



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

UNDER s104 RESOURCE MANAGEMENT ACT 1991; and

CHANGE OF CONSENT NOTICE CONDITIONS UNDER SECTION 221

Applicant:	McWhirter Trust
RM reference:	RM171048
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake a 3 lot subdivision, to establish a residential building platform on the two new lots, and to change conditions of consent notice 5081454.6; specifically bullet point 2 regarding previously approved landscaping and “Landscape Guidelines”, and bullet point 7 to enable further subdivision of the site
Location:	1224 Gibbston highway, Wakatipu Basin
Legal Description:	Lot 4 Deposited Plan300878 held in Computer Freehold Register 4170
Operative Zoning:	Rural General
Proposed Zoning;	Wakatipu Basin Rural Amenity Zone (WBRAZ) (Stage 2 Rural Zone variation)
Activity Status:	Discretionary
Notification Decision:	Publicly Notified
Delegated Authority:	Quinn McIntyre – Manager, Resource Consents
Final Decision:	Granted Subject To Conditions
Date Decisions Issued:	23 February 2018

SUMMARY OF DECISIONS

1. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 8 to Annexure 1** of this decision imposed pursuant to Section 220 of the RMA and to vary consent notice conditions pursuant to Section 221 of the RMA.
2. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council’s TRIM file and responses to any queries) by Quinn McIntyre; Manager, Resource Consents, as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

Section 2 of the Section 42A (s42A) report prepared for Council (attached as **Annexure 1**) provides a full description of the proposal, the site and surrounds and the consenting history.

2. NOTIFICATION, SUBMISSIONS AND OBLIGATION TO HOLD A HEARING

The application was publicly notified on 1 November 2017.

No submissions were received and the consent authority does not consider a hearing is necessary.

A decision under section 100 of the Act to not hold a hearing was made by Mr Quinn McIntyre (Manager, Resource Consents) on 23 February 2018.

3. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 8 of the s42A report outlines s104 of the Act in more detail.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. Section 10 of the s42A report outlines Part 2 of the Act.

3.1 RELEVANT PLAN CONSIDERATIONS

The subject site is zoned **Rural General** under the Operative District Plan ("ODP"), and **Wakatipu Basin Rural Amenity Zone** under the Proposed District Plan ("PDP") Stage 2.

The relevant provisions of the ODP that require consideration can be found in Part 4 (*District Wide Matters*), Part 5 (*Rural Areas*), and Part 15 (*Subdivision, Development and Financial Contributions*).

Resource consent is required under the ODP for the following reason:

- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3[vi] for the proposed three lot subdivision and location of two residential building platforms in the Rural General Zone.

There are no rules under the PDP with immediate legal that are relevant to this application.

3.2 RECOURSE MANAGEMENT ACT 1991 ("RMA")

- A **discretionary activity** consent pursuant to Section 87B of the RMA and in accordance with Section 221 of the Act which specifies a change to/ cancellation of a Consent Notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132 of the RMA. It is proposed to change conditions of consent notice 5081454.6 to enable landscaping not in accordance with the previously approved landscaping and "Landscape Guidelines", and to enable the proposed subdivision of the site.

3.3 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

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

3.4 OVERALL ACTIVITY STATUS

Overall, the application is considered to be a **discretionary** activity under the ODP and the RMA.

4. SUMMARY OF EVIDENCE HEARD

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

5. PRINCIPAL ISSUES IN CONTENTION

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

- The effects of undertaking a 3-lot subdivision in a Visual Amenity Landscape and the actual and potential effects on rural and landscape character and visual amenity from further subdividing the site, changes to the approved landscape guidelines, visibility of future residential units and domesticating features, and cumulative effects, infrastructure servicing and access, and natural hazards.

The findings relating to these principal issues of contention are outlined in Section 8.2.2 of the attached S42A report.

6. ASSESSMENT

6.1 ACTUAL AND POTENTIAL EFFECTS (s104(1)(a))

Actual and potential effects on the environment have been addressed in Section 8.2 of the s42A report prepared for Council and provides a full assessment of the application. Where relevant conditions of consent can be imposed under section 220 of the RMA as required to avoid, remedy or mitigate adverse effects. Proposed changes to consent notice can be granted under s221. A summary of conclusions of that report are outlined below:

- The adverse effects of the activity are acceptable as the proposed development can be contained within the established vegetation, is suitably setback from the road, and maintains the established open character of the site in such a way to avoid unacceptable adverse effects on the Visual Amenity Landscape values and character.
- The proposed landscaping that is not in accordance with the existing Landscape Guidelines and the further subdivision of the site are determined to be appropriate in the site context (Visual Amenity Landscape). Therefore Consent Notice 5081454.6 can be varied with respect to these matters.
- The sites can be appropriately serviced and accessed. A nearby natural hazard is determined to not apply to the proposed residential building platforms.

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

As outlined in detail in Section 8.3 of the s42A report, overall the proposed development is deemed to be in accordance with the relevant policies and objectives of the District Plan, though is not consistent with all proposed objectives and policies under the Proposed District Plan (with respect to Stage 2 – Wakatipu Basin provisions).

- The proposal is consistent with the relevant objectives and policies of the Operative (*Part 4; District Wide Matters, Part 5; Rural Areas, and Part 15; Subdivision, Development and Financial Contributions*), and Proposed (*Part 2 Chapter 6; Landscapes, Part 5 Chapter 27; Subdivision and Development*) District Plans. The sites can be appropriately serviced, and the location of the proposed building platforms makes use of the established vegetation to maintain landscape values with respect to the VAL, and therefore; give effect to the relevant objectives and policies of the Operative and Proposed District Plan as listed above.
- With respect to Chapter 24 (Wakatipu Basin) of the Proposed District Plan, the proposed minimum lot size is not achieved and therefore the proposal is not consistent with the associated objectives and policies which seek to ensure the landscape and visual amenity values are protected, maintained and enhanced through implementing minimum lot sizes (80 hectares in the Wakatipu Basin Rural Amenity Zone). The proposal does however maintain a sense of openness on the site whereby the buildings will be subservient to the natural landscape and the existing landscape character and amenity values are maintained.

However those values are not enhanced by this subdivision and minimum allotment size is not achieved, and is therefore only partially consistent with the Chapter 24 objectives and policies and is inconsistent with the key objective to maintain new proposed minimum allotment sizes.

- A weighting exercise of the operative and proposed objectives and policies was undertaken, where it was considered that given the WBRAZ provisions (which replaces previous proposed Rural zones provisions under PDP Chapter 21), and supporting objectives and policies are yet to be debated (submissions do not close until 23 February 2018), that these new WBRAZ objectives and policies do not yet hold weight, and the ODP must be given full consideration.
- The overall conclusion is that the relevant objectives and policies in the Operative District Plan and those in the PDP with respect to subdivision and the landscape classification are otherwise closely aligned to each other, and seek to achieve the same outcomes, and that the proposed is thereby consistent with the relevant objectives and policies of the District Plans.

6.3 SUBDIVISION (S106) ASSESSMENT

Section 106 enables Council to refuse to grant subdivision consent if it considers the land subject to the application is likely to be subject to natural hazards, if any subsequent use of the land could exacerbate effects from natural hazards, or if sufficient provision has not been made for legal and physical access to each site.

It is considered that appropriate physical and legal access has been or can be created to the site. As to hazards, it is considered the proposed subdivision does suitably consider natural hazards and that subsequent use of the site will be not increase risk from natural hazards.

On the basis of the above assessments there is scope to grant consent under s106 of the RMA.

6.4 PART 2 OF THE RMA

In terms of Part 2 of the RMA, the proposal is considered to be in accordance with the purpose of the Resource Management Act 1991 as outlined in further detail in Section 10 of the s42A report.

7. DECISION ON SUBDIVISION CONSENT PURSUANT TO SECTION 104 OF THE RMA

1. Pursuant to section 104 of the RMA this consent is **granted** subject to the conditions stated in *Appendix 8 to Annexure 1* of this decision imposed pursuant to Section 220 of the RMA.
2. Pursuant to section 221 of the RMA consent is **granted** to change the requested conditions of Consent Notice 5081454.6 as it relates to Lot 4 Deposited Plan 300878 held in Computer Freehold Register 4170 as follows:

- a) Bullet point 2 of Consent Notice 5081454.6 is amended to read as follows (deleted text struck-through, added text underlined):

“At such a time that a dwelling is to be established, all landscaping on Lots 1, 2, 3 and 4 shall be in accordance with the subdivision “Landscape Guidelines”, which are attached to this consent notice and form part of the decision of the Queenstown Lakes District Council with the exception of the landscaping approved on Lot 4 and the resultant subdivided lots pursuant to RM171048.”

- b) Bullet point 7 of Consent Notice 5081454.6 is amended to read as follows (deleted text struck-through, added text underlined):

“The registered proprietors shall not further subdivide Lots 1, 2, 3 and 4 except that Lot 4 shall be able to be subdivided into three allotments pursuant to RM171048.”

Note:

- *All other conditions of Consent Notice 5081454.6 continue to apply.*

- A condition for the implementation of the consent notice variation is included in **Appendix 8 to Annexure 1** of this decision.

8. OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to application under the RMA for certification pursuant to section 224(c).

Please contact the Council if you require a Development Contribution Estimate.

Administrative Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

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

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

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

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

If you have any enquiries please contact Alana Standish on phone (03) 450 0354 or email alana.standish@qldc.govt.nz.

Report prepared by

Decision made by




Alana Standish
SENIOR PLANNER

Quinn McIntyre
MANAGER, RESOURCE CONSENTS

Attachments:

ANNEXURE 1	Section 42A Report
Appendix 1	Applicant's Assessment of Environmental Effects
Appendix 2	Applicant's Landscape Assessment
Appendix 3	Council's Landscape Report
Appendix 4	Council's Engineering Report
Appendix 5	QLDC Assessment Matters
Appendix 6	QLDC Objectives and Policies
Appendix 7	Relevant ORC Regional Policy Statement Objectives and Policies
Appendix 8	Consent Conditions

ANNEXURE 1 COUNCIL'S S42A PLANNING REPORT

FILE REF: RM171048

TO Independent Commissioners

FROM Alana Standish, Senior Planner

SUBJECT Report on a publicly notified consent application.

SUMMARY

Applicant: McWhirter Trust

Location: 1224 Gibbston Highway, Wakatipu Basin

Proposal: Consent is sought to undertake a 3 lot subdivision, to establish a residential building platform on the two new lots, and to change conditions of consent notice 5081454.6; specifically bullet point 2 regarding previously approved landscaping and "Landscape Guidelines", and bullet point 7 to enable further subdivision of the site

Legal Description: Lot 4 Deposited Plan300878 held in Computer Freehold Register 4170

Operative Zoning: Rural General

Proposed Zoning: Wakatipu Basin Rural Amenity Zone (WBRAZ) (Stage 2 Rural Zone variation)

Activity Status: **Discretionary**

Public Notification Date: 1 November 2017

Closing Date for Submissions: 29 November 2017

Submissions: 0

RECOMMENDATION

- (i) That subject to new or additional evidence being presented at the Hearing, the application be **GRANTED** pursuant to Section 104 and 221 of the Resource Management Act 1991 (the RMA) for the following reasons:
1. I consider that the adverse effects of the activity are acceptable as the proposed development can be contained within the established vegetation, is suitably setback from the road, and maintains the established open character of the site in such a way to avoid unacceptable adverse effects on the Visual Amenity Landscape character. Further, I consider the proposed landscaping not in accordance with the existing Landscape Guidelines and the subdivision to be appropriate, and therefore Consent Notice 5081454.6 can be varied with respect to these matters.
 2. The proposal is consistent with the relevant objectives and policies of the Operative and Proposed District Plans with the exception of Chapter 24 (Wakatipu Basin) of the Proposed District Plan with respect to the lot sizes and associated character. The sites can be appropriately serviced, the location of the proposed building platforms makes use of the established vegetation to maintain landscape values with respect to the VAL. A weighting exercise determined that the Operative Rural zone objectives and policies carry more weight than the proposed Chapter 24 provisions. Therefore; it is determined the proposed does overall give effect to the relevant objectives and policies of the Operative and Proposed District Plan.
 3. The proposal does promote the overall purpose of the RMA.

1. INTRODUCTION

My name is Alana Standish. I am a senior resource consents planner with Queenstown Lakes District Council (QLDC). I have been employed as a planner with QLDC in various planner roles for the past five years. I hold the qualifications of a Bachelor of Recourse and Environmental Planning (first class Honours) from Massey University. I am an Intermediate member of the New Zealand Planning Institute, which brings with it obligations with regard to continuing professional development.

I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014 and agree to comply with it. In that regard I confirm that this evidence is written within my area of expertise, except where otherwise stated, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

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

2. PROPOSAL AND SITE DESCRIPTION

I refer the Commission to the report entitled, *“McWhirter Subdivision 1224 Gibbston Highway, Queenstown, 3 lot Subdivision of Lot 4 DP 300878 and the establishment of 2 Residential Building Platforms: Application and Assessment of Environmental Effects, dated 25 September 2017 (Updated 26 October 2017)”*, prepared by Vision Planning Limited, attached as *Appendix 1*, and hereon referred to as the applicant's AEE.

The applicant has provided a detailed description of the proposal, consent history and the site and locality in Section 1 of the applicant's AEE. This description is considered accurate and is adopted for the purpose of this report.

Proposal Summary

In summary, consent is sought to undertake a 3 lot subdivision, to establish a residential building platform on the two new proposed lots, and to change conditions of consent notice 5081454.6; specifically bullet point 2 to enable the proposed landscaping with is not in accordance with the previously approved landscaping and “Landscape Guidelines”; and, bullet point 7 to enable this proposed subdivision of the site. Various design and landscape controls are volunteered (in addition to the existing consent notice), to be registered on each of the new allotments.

The existing linear poplar shelterbelt will be replaced, in a realigned location, by a 4m tall evergreen hedge south and east of the new lots (*Cupressus leylandii*), and existing fence and poplar shelterbelt. In addition, medium size deciduous trees (*Fraxinus* or *Acer* species). With the exception of a minimum number of poplars being removed to allow for the access into Lot 2 from the right-of-way, the poplars will be retained until the new trees/hedge are mature and provide effective visual screening to the future residential units.

The conditions of consent notice 5081454.6 to be changed currently read as follows:

- *“At such a time that a dwelling is to be established, all landscaping on Lots 1, 2, 3 and 4 shall be in accordance with the subdivision “Landscape Guidelines”, which are attached to this consent notice and form part of the decision of the Queenstown Lakes District Council.”*
- *“The registered proprietors shall not further subdivide Lots 1, 2, 3 and 4.”*

Site Description

A full site description is located in Paragraphs 3-11 of the *“Landscape Assessment Report: McWhirter Subdivision Arrow Junction”* (amended report dated October 1207) prepared by Philip Blakely of Blakely Wallace Associates (attached as *Appendix 2* to this report). It is noted that Council's Landscape Architect Ms Helen Mellsop agrees with this description except for paragraphs 9 and 10 which describes the site as having “rural residential character” following the previous 4-lot subdivision RM990535 (Environment Court decision C26/2000) which created the site others to the north. Ms Mellsop disagrees because:

"While I understand that Mr Blakely is not referring to the zone in his landscape description, the Rural Residential Zone anticipates a density of one dwelling per 4000m² and, in my opinion, retains little rural character. The character of the landscape surrounding the site does not approach that anticipated in Rural Lifestyle or Rural Residential zones within the district and actually has less rural living activity and a greater proportion of open pastoral land than many parts of the Rural General Zone within the Wakatipu Basin."

I agree with Ms Mellsop that the site does not present a rural residential character, however otherwise agree and adopt Mr Blakely's landscape site description.

3. SUBMISSIONS

No submissions or late submissions were received in respect to this application.

4. CONSULTATION AND WRITTEN APPROVALS

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

Person (owner/occupier)	Address (location in respect of subject site)
Philip Blakely and Mary Wallace ¹	Section 116 Block VIII Shotover Survey District
Brian and Linda Muirhead ²	1217 Gibbston Highway, Gibbston
Trevor and Julie McRae ³	1222 Gibbston Highway, Gibbston
Shaojie Ma ⁴	1220 Gibbston Highway, Gibbston
Murray Scott and Joy McDonald ⁵	1218 Gibbston Highway, Gibbston
New Zealand Transport Agency (NZTA)	State Highway 6 roading authority



Figure 1: Application site and surrounds. Numbered properties are those whose written approval is provided and corresponds to the table above

5. PLANNING FRAMEWORK

5.1 PROCEDURAL MATTERS

The application was formally accepted for processing on 4 October 2017, and therefore must be considered in respect to the Resource Management Act 1991 provisions as set at that date, not the changes implemented 18 October 2017 under the Resource Legislation Amendment Act 2017.

5.2 THE DISTRICT PLAN

The subject site is zoned **Rural General** under the Operative District Plan (“ODP”), and **Wakatipu Basin Rural Amenity Zone** under the Proposed District Plan (“PDP”) Stage 2.

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.
- protects the on-going operations of Wanaka Airport.

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 areas and national parks.

The relevant provisions of the ODP that require consideration can be found in Part 4 (*District Wide Matters*), Part 5 (*Rural Areas*), and Part 15 (*Subdivision, Development and Financial Contributions*).

Resource consent is required under the ODP for the following reason:

- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3[vi] for the proposed three lot subdivision and location of two residential building platforms in the Rural General Zone.

There are no rules under the PDP with immediate legal effect that are relevant to this application.

5.3 RECOURSE MANAGEMENT ACT 1991 (“RMA”)

- A **discretionary activity** consent pursuant to Section 87B of the RMA and in accordance with Section 221 of the Act which specifies a change to/ cancellation of a Consent Notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132 of the RMA. It is proposed to change conditions of consent notice 5081454.6 to enable landscaping not in accordance with the previously approved landscaping and “Landscape Guidelines”, and to enable the proposed subdivision of the site.

5.4 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

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

5.5 OVERALL ACTIVITY STATUS

Overall, the application is considered to be a **discretionary** activity under the ODP and the RMA.

6. STATUTORY CONSIDERATIONS

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

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:

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

Section 106 of the RMA states, a consent authority may refuse a subdivision in certain circumstances, or grant with conditions if it considers that:

- (1)(a) *the land in respect of which a consent is sought, or any structure on the land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
- (b) *any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to the land, other land, or structure by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
- (c) *sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision*

Section 220 empower the Commission to impose conditions on a subdivision resource consent.

Section 221(3) empower the Commission to grant or decline consent to vary or cancel any condition specified in a consent notice.

7. INTERNAL REPORTS

The following reports have been prepared on behalf of QLDC and are attached as appendices.

- Landscape Report, by QLDC consultant Landscape Architect, Ms Helen Mellsop (*Appendix 3*); and
- Engineering Report, by QLDC consultant Engineer, Mr Alan Hopkins (*Appendix 4*).

The assessments and recommendations of the reports are addressed where appropriate in the assessment to follow.

8. ASSESSMENT

It is considered that the proposal requires assessment in terms of the following:

- (i) Landscape Classification
- (ii) Effects on the Environment (guided by Assessment Criteria, but not restricted by them)
- (iii) Objectives and Policies Assessment
- (iv) Other Matters

8.1 LANDSCAPE CLASSIFICATION

The applicants Landscape Architect Blakely Wallace and Ms Mellsop agree that the site is located within a Visual Amenity Landscape (VAL). I concur with this classification; the following assessment is undertaken in light of the relevant VAL assessment matters.

8.2 EFFECTS ON THE ENVIRONMENT

8.2.1 The Permitted Baseline

Pursuant to Section 104(2) of the Act, when considering the actual and potential effects of an application for resource consent, a consent authority may disregard an adverse effect of an activity on the environment if the District Plan permits an activity with that effect (the permitted baseline).

Activities that could occur as of right in the Rural General Zone and therefore potentially comprise a permitted baseline for this site are:

- Farming activities (except factory farming);
- Any building less than 5m² in area and 2 metres height anywhere within the site; and
- Earthworks up to a volume of 1,000m³.
- Shelterbelt planting provided the trees are not from the specified wilding species list, and are not in an alpine area at an altitude of 1070m above sea level or greater.

In the Rural General zone, all subdivision requires resource consent as does the establishment of residential building platforms (RBP) on any site. Therefore, the permitted baseline is of little relevance given the application is for subdivision including RBP establishment, and changes to a consent notice.

8.2.2 Actual and Potential Effects on the Environment

The District Plan includes a comprehensive range of assessment matters that set out both the process for and matters to be considered for development and activities in Rural Areas. For the purpose of this assessment the proposal has been evaluated under the relevant assessment criteria in of the Operative District Plan of which a full copy is located in *Appendix 5*;

- Part 15.2.3.6(b) (*Subdivision – Rural General*); and
- Part 5.4.2.2(3) (*Rural Areas – Visual Amenity Landscapes*).

It is noted that Council's discretion is not restricted to the assessment matters, and these are used as a guide for considering the proposed activity.

Following an assessment of the application and the expert landscape and engineering evidence, I consider the key issues pertain to the sites openness and pastoral character, visibility of future development and cumulative effects on the landscape. Other than ensuring water quality, no significant engineering matters have been raised; the relevant matters will be addressed briefly.

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

- Rural character, landscape and visual amenity
- Servicing, traffic access and safety
- Natural Hazards

Rural character, landscape and visual amenity

(a) Natural and Pastoral Character

“...whether the adverse effect (including potential effect is the eventual construction and use of buildings and associated spaces) on the natural and pastoral character are avoided, remedied or mitigated...”

Approximately just over half of the site presently maintains open pastures before a shelterbelt breaks views to the existing dwelling and shed at the sites rear. The proposed RBPs will be clustered with those on site and those established on adjacent sites under RM980535, a point that Mr Blakely and Ms Mellsop agree is positive. All areas associated with the residential use will be contained within the landscaped area. This area is presently a paddock available for livestock, and though may not be readily used for livestock in the future, the remainder of the site will remain open pasture, thereby not significantly affecting future use of the site as anticipated in this rural location.

Mr Blakely identifies the site as windy, and while the shelterbelts were discouraged under the current Landscape Guidelines ("LG"), these now form part of the established site, which he considers are appropriate where setback from SH6.

The VAL assessment matters specify a guiding principle for vegetation established after 28 September 2002 in determining whether such vegetation can be considered as beneficial and part of a permitted baseline. It is not clear what planting was undertaken at the time the existing dwelling was established (circa 2001-2002). Council records only show that planting onsite at the time of monitoring for the residential unit (March 2002), was in accordance with the guidelines (no plan on Council file, though the approved structural landscape plan is contained on the final page of the consent notice). Ms Mellsop identifies the shelterbelt and driveway willows, which are not part of the consent notice planting requirement, as likely being planted after 2002 (not clearly evident on aerial photography at 2004), but she is satisfied these are consistent with surrounding species and patterns of shelterbelts, do not obstruct open pastoral views from SH6, and can therefore be considered beneficial. I consider this planting can therefore also be considered as part of the existing environment and therefore comprise a permitted baseline for considering effects as in addition to Ms Mellsop's comments, the species are not considered 'wilding' and the elevation is below 1070masl.

The established shelterbelt and its replacement is not entirely compliant with the LG, and the replacement though generally in the same location as the existing, would follow the boundaries of resultant Lots 1 and 2. While discouraging continuous boundary, and liner planting on accessways, the LG do acknowledge that shelter planting is necessary for horticultural crops; as above these are also permitted by the District Plan. The applicants commercially grow peonies, a horticultural crop, on the easternmost (rear) part of the site. Parts of the shelterbelt are between the crop area and the road, and in part follow the driveway closer to the existing residential unit. I am not a horticultural expert and it is not clear what value this shelterbelt has for the peony crop. Regardless it could be interpreted that while discouraged, a shelterbelt such as that already established onsite, may be beneficial and is not explicitly prohibited by the LG or the DP.

I agree with the landscape experts that the shelterbelt, though it would follow the proposed boundary lines, are an established feature and can form part of the DP permitted baseline. This shelterbelt is appropriately located away from the road, ensuring the majority of the site is maintained in open pasture as viewed from SH6 and the existing and proposed species are appropriate for the area. I also concur with Mr Blakely and Ms Mellsop that future buildings will be partially visible despite the planting; however, I consider that intermittent visibility particularly in winter months is acceptable in a VAL given the volunteered conditions on building form and appearance which I consider are appropriate, and that the natural and pastoral character is largely maintained as presently perceived.

Both experts agree the development would have no direct effect on the adjoining Arrow River Outstanding Natural Feature or the Crown Range Outstanding Natural Landscape, to which I agree.

Overall, I consider the natural and pastoral character of the site is maintained and the proposed residential development and landscaping would not be inappropriate in this location.

(b) Visibility of Development

"Whether the development will result in a loss of the natural or Arcadian pastoral character of the landscape..."

Mr Blakely and Ms Mellsop are in agreement that the site and area to be subdivided is not visible from the Crown Range zig zag or Crown Range look out; however Ms Mellsop considers a future Residential Unit (RU) on Lot 2 could be partially visible from across the river at the southern end of Arrow Junction Road (or the Queenstown Trail) albeit that view would be limited given the distance and would not affect pastoral character views. From SH6 the site is highly visible for approximately 600m.

In addition to maintaining the existing consent notice conditions imposing a 6m building height limit, the applicants have proposed various landscape and visual mitigation measures including:

- Once established, the proposed landscaping (namely the proposed avenue of deciduous trees along the existing accessway and the proposed new ROW/ driveway, the existing Cupressus leylandii hedge, the new evergreen hedge (referred to as "New internal 4m evergreen hedge (Cupressus leylandii) East and South of R.B.P" on the Landscape Structure Plan), along the northern and southern boundaries of Lots 1 and 2, and the new 1.5 m hedge within Lot 2) to provide screening of the buildings from the state highway (with the possible exception of the roof tops).
- A condition is volunteered requiring that the two existing avenues of poplars within Lots 1 and 2 to be retained, with the exception of the removal of the minimal number necessary to enable construct the intersection of the existing and proposed accessways and the driveway into Lot 2, until the proposed planting reaches a height and maturity sufficient to screen the buildings to the extent that only the rooftops can be partially seen from the State Highway, as shown on the landscape plan. Only then will the poplars be removed and/ or thinned.
- A condition is volunteered requiring that all building cladding, including roof materials, will be within the range of browns, greys, and greens, with a light reflectance value (LRV) of less than 36%;
- The proposed driveway (a 4m wide right of way) will be located alongside the proposed 4m high hedge; thereby minimising the visual fragmentation of the land and providing a single discrete, safe, and efficient access to both sites.
- A condition is volunteered that all fencing will be limited to post and rail or post and netting which will be in keeping with traditional rural elements.
- All landscaping outside the RBPs will be consistent with the Landscape Structure Plan, thereby reinforcing the existing character of the site. This will be assured via a condition of consent.

