

1. *This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.*
2. *The consent holder is advised to obtain any necessary consents from the Otago Regional Council for the water supply.*

Part B – Land Use Earthworks for the Formation of the Building Platform and Earth Mounding

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - a) Vivian+Espie; Structural Landscape Plan; Ref 0919 - SLP4; Date 19/02/2016
 - b) Paterson Pitts Group; Ground Profile Alignments - Location Plan; Revision D; Sheet number 201; Date 23/02/2016
 - c) Paterson Pitts Group; Engineering Design - Sight Lines; Revision D; Sheet number 202; Date 23/02/2016
 - d) Paterson Pitts Group; Ground Profiles – View line A-A; Revision D; Sheet number 203; Date 23/02/2016
 - e) Paterson Pitts Group; Ground Profiles – View line A-B; Revision D; Sheet number 204; Date 23/02/2016
 - f) Paterson Pitts Group; Ground Profiles – View line A-C; Revision D; Sheet number 205; Date 23/02/2016
 - g) Paterson Pitts Group; Ground Profiles – View line A-D; Revision D; Sheet number 206; Date 23/02/2016
 - h) Paterson Pitts Group; Ground Profiles – View line A-E; Revision D; Sheet number 207; Date 23/02/2016
 - i) Paterson Pitts Group; Ground Profiles – View line A-F; Revision D; Sheet number 208; Date 23/02/2016
 - j) Paterson Pitts Group; Ground Profiles – View line A-G; Revision D; Sheet number 209; Date 23/02/2016
 - k) Paterson Pitts Group; Ground Profiles – View line A-Mt Iron; Revision D; Sheet number 210; Date 23/02/2016
 - l) Paterson Pitts Group; Engineering Design - Design Contours; Revision A; Sheet number 101; Date 18/02/2016
 - m) Paterson Pitts Group; Engineering Design - Earthworks Depths; Revision A; Sheet number 102; Date 18/02/2016

stamped as approved on **3 August 2016**

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.

Engineering

General

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

Note: The current standards are available on Council's website via the following link: <http://www.qldc.govt.nz/planning/resource-consents/qldc-land-development-andsubdivision-code-of-practice/>

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

4. The consent holder shall install measures to control and/or mitigate any dust, silt, run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd '(dated 31 March 2014, GeoSolve ref: 132038) and (dated 4 November 2015, GeoSolve Ref: 132038.01) reports and who shall supervise the excavation procedure and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

6. No permanent batter slope within the site shall be formed at a gradient that exceeds 1:1.
7. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the reports by GeoSolve Ltd 'Geotechnical Hazard Assessment, Mapping and Reporting – Larches Station, Wanaka' (dated 31 March 2014, GeoSolve ref: 132038) and 'Larches Station, Cardrona Valley Road, Wanaka – Geotechnical Earthworks review' (dated 4 November 2015, GeoSolve Ref: 132038.01)
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

Hours of Operation – Earthworks

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.

Accidental Discovery Protocol

11. 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 Pouhere Taonga 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 the Heritage New Zealand Pouhere Taonga 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, the Heritage New Zealand Pouhere Taonga, 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, the Heritage New Zealand Pouhere Taonga 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 Heritage New Zealand Pouhere Taonga Act 2014 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

- 12. On completion of earthworks within the building footprint and prior to the construction of any dwelling, the consent holder shall ensure that either:
 - a) Certification from a suitably qualified engineer experienced in soils investigations is provided 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;
 - or
 - b) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site.
- 13. All areas of earthworks except the carriageway and watertables for the track shall be re-sown in grass in keeping with the surrounding site and shall be maintained to achieve a healthy and continuous sward of grass, or planted as per the certified landscape planting plan within the first planting season after earthworks associated with the building platform are completed.
- 14. The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- 15. All planting and protective fencing as shown on the approved landscape plan, Structural Landscape Plan, J. Robertson – Cardrona Valley Road, Wanaka, Ref 0919-SLP4 dated 19/02/2016 shall be fully implemented, prior to issue of building consent. All plantings shall be mulched with partly decomposed mulch to a depth no less than 150mm. All plants shall be in a healthy condition. No less than 550 beech trees shall be planted in the 1100m² area as identified on the plan.

Review Condition

- 16. Within ten working days of each anniversary of the date of this decision the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:

- a) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered, including effects arising as a result of the access way; and
- b) To increase the proposed bunding and earthworks, or structural landscape planting, in order to avoid, remedy and mitigate any adverse landscape effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991, specifically in relation to the visibility of any future built form that is not in accordance with Subdivision Condition 10(m).