

DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	L HAMILTON & J BERRIMAN
RM reference:	RM16010274 Morven Ferry Road, Wakatipu Basin
Proposal:	<p>Subdivision consent is sought to cancel the amalgamation of Section 17, Part Section 18 and 19 Block VIII Shotover Survey District held under one Computer Freehold Register and readjust the boundaries to create two new Lots, resulting in one additional saleable Lot. Consent is also sought for a Residential Building Platform and associated curtilage area on the additional saleable Lot (Proposed Lot 1). A second Residential Building Platform is proposed around the existing dwelling on proposed Lot 2.</p> <p>The proposal also involves an internal boundary adjustment between Lot 11 Deposited Plan 300661 and 74 Morven Ferry Road in respect to proposed Lot 3.</p> <p>Land use consent is also sought to construct a shed which is proposed adjacent to the Residential Building Platform and within the proposed curtilage area of proposed Lot 1.</p>
Legal Description:	Section 17 and Part Section 18-19 Block VIII Shotover Survey District held in Computer Freehold Register OT6B712; and Lot 11 Deposited Plan 300661 held in Computer Freehold Register 3325.
Zoning:	Rural General (Operative District Plan) Rural (Proposed District Plan)
Activity Status:	Discretionary Activity
Notification:	16 March 2016
Closing Date of Submissions:	15 April 2016
Commissioners:	Commissioner A Henderson
Date:	18 July 2016
Decision:	Consent is granted subject to conditions

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE MATTER OF an application by J Berriman and L Hamilton to cancel an amalgamation condition and readjust the boundary between two lots, create an additional saleable lot with a building platform on Lot 1, and to create a building platform around an existing dwelling on Lot 2 and establish a shed on proposed Lot 1.

Council File: RM160102

DECISION OF QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS COMMISSIONER A. HENDERSON, HEARING COMMISSIONER APPOINTED PURSUANT TO SECTION 34A OF THE ACT

The Proposal

1. I have been given delegated authority to hear and determine this application by the Queenstown Lakes District Council ("Council") under section 34 of the Resource Management Act 1991 ("the Act") and, if granted, to impose conditions of consent.
2. The application (RM160104) has been made by J Berriman and L Hamilton to cancel the amalgamation of Section 17, Part Section 18 and 19 Block VIII Shotover Survey District held under one Computer Freehold Register and to readjust the boundaries to create two new Lots, resulting in one additional saleable Lot. Consent is also sought for a Residential Building Platform and associated curtilage area on the additional saleable Lot (Proposed Lot 1). A second Residential Building Platform is proposed around the existing dwelling on proposed Lot 2.
3. The proposal also involves an internal boundary adjustment between Lot 11 Deposited Plan 300661 and 74 Morven Ferry Road in respect to proposed Lot 3. Land use consent is also sought to construct a shed which is proposed adjacent to the Residential Building Platform and within the proposed curtilage area of proposed Lot 1.
4. A detailed description of the proposal was provided in Section 2.2 of the Resource Consent Application prepared by John Edmonds and Associates. Key elements of the proposal are reproduced below:
 - De-amalgamation of Section 17, Part Section 18 and 19 Block VIII Shotover Survey District currently held under one Computer Freehold Register, and the creation of two fee simple Lots of 4.62 hectares (proposed Lot 1) and 5.73 hectares (proposed Lot 2).
 - Two residential platforms are also proposed, one around the existing dwelling on proposed Lot 2, and the other on proposed Lot 1. In addition to the proposed platform, a curtilage area is proposed around the platform on Lot 1 as well as a proposed 4.5m high shed outside of the proposed building platform for a personal (non-commercial) cidery.
 - Design controls have been volunteered for future buildings within the proposed platforms, including a maximum height of 6.5 metres above ground level, appropriate colours and

materials and limiting a future residential dwelling on proposed Lot 1 to no greater than 600m².

- A boundary adjustment between proposed Lot 1 and Lot 11 DP 300661 (Lot 11 is proposed to be Lot 3 as part of this application) which will effectively involve providing Lot 1 with a legal frontage to Morven Ferry Road whereas proposed Lot 3 will have a right of way easement over Lot 1's access.
- Existing poplars located on proposed Lot 1 and partially within the proposed curtilage area and existing amenity planting located on proposed Lot 2 will be protected.

Site Description

5. A detailed description of the site and receiving environment within which the application sits can be found in paragraphs Section 2.1 of the Resource Consent Application. No parties disputed the description of the site or receiving environment, and I am therefore content to rely upon them, noting that the descriptions accord with my impressions from my visit to the site, neighbouring property and surrounding area.

Notification and Submissions

6. Notification of the application on 16 March 2016 drew one submission opposition to the proposal. The submission was received from Mr D Rogers, a neighbour to the site, and his concerns are summarised in the following table:

Name	Location of Submitters' Property	Summary of Submission	Relief Sought
Mr Dennis M Rogers	Morven Ferry Road, Wakatipu Basin (Lot 1 DP 414182); and 62 Morven Ferry Road, Wakatipu Basin (Lot 2 DP 414182).	Submitting in opposition to the application for the following reasons: <ul style="list-style-type: none"> • Concerns about the potential negative effects on water supply. • Do not agree with applicant's assessment of neighbourhood effects. • Do not agree that the proposed building platform and shed can be absorbed into the site. Have not provided written approval.	For the application to be declined.

7. The matters raised in the submission are addressed where relevant later in this decision.

The Hearing

8. A hearing to consider the application was convened on 9 June 2016 in Queenstown. In attendance were:
- (a) The Applicants, Mr Jay Berriman and Ms Lyn Hamilton, represented by Ms Bridget Allen (Planner, John Edmonds and Associates) and Dr Marion Read (Landscape Architect, Read Landscapes); and
 - (b) Council Officers, being Mr Jake Woodward (Planner), Ms Liz Hislop (Senior Planner), Mr Richard Denney (Consultant Landscape Architect) and Mr Tim Dennis (Consultant Engineer); and
 - (c) Mr Denis Rogers, submitter.

9. I had the benefit of a section 42A report prepared by Council's planner, Mr Jake Woodward. Based upon his assessment of the application, Mr Woodward recommended that the application be granted for reasons including:

- The adverse landscape and visual amenity effects of the proposal can be adequately avoided, remedied or mitigated and will not degrade the natural and arcadian pastoral character of the site or its surrounds, provided appropriate conditions of consent are imposed;
- The proposal is consistent with the relevant Objectives and Policies of both the Operative and Proposed District Plans; and
- The proposal promotes the overall purpose of the Act.

Summary of Evidence Heard

10. Evidence for this hearing was pre-circulated, and the Applicant's experts all provided a summary of their evidence at the hearing. I have read all of the material, and the following is a brief outline of the submissions and evidence presented. This summary does not detail everything that was advanced at the hearing, but captures the key elements of what I was told. The material generally reinforced the matters included in the application and submissions.

11. Where relevant, I address specific issues raised by the submitter in my assessment.

Applicant

12. **Ms Lyn Hamilton** identified that the Applicants had planted 150 heritage cider apple trees on the property in 2006 with the intention of establishing an apple supply for craft breweries. The land subject to the application was amalgamated into the family farm 12 years ago, and Ms Hamilton's elderly father still resides on the adjoining farm. In response to a question, Ms Hamilton noted that the shed would only be used for storage and that any cider would be brewed off-site, and being able to live in close proximity to the orchard would aid in its management. Being able to build on the property would also enable the Applicants to live close to family.

13. **Dr Marion Read** spoke to her evidence, in which she confirmed that she did not resile from the conclusions in her landscape assessment provided with the application. The conclusions from that assessment are as follows:

- Design controls are proposed for both building platforms which will ensure that future development is recessive in appearance.
- A curtilage area is proposed for the new residential lot and all domestic activities are to be restricted to this area.
- The proposed development is in keeping with the character of the landscape in which it is proposed. No adverse effect will accrue to the character of the vicinity from its execution.
- The visual effects of the proposed development are very small as the proposed development has been located in a natural hollow associated with a number of mature trees which are to remain. No adverse effects will occur on the visual amenity of members of the public or private individuals from the execution of the proposal.
- The imposition of the District Plan assessment matters does not raise any issues of concern in terms of the ability of the proposal to be absorbed in to the landscape of the vicinity.

- Dr Read proposed a number of conditions to ensure that the landscape and visual effects of the proposal would be as assessed.
14. Dr Read then addressed a number of issues that had arisen in the section 42A report, noting that some consented building platforms had been omitted in oversight from her diagram showing consented development in the vicinity. Dr Read confirmed that these did not alter the outcome of her assessment. Dr Read also noted that she did not agree with Mr Denney's proposal that a 3,000m² curtilage area be created on Lot 2, and that the proposed Open Space Covenant proposed by the Applicant would achieve a similar result, and in fact be more restrictive, as it restricted trees as well as buildings.
 15. **Ms Bridget Allen** provided planning evidence on the application. Prior to presenting her evidence, she disclosed that her parents live in close proximity to this site and are neither submitters nor among the parties required to provide written approval to the application. I do not consider this to raise any concerns. Ms Allen considered that the adverse effects of the proposal were insignificant and that the proposal was consistent with the objectives and policies of the Operative and Proposed District Plans.
 16. Ms Allen also spoke to the proposed conditions of consent in the section 42A report, and suggested a number of amendments to reflect the scale of the proposed activity. Based upon the changes she recommended, Ms Allen concluded that the proposed conditions were appropriate.

Submitters

17. **Mr Denis Rogers** opposed the proposed subdivision and considered it would give rise amenity effects. Mr Rogers was particularly concerned with the potential for over-domestication of the landscape in the area, and cited the Council's decision on RM040411, a subdivision which enabled the subdivision of his own property some years earlier. The decision on that consent had made references to over-domestication. Although he acknowledged it was outside the jurisdiction of the Queenstown Lakes District Council, Mr Rogers was concerned that continued consenting of groundwater takes for domestic use would ultimately have adverse effects on the quality and quantity of water available in the aquifers.

Officers

18. **Mr Tim Dennis** (Council's Consultant engineer) noted that the QLDC only required 2,100 litres of water per day per residential dwelling and accordingly there was sufficient water available within the quantities the Applicant was permitted to take pursuant to their permit from the Otago Regional Council. With respect to the condition requiring that the Applicant connect to Council reticulation if and when it became available, Mr Dennis noted that the Council could only require connection if the dwelling was within a specific distance of the road, which in this case it is not. The Council is required to highlight that such connections could be required into the future. He also noted such reticulation was unlikely to be provided. He also noted with respect to the condition requiring the establishment of a management company that this was a standard requirement, as there needs to be an entity to make it clearer for lot owners as to who to approach if something goes wrong.
19. **Mr Richard Denney** addressed the issue of the Open Space Covenant proposed by Dr Read as opposed to the curtilage area he recommended. He considered the covenant would result in positive outcomes from Morven Ferry road as it would maintain views across the landscape in tandem with the property on the opposite side of the road, but would have no effect from the Rogers' property.
20. **Mr Jake Woodward** (Council's planner) stood by the recommendation in the section 42A report, and agreed with Mr Denney that a curtilage area was appropriate.

Applicant's Right of Reply

21. **Ms Allan** provided a Right of Reply, in which she noted that engineering considerations from other legislation should not be included in the conditions of consent, but they could sit as part of an advice note. She indicated that the Applicant would accept a curtilage area, but considered the covenant would be more restrictive. She noted that the management company condition in Condition 10(e) was not appropriate for Lot 3 as the conditions did not need to refer to that lot at all.

Further Information Request

22. Following the adjournment of the hearing, I issued a Minute in which I requested that Dr Read consider her landscape assessment in the light of the Council's earlier decision on RM140411. Dr Read's response was received on the 17th of June 2016.
23. Dr. Read's response confirmed that her view was the land to the north of Morven Ferry Road had reached its full capacity to absorb development. The southern side, however, exhibits a different topography, and can accommodate more residential development without adversely affecting the character of the landscape or causing its over domestication and subsequent loss of character. She confirmed that she had considered the development consented in RM040411, and remained of the view that the landscape in the vicinity can absorb the development on the Rogers' lot and on the applicants' site. Dr. Read also confirmed her view that the proposed development would have only "small adverse effects" on the visual amenity of people in both public and private location in the vicinity, and that there would not be any adverse cumulative effects in conjunction with the development on the Rogers' site as the two would not be visible in conjunction with each other.
24. Mr Rogers responded to Dr. Read's memorandum, and considered that the proposed development does not effectively mitigate the effects that would result from the cumulative degradation associated with the density proposed, especially when viewed in association with the existing and consented development on the southern side of Morven Ferry road. He considered there would be significant impacts on the natural character of the landscape.
25. The Council's reporting planner, Mr Woodward, provided some comments in which he noted that:
- The Council's consultant Landscape Architect, Mr Richard Denney, had no further comments to make in the light of Dr Read's additional evidence;
 - He accepted, based upon the landscape architects' assessments, that the landscape in the vicinity can absorb the proposed development; and
 - He remained of the view expressed in the section 42A report that consent be granted subject to the conditions proposed.

District Plan Provisions

Proposed District Plan

26. Section 86[b](1) of the RMA states a rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified. An exemption to this is section 86[b](3) in which case a rule has immediate legal effect in certain circumstances including if the rule protects or relates to water, air or soil.
27. The Proposed District Plan ("PDP") was notified on 26 August 2015. Pursuant to Section 86[b](3) of the RMA, a number of rules that protect or relate to water have immediate legal effect. None of these rules are relevant to this application, and by extension I therefore conclude that there are no rules in the Proposed District Plan that are relevant to my consideration of this application.

The Operative District Plan

28. The subject site is zoned **Rural General** under the Queenstown Lakes District Plan (the **District Plan**).

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

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

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

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

31. The relevant provisions of the District Plan that require consideration can be found in Chapter 4 (District Wide), Chapter 5 (Rural Areas) and Chapter 15 (Subdivision, Development and Financial Contributions) which require determination under Section 104(1) of the RMA.

32. The proposal requires resource consent for the following reasons:

Land Use:

- A discretionary activity pursuant to Rule 5.3.3.3(i)(a)(i) for the construction of a shed on proposed Lot 1.

Subdivision

- A **discretionary activity** pursuant to Rule 15.2.3.3(vi) for the proposed subdivision and creation location of residential building platforms. The proposal involves the de-amalgamation of Section 17, Part Section 18 and 19 Block VIII Shotover Survey District and the creation of two fee simple Lots. In addition, a boundary adjustment between Lot 11 DP 30061 and 74 Morven Ferry Road is also proposed and relates to the adjustment of the vehicle access.

33. Overall, I agree that the proposal is required to be considered as a discretionary activity. I also note that while the section 42A report included a requirement for land use consent for the creation of building platforms, I agree with the Applicant that this is not necessary when the platforms are created as part of the subdivision, and the building platforms are included in the subdivision rule.

34. Overall, I agree that the application is required to be assessed as a discretionary activity.

Relevant Statutory Provisions

35. This application must be considered in terms of Section 104 and 104B of the RMA.

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

a) *any actual and potential effects on the environment of allowing the activity; and*

(b) *any relevant provisions of:*

- (i) *A national environmental standards;*
- (ii) *Other regulations;*

- (iii) a national policy statement
- (iv) a New Zealand coastal policy statement
- (v) a regional policy statement or proposed regional policy statement
- (vi) a plan or proposed plan; and

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

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

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority –

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

38. Sections 108 and 220 empower me to impose conditions on and use and subdivision consents respectively.

39. Section 104(3)(b) requires that I have no regard to effects on people who have given written approvals of the application. This is particularly relevant in this application as written approval has been obtained from the following parties:

Person (owner/occupier)	Address (location in respect of subject site)
WA & DG Hamilton	74 Morven Ferry Road & 122 Morven Ferry Road
AJ Graham	86 Morven Ferry Road, Wakatipu Basin
J & G Clear	69 Morven Ferry Road, Wakatipu Basin
JT Eden & LK Eden	123 Morven Ferry Road, Wakatipu Basin

40. Pursuant to section 104(3)(a)(ii) of the Act, any effects on these properties have not been considered.

41. In reaching this decision I note that I have taken into account all of the information provided with the application, the section 42A report and appended assessments, and the evidence presented at and subsequent to the hearing. I undertook a site visit on 9 June 2016 and am satisfied this enabled me to obtain a sufficient understanding of the site and surrounding environment. I have also considered the provisions of the relevant plans, and Part 2 of the Act.

Permitted baseline, existing environment and receiving environment

42. All subdivision and new buildings require resource consent in the Rural General Zone. As identified in the section 42A report, permitted activities in the Rural General zone are restricted to matters such as farming activities. I agree with there is no applicable permitted baseline for this application.

Assessment

43. Planning evidence was provided by Mr Woodward for the Council via the section 42A report, and by Ms Bridget Allen for the Applicant. No other party provided expert planning evidence, and it was clear that the two planning experts were in general agreement, with Mr Woodward noting at the reconvened hearing that he remained of the view that consent could be granted.

44. I address the relevant effects in in the order in which they were addressed in the section 42A report.

Visibility of Development

45. Both Dr Read and Mr Denney have assessed the visual effects of the proposal. I note that both of the expert landscape architects were in general agreement on the extent of the visual effects, with the principal area of disagreement being over whether there should be a curtilage area to control activities around the building platform.
46. I have visited the site and considered the landscape assessments. I agree with the landscape architects that the proposed development will not be highly visible from any public location, although I accept that glimpses may be available when travelling along Morven Ferry Road. However, I consider that the mitigation provided by the hummock that sits between the platform and the road, and I accept Mr Denney's view that the future dwelling and proposed shed are appropriately located behind this feature so to ensure they will not be highly visible from public spaces. The proposal also includes retention of the existing vegetation in and around the proposed platform and shed, providing a degree of visual containment within the site. The design controls proposed by the Applicant, which include restricting the maximum height of buildings to 6.5 metres above ground level and requiring that buildings be constructed in appropriate colours and materials will be appropriate to result in these buildings not being visually prominent.
47. The proposed shed and future residential dwelling are located so that neither development will break the line or form of any skyline or ridge. I am satisfied as the proposed boundaries coincide with existing fence lines there will be no change to the surrounding environment that will give rise to significant adverse visual effects on any party.
48. With respect to the management of domestic activities and the proposed curtilage areas, I consider that the limitation of activities on Lot 2 to the proposed residential building platform around the existing dwelling will limit the spread of residential and ancillary activities, thereby mitigating the adverse effects associated with domestication. I do not consider it appropriate to include a 3,000m² curtilage area around this building platform, as suggested by Mr Denney, as this could potentially allow for domestic activities to intrude beyond the platform and the existing level of domestication. In this regard, I prefer Dr Read's view that the land to the north of the driveway be maintained as open pasture, and that this be ensure by the inclusion of a consent notice to this effect.
49. I note that Lots 1 and 3 will utilise the existing access to Lot 3, and there will be no increase in the number of vehicle crossings, and I agree with Mr Woodward that there will therefore be no increase in a residential 'presence' along the road frontage apart from a few possible glimpses of these structures when travelling along Morven Ferry Road.
50. No physical changes are proposed to Lot 2, and the proposed residential building platform for this Lot will be located more or less around the perimeter of the existing dwelling. The Applicant's volunteered design controls are also applicable to this platform and I agree with Mr Woodward that they are appropriate.
51. Having considered the actual and potential visual effects of the proposal, and noting the agreement between the two landscape architects, I am satisfied that proposal will not detract from the visual amenities and landscape character of the area, and therefore consider that any effects in terms of the visibility of the development can be appropriately managed through conditions of consent.

Effects on Natural and Pastoral Character

52. Mr Denney and Dr Read are agreed that the scale and nature of the proposed development is similar to that of the surrounding area, and that the imposition of a curtilage area, platform and design controls will mean that the natural and pastoral character of the area will not be

degraded or over-domesticated as a result of the proposal. Having visited the site and reviewed the evidence, I agree with this view.

53. I agree that retaining the majority of the sites in an open, pastoral state is appropriate to avoid adverse effects associated with the sprawl of domestic activities within the sites that could then impact upon the wider area. The Applicant has volunteered a condition to ensure that the open areas are retained. Ms Allen noted that there has been residential activity on Lot 2 since approximately 1980, and there has been no spread of domestication since then. She did not consider that there was a risk that this could increase as a result of the approval of this application, and as indicated above I am satisfied that it is not necessary to include a large curtilage area around the building platform on Lot 2.
54. As suggested by Mr Denney, and accepted by Mr Woodward, I agree that appropriate conditions can be imposed to ensure that any lighting and monumental gateways do not detract from the pastoral character that is evident of this area. This is appropriate to ensure the rural and pastoral characteristics of the site are retained and to mitigate any perceived increase in residential 'presence' along Morven Ferry Road.
55. Overall, I am satisfied that the proposal will not adversely impact the natural and pastoral character of the area.

Form and Density of Development

56. In Dr Read's view, the natural topography of the site has been utilised to minimise visibility of the development from public places. Although the site is largely flat, there is a prominent hummock between Morven ferry Road and the proposed building platform on Lot 1. I agree with this assessment, and note that the location of the hummock was that only portions of the profile polies were visible from Morven ferry Road. I accept Dr Read's view that the proposed density is not characteristic of urban areas but rather one that is compatible with the immediate surroundings, noting that the resultant lots will be of a similar size to those in the immediate vicinity. Overall, I agree with Mr Woodward's conclusion that the proposal does not represent an inappropriate degree of development, and will not detract from the open space and rural characteristics of this environment.

Cumulative Effects of Development on the Landscape

57. Dr Read and Mr Denney are agreed that the proposal makes good use of the existing site by using topographical features and vegetation as a means of minimising the visual impacts of the development on the wider environment, and I accept this view. I also agree that the introduction of design controls, the curtilage area on Lot 2, and the restriction on activities in the open area of Lot 1 will ensure that residential activities are contained whilst ensuring that any built form sits recessively into the environment.
58. Dr Read has acknowledged that the area on the northern side of Morven Ferry Road has reached a threshold such that further development cannot be absorbed into the landscape. However, with respect to the southern sider of Morven Ferry Road, where the subject site is located, both Mr Denney and Dr Read agreed that the proposed development will not cross the threshold in terms of the southern side of Morven Ferry Road to absorb further development. I note that there was no expert landscape evidence that provided a contrary view, and on the basis of the evidence presented, I accept this view. I agree that while the land is generally flat, the presence of established hedge growth, shelterbelts and rocky hummocks visually breaks the landscape enabling opportunities for pockets of development and subdivision to be absorbed.
59. I note that Mr Rogers' submission does not agree that the proposed development can be absorbed into the surrounding environment given the level of development that exists in the area already. Based upon the landscape architects' evidence, I am satisfied that the northern and southern sides of Morven Ferry Road can be distinguished such that while the northern side is at the threshold of domestication, the southern side can absorb some appropriate

development due to its particular topographical characteristics. Therefore consider that the proposal can be adequately absorbed into the wider environment, due primarily to the limited visibility of the development from public spaces. For completeness, I note that while the site is visible generally from the lookout on the Crown Range Road, from this distance, the proposal will be viewed within the context of the overall development in the area, and will not appear out of character with the varied nature of the surrounding environment where sites range in sizes and use.

Rural Amenities

60. Dr Read's evidence is that the proposed development will maintain appropriate visual access to open space and views across the landscape from public spaces, and Mr Denney concurs noting that the development will be recessed into the landscape and screened from views as a result of the topographical nature of the site. I accept this evidence.
61. Mr Denney's landscape assessment provided a detailed assessment of the potential effects on neighbouring properties, and noted that the nearest neighbour likely to be affected in regards to maintaining visual access to open space and across arcadian views was Mr Rogers (Lot 1 DP 414182 noting that Mr Roger is also the registered owner of 62 Morven Ferry Road). Mr Denney considered that while a future dwelling on proposed Lot 1 and the proposed shed would be visible from the elevated sections of Mr Roger's property, the view of these structures would be downslope in a basin floor context that is more cultivated and domesticated and not out of character with the wider basin landscape, and I consider this largely mitigates the potential effects from Mr Rogers property. Overall I accept Mr Denney's view that the proposed development will remain a subservient part of the overall landscape that will be viewed from Lot 1 DP 414182 and I am therefore satisfied that the adverse effects on rural amenity are acceptable in this regard.
62. As identified earlier, the topography of the site assists in absorbing the proposed development into the wider environment. I am satisfied that the design controls to limit the height and exterior appearance of the buildings are appropriate such that the buildings will not detract from the pastoral landscape.

Traffic Generation and Vehicle Movements, Parking and Access

63. Access to proposed Lot 1 will be over the existing (unformed) legal access for Lot 11 DP 300661 (proposed Lot 3 in this application), and proposed Lot 2 will continue to utilise the existing access off Morven Ferry Road. The section 42A report included advice from Mr Tim Dennis, Council's consultant engineer, who confirmed that the proposed access for Lots 1 and 3 was appropriate and should be subject to conditions of consent that require it to be formed in accordance with the Council's standards. He also recommended that the existing vehicle crossing for Lot 2 also be upgraded to comply with the Council's design standards. No matters were raised by Mr Dennis (or by the submitter) that questioned the appropriateness of the physical access arrangements, or the resultant vehicle movements on the road, and I am satisfied on that basis that these matters have been appropriately addressed, and that there will be no significant effects in relation to traffic generation, vehicle movements, parking or access.

Infrastructure

64. Mr Dennis' report provided an assessment of the proposed servicing arrangements for the subdivision. Subject to minor modifications and appropriate conditions of consent, he concluded that the requisite services were available to the subdivision. For completeness, I note the following:
- Confirmation of both power and telecommunication supply was provided by the Applicant;

- Mr Dennis confirmed that the onsite wastewater system proposed is appropriate, and recommended conditions of consent to require the design of the system on Lot 1 be provided at the time a dwelling is constructed;
- Water will be provided from a bore, and Mr Dennis advised that sufficient water was available to provide the needs of the subdivision, and provided appropriate conditions were imposed, there would be no effects arising from the water supply. Mr Dennis noted that although the submitter had queried whether there was a sufficient volume of water available, the Plan only required 2,100 litres of water per day for a residential unit. The Applicant's bore test had proven a rate of 5,880 litres per hour. Although the Applicant's bore permit related to a single supply, he noted that the relevant rules had changed and that a further ORC consent was not required.
- Subject to conditions of consent requiring all firefighting requirements to align with current national standards, Mr Dennis was satisfied that all Lots will be appropriately serviced with water for firefighting.
- Mr Dennis considered that all three Lots have appropriate ground conditions (in terms of soil porosity) to provide for appropriate onsite stormwater disposal. As such, Mr Dennis did not raise any concerns in this regard and that appropriate design parameters can be assessed during the building consent phase.

65. Overall, Mr Dennis is satisfied that all three Lots can be appropriately serviced for effluent disposal via onsite systems and recommends that these sites be connected to a future reticulated network once this becomes available.

66. Mr Dennis recommended that a condition of consent be imposed that required the Lot owners to connect to Council sewerage infrastructure should it be made available in the future. Ms Allen considered it was neither appropriate nor necessary to impose a condition created by separate legislation, and also considered that the cost of installing and maintaining an on-site system may mean that owners would not want to join any infrastructure until such a system was at the end of its economic life. I understood from Mr Dennis that it was mandatory for connections to be made if a dwelling was 60m or less from the infrastructure. Given that the dwellings in this instance exceed this distance, I agree with Ms Allen that it is not appropriate to impose a requirement that cannot be enforced, and that an advice note is sufficient.

Earthworks

67. The location of the building platform and shed are largely flat, and only minor earthworks are proposed in order to prepare the ground for their construction and to create the access. I am satisfied that any adverse effects associated with these earthworks will be temporary, and that they can be appropriately managed through conditions of consent.

Subdivision, Design and Layout

68. The proposed legal boundaries (particularly between proposed Lots 1 and 2) will largely follow the existing fence lines, and apart from the construction of a new dwelling and the shed, there will be few visible physical changes to the landscape. As I have discussed above, I am satisfied that there will be no significant adverse visual effects arising from the proposal. I therefore accept Mr Woodward's conclusion that overall, the subdivision, design and layout will not give rise to any significant adverse effects.

Positive Effects

69. Mr Woodward considered that the positive effects of the proposal would largely accrue to the Applicant. I agree, but also note that the proposal appropriately ensures that any adverse effects on the wider environment are appropriately mitigated to an acceptable degree.

Summary of Effects

70. Overall, having considered the evidence pre-circulated and presented at the hearing, the application and supporting reports, the submissions and the additional evidence provided subsequent to the hearing, I am satisfied that the adverse effects of the proposed activity will not be significant. I consider that conditions of consent can be imposed that will be sufficient to ensure that any adverse effects are appropriately avoided, remedied or mitigated.

Objectives and Policies of the Relevant District Plans

71. I have considered the detailed assessments of the objectives and policies of the relevant Plans as set out in the Application, the section 42A report and the evidence of the planning experts. I note that Ms Allan and Mr Woodward were in general agreement, and that there was no expert evidence that provided an alternative position. I accept the evidence of the planning experts, and note that there was no planning evidence that offered an opinion that the proposal was inconsistent with these provisions.
72. While I acknowledge that I am to have regard to the provisions of the Proposed District Plan, I consider that it can only be given minimal weight given that hearings have yet to be completed and decision made. Notwithstanding this minimal weighting, I accept Mr Woodward's view that the proposal is consistent with the relevant provisions within the Proposed District Plan.
73. Overall, I am satisfied that the proposal is consistent with the relevant Objectives and Policies of the relevant planning instruments.

Other Matters

Precedent

74. Ms Allen agreed with Mr Woodward that there would not be a precedent arising from this proposal. The proposal is for a discretionary activity, and the subdivision has been designed to be accommodated within the particular topography of the site. I do not consider that this decision raises any precedent issues, and I concur with the Applicant's evidence.

Part 2 Matters

75. Section 5 states that the purpose of the Resource Management Act is "to promote the sustainable management of natural and physical resources". "Sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while —
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
 - (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.
76. Section 7 requires that I have particular regard to a range of matters, including the efficient use of natural and physical resources (s7(b)), the maintenance of amenity values (s7(c)), and the maintenance of the quality of the environment (s7(f)). I am satisfied that the evidence presented on behalf of the Applicant, and that of the Council reporting officers, has demonstrated that these matters are appropriately addressed.
77. There are no particular Treaty of Waitangi issues (Section 8) that need to be taken into account in relation to this application.
78. For the reasons set out in this decision, I consider the application is be consistent with relevant matters in Part 2 of the Act, and overall will achieve the purpose of the Act.

Determination

79. Consent is sought to cancel the amalgamation of Section 17, Part Section 18 and 19 Block VIII Shotover Survey District held under one Computer Freehold Register and readjust the boundaries to create two new Lots, resulting in one additional saleable Lot. Consent is also sought for a Residential Building Platform and associated curtilage area on the additional saleable Lot (Proposed Lot 1). A second Residential Building Platform is proposed around the existing dwelling on proposed Lot 2. The proposal also involves an internal boundary adjustment between Lot 11 Deposited Plan 300661 and 74 Morven Ferry Road in respect to proposed Lot 3.
80. Land use consent is also sought to construct a shed which is proposed adjacent to the Residential Building Platform and within the proposed curtilage area of proposed Lot 1.
81. Overall, the activity was assessed as a discretionary activity under sections 104 and 104B of the Act.
82. The Act seeks to avoid, remedy and mitigate adverse effects associated with developments. I consider that the adverse effects of this application can be appropriately avoided, remedied or mitigated, and that the proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans.
83. Accordingly, I determine that Consent be granted pursuant to sections 104 and 104B of the Act subject to the attached conditions which are imposed under sections 108 and 220 of the Act.
84. Dated at Queenstown this 19th day of July 2016.



Andrew Henderson

Hearings Commissioner

Conditions – RM160102

Subdivision Conditions

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - a. Survey plans prepared by Aurum Survey Limited and detailed as follows:

Plan Title	Drawing & Issue No.	Date
Proposed Subdivision Morven Ferry Road Secs 17, 18, 19 Blk VIII Shotover SD & Lot 11 DP 300661 for WA & DG Hamilton	3981-1R-1F	29 February 2016
Proposed Subdivision Morven Ferry Road Secs 17, 18, 19 Blk VIII Shotover SD & Lot 11 DP 300661 for WA & DG Hamilton	3981-1R-2F	29 February 2016

- b. Landscape Plan prepared by Read Landscape and detailed as follows:

Plan Title	Reference	Date
Mitigation Plan for L Hamilton and J Berriman: Morven Ferry Road Subdivision	15019/2	19 May 2016

stamped as approved on 18/07/2016 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.

Engineering Conditions

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.

Advice 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-subdivision-code-of-practice/>

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

4. The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising 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 these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.

5. Prior to commencing works within the road reserve of Morven Ferry Road, the consent holder shall obtain and implement a traffic management plan approved by Council if any parking, traffic or safe movement of pedestrians will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed within or adjacent to Council's road reserve.
6. 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.
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 QLDC'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 platforms on Lots 1 - 2 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).
 - b. The formation of the Right of Way serving Lot 1 that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice.
 - i. The access way shall have a formed metal carriageway width of no less than 3.5 metres.
 - ii. The carriageway shall have a minimum cross-fall of 4% to prevent stormwater ponding on the carriageway surface.
 - iii. 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 sub-grade.
 - iv. Passing bays/road widening shall be provided on any single lane sections of the access, and include widening on steep and/or curved sections of the access to avoid possible vehicle conflicts.
 - v. Forming and sealing the right of way to 6m in width for a total of 10m from the intersection with the carriageway within Morven Ferry Road.

Prior to Survey Plan Approval Conditions

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.

Consent Notice Conditions

9. Prior to certification under S224C of the Resource Management Act 1991, pursuant to Section 221 of the Resource Management Act 1991, a consent notice shall be registered on the relevant Certificate of Titles for the on-going application of the following conditions:

General

- a. All future buildings on Lots 1 or 2 shall be contained within the Building Platforms as shown on the plans approved as part of Condition 1 of RM160102.

Engineering Consent Notice Conditions

- b. At the time a dwelling is erected on Lot 1, 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 Geosolve Ltd Ref 150611 dated 28/10/2015. The proposed wastewater system shall be subject to review by Council prior to implementation and shall be installed prior to occupation of the dwelling.

At such a time that Council's wastewater reticulation is available to service Lots 1-3 in accordance with the Local Government Act Section 459(7)(a)(b), the owner for the time being may cease the use of the alternative disposal system, decommission it appropriately and connect to the Council system. The cost of making this connection shall be borne by the owner of the lot. At this time the owner for the time being shall pay to the Queenstown Lakes District Council the applicable development contribution.

- c. At the time that a dwelling is erected on Lots 1 and 2, the owner for the time being is to treat the domestic water supply by filtration and disinfection so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008). If required.
- d. At the time a building is erected on Lots 1 and 2, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the NZFS as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is

required in order to allow a fire service appliance to park on it and access to the hardstand area must be provided as above.

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

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

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

Advice Note:

The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 9km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand Volunteer Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new dwelling.

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.

Landscape Consent Notice Conditions

- e. All existing planting identified on Lot 1 and Lot 2 as for protection on the Read Landscapes plan dated 10th December 2015 shall be maintained in perpetuity. Should any tree die or become diseased it shall be replaced with one of a similar species within the next available planting season. All replacement trees to be planted at a grade of no less than 1.5m in height. Replacement trees shall be of a non-wilding species (wilding species are *Pinus contorta*, *P.nigra*, *P.sylvestris*, *P. pinaster*, *P. radiata*, *Larix decidua*, *Psuedotsuga menziesii*, *Acer psudoplatanus*, *Crataegus monogyna*) or problematic species such as birch, or highly ornamental, variegated or brightly coloured tree species, cultivars or varieties such as golden elm. Wilding species or problem species such as birch may be removed and replaced at any time.
- f. On Lot 1, the land to the north of the driveway (as identified on the Read Landscapes Mitigation Plan Ref 15019/2 dated 19 may 2016) shall be maintained as open pasture. Management shall be by grazing or mowing (for hay or baleage) only. No trees shall be planted within this area, nor any buildings not present within the area at the date of commencement of this consent constructed. This shall not preclude the construction of post and wire or post and netting fences for the management of stock.
- g. The following design controls shall apply to any buildings constructed on the building platforms of Lot 1 and 2:
 - i. Maximum height above ground level of 6.5m;
 - ii. Roofs to be coloured in the range of natural browns, greens or greys with a light reflectivity value (LRV) of less than 20%;
 - iii. Building exteriors to be coloured in the range of natural browns, greens or greys with a LRV of less than 36% (this does not apply to soffits);

- iv. Black colouring (LRV less than 6%) are not to be used on extensive areas of the roof or walls to avoid prominence of built form; and
- v. On proposed Lot 1, the maximum building footprint shall be 600m².
- h. All domesticating elements including, but not limited to, gardens; amenity planting; vehicle parking and turning areas; large play equipment (trampolines for example); boats, trailers, caravans; tennis courts, swimming pools, external lighting shall be restricted to the curtilage area on Lot 1.
- i. External lighting shall be located within the curtilage area, and be down lighting only and shall be located as not to create light spill beyond the boundaries of the property. Lighting attached to buildings shall not exceed 3m in height above adjacent ground, and all other lighting not attached to a building shall be no higher than 1m above surrounding ground.
- j. Access drives shall be gravel of a local Wakatipu stone and exclude concrete kerb and channels to maintain the rural character.
- k. Entrance gateways off Morven Ferry Road shall be of standard farm gates of timber or steel and no higher than 1.5m.
- l. Fencing, including fencing around curtilage areas, shall be standard post and wire (including rabbit proof fencing), deer fencing or timber post and rail consistent with tradition farm fencing.

Prior to issue of s224(c) Certificate

10. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
- a. The consent holder shall provide “as-built’ plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council’s ‘as-built’ standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b. A digital plan showing the location of all building platforms as shown on the survey plan 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 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>).
 - d. In the event that the test results required in Condition 10(c) 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 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- e. Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
 - f. Provide written evidence of an existing electricity connection to the building(s) on Lot 2.
 - 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 net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
 - h. Provide written evidence of an existing telecommunications connection to the building(s) on Lot 2.
 - i. All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
 - j. The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
 - k. The existing firefighting provision to Lot 2 shall be upgraded to comply with SNZ PAS 4509:2008. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 is to be located not more 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 QLDC's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

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

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

Land Use Conditions

General Conditions

1. The proposed development shall be undertaken in accordance with the following plans:
 - a. Landscape Plan prepared by Read Landscape and detailed as follows:

Plan Title	Reference	Date
Mitigation Plan for L Hamilton and J Berriman: Morven Ferry Road Subdivision	15019/2	19 May 2016

- b. Appendix C – 3D Elevations (proposed shed)

stamped as approved on 18 July 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.
3. 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 \$100. This initial fee has been set under section 36(1) of the Act.

Design Controls Condition

4. The shed within Lot 1 shall be constructed as per the approved drawings submitted with the application. External materials and colours for the shed shall be submitted to council for certification prior to construction. Building exterior to be coloured in the range of natural browns, greens or greys with a light reflectivity value (LRV) of less than 36% and the roof with a LRV of less than 20%. Black colouring (LRV less than 6%) shall not be used on extensive areas of the roof or walls to avoid prominence of built form. Any polycarbonate or similar roofing panels shall be 100% transparent or a dark tint so as to avoid opaque or pale colouring.

Engineering Conditions

5. 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.

Advice 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-subdivision-code-of-practice/>

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

6. Prior to commencing works within the road reserve of Morven Ferry Road, the consent holder shall obtain and implement a traffic management plan approved by Council if any parking, traffic or safe movement of pedestrians will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed within or adjacent to Council's road reserve.

7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with 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.

To be completed when works finish and before occupation of the building

8. Prior to the occupation of the building the consent holder shall complete the following:
 - a. All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
 - b. The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.



Note:
 - All areas and dimensions subject to final survey
 - Additional easements may be required for services

ISSUE DATE:	ISSUE:	PREPARED BY:
24 Aug 2015	Original issue	B McLeod
11 Sept 2015	Revised platforms	
23 Nov 2015	Revised platforms	
21 Dec 2015	Revised shed	
25 Feb 2016	6m drive, 3 lots for consent	
29 Feb 2016		
Scale 1:1000 @ A3		
DRAWING & ISSUE No.		
3981-1R-1F		

PROPOSED SUBDIVISION
MORVEN FERRY ROAD
 Secs 17, 18, 19 Blk VIII Shotover SD
 & Lot 11 DP 300661
 for WA & DG Hamilton

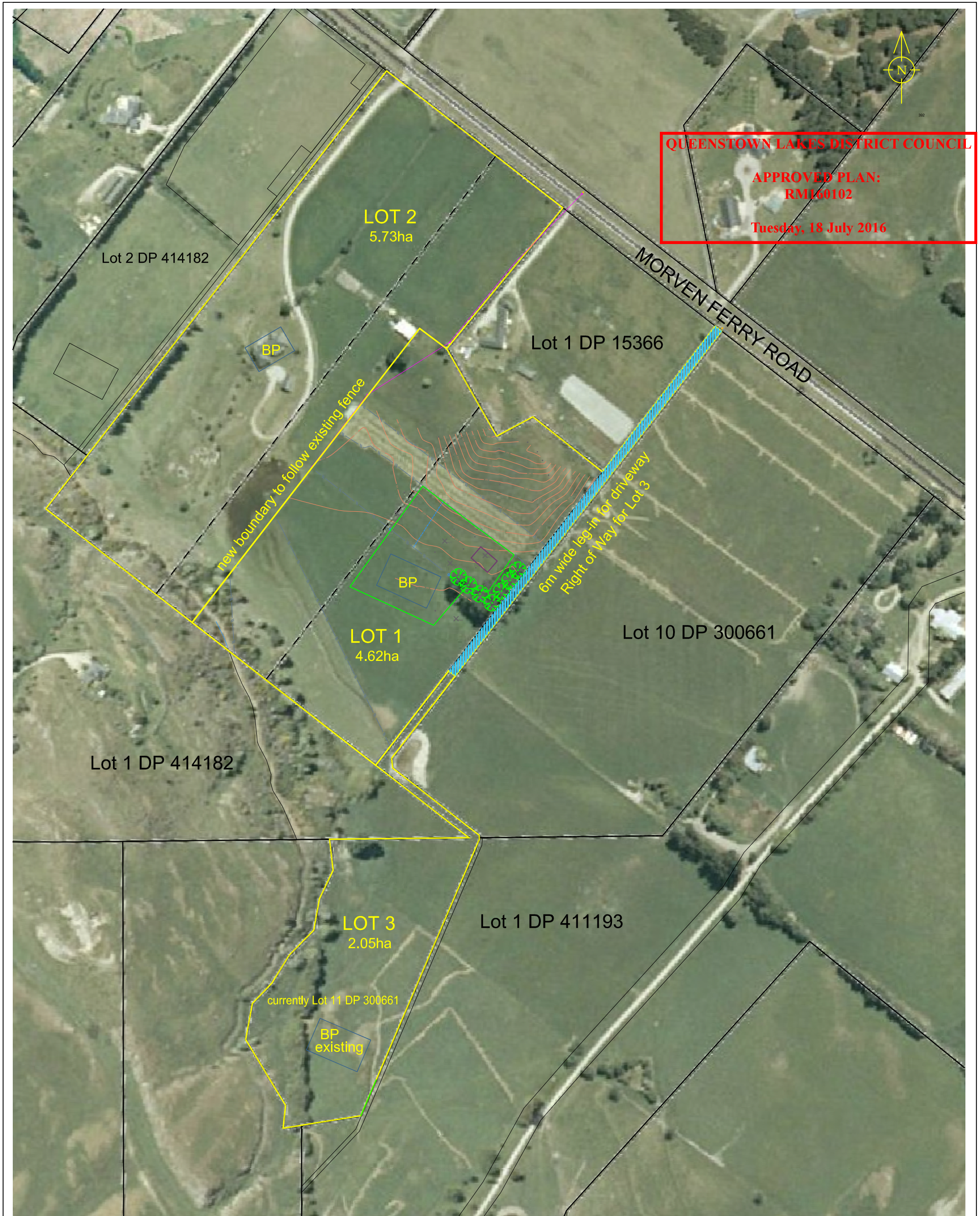
AURUM

SURVEY

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

A person/company using Aurum Survey Consultants drawings and other data accepts the risk of:
 1. using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions;
 2. using the drawings or other data for any purpose not agreed to in writing by Aurum Survey Consultants.