With the exception of the 1.5m hedge and trees, which Ms Mellsop considers would not substantially screen the Lot 2 building as views will remain under the tree canopy, the experts agree the 4m hedge can provide effective screening once mature (excepting for partial views of roof lines). Maturity would be reached in 5-10 years from planting according to Ms Mellsop, resulting in visually prominent buildings particularly when the poplars are not in leaf during winter months. However, Ms Mellsop goes on to say that:

"...proposed planting is consistent with the existing landscape character and is unlikely to have any significant adverse effects on the natural or pastoral character of available views. The hedges and the ash and maple trees would have a domesticating effect on the landscape, as they are species generally associated with rural living rather than other rural activities."

While the tree species are domestic in nature, they generally meet, or are similar to, the recommended species in the LG and can be anticipated on this site. I agree with Mr Blakely that the distance from SH6 in addition to the landscaping and method for implementation does reduce the effects of additional built form. The methodology for replacing the poplars is, in my opinion, important for ensuring appropriate screening and conditions for the plants to be established with irrigation prior to 224c certification are recommended.

As above the new hedge and boundary lines will be in parallel to the SH6, and the existing line of poplars. Shelterbelt planting is permitted under the DP and not explicitly prohibited under the consented LG. I consider the mitigation afforded from these trees does form an established part of the existing environment and as Ms Mellsop identified, these can be considered beneficial. I consider the new shelterbelt is in a similar enough location to the existing that their location would not appear arbitrary on the landscape and would assist mitigating visibility of the development from the most prominent vantage of SH6 without adversely obstruct views of the natural topography to any greater extent than the existing shelterbelt. Future buildings would not break the line or form of any skyline, ridge, hill or prominent slopes, nor does the screening obstruct views of the natural topography. I agree with Mr Blakely that the development does not constitute sprawl as the buildings will be well clustered with others.

Overall, it is my opinion that the development will not result in a loss of natural or Arcadian pastoral landscape character views, and is therefore appropriate in this location.

(c) Form and Density of Development

The form and density of the proposed development is considered appropriate given the proximity to other residential buildings and platforms, and in a location that can absorb the change; a point on which both experts agree.

(d) Cumulative Effects of Development on the Landscape

“...whether and the extent to which the granting of the consent may give rise to adverse cumulative effects on the natural or Arcadian pastoral character of the landscape with particular regard to the inappropriate domestication of the landscape...”

As discussed above, and guided by expert evidence, I am of the opinion that the natural and pastoral character of the site is maintained such that the development and landscaping would not be inappropriate, the development will not result in a loss of natural or Arcadian pastoral landscape character views of the site, and that the density of development can be absorbed in this location.

Ms Mellsop has identified the ‘vicinity’ of the site to extend from the Crown Range Road (north) to the Judge and Jury landform to the south, and that;

“While there is rural living activity within this area, the majority of the lots are between 10 and 20 hectares in size and residential development is reasonably dispersed and discrete. A level of open character has been retained and there are a number of working farms or horticultural businesses, including the peony growing and deer breeding on the application site. The flats retain a moderately high level of rural character and, as the first area of the Wakatipu Basin experienced as people approach from the east, form a high amenity ‘rural’ gateway to the basin”.

This conclusion adheres to the proposed Landscape Character Unit for this site and surrounds - #19 Gibbston Highway Flats – as described in Chapter 24 (Wakatipu Basin) of the PDP.

Mr Blakely has not provided as specific a description of the ‘vicinity’ noting simply that surrounding the site is rural land to the south and rural residential land to the north and west. The Operative District Plan directs that:

...the term ‘vicinity’ generally means an area of land containing the site subject to the application plus adjoining or surrounding land [...] contained within the same view or vista as view from:” any public place or vista, or adjacent or nearby