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



Note:
 - All areas and dimensions subject to final survey
 - Additional easements may be required for services

ISSUE DATE:	ISSUE:	PREPARED BY: B McLeod
24 Aug 2015	Original issue	Scale 1:2500 @ A3
15 Sept 2015	Plat posn	
23 Nov 2015	Plat posn	
25 Feb 2016	Driveway, 3 lots	DRAWING & ISSUE No.
29 Feb 2016	For consent	3981-1R-2F

**PROPOSED SUBDIVISION
 MORVEN FERRY ROAD
 Secs 17, 18, 19 Blk VIII Shotover SD
 & Lot 11 DP 300661
 for WA & DG Hamilton**

AURUM

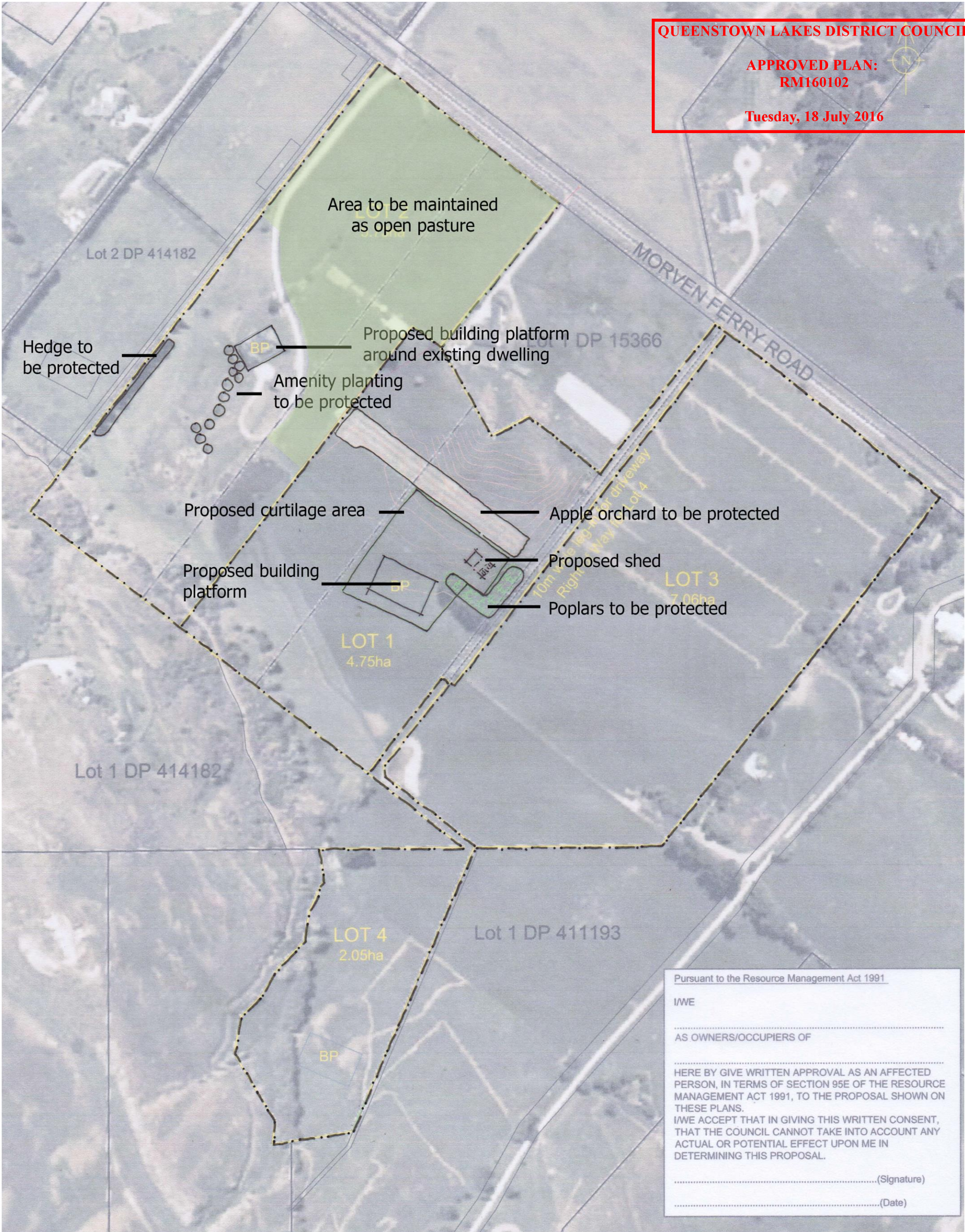
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If this plan is used as the basis for any sale and purchase agreement, then it is done so on the basis that the areas and dimensions are preliminary, and may vary upon completion of the final survey.

QUEENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLAN:
 RM160102
 Tuesday, 18 July 2016



Pursuant to the Resource Management Act 1991
 I/WE
 AS OWNERS/OCCUPIERS OF
 HERE BY GIVE WRITTEN APPROVAL AS AN AFFECTED PERSON, IN TERMS OF SECTION 95E OF THE RESOURCE MANAGEMENT ACT 1991, TO THE PROPOSAL SHOWN ON THESE PLANS.
 I/WE ACCEPT THAT IN GIVING THIS WRITTEN CONSENT, THAT THE COUNCIL CANNOT TAKE INTO ACCOUNT ANY ACTUAL OR POTENTIAL EFFECT UPON ME IN DETERMINING THIS PROPOSAL.
(Signature)
(Date)



**Mitigation plan for L Hamilton and J Berriman:
 Morven Ferry Road subdivision**

Ref: 15019/2
Date: 19 May 2016
Scale: 1:2500

Appendix C –3D Elevations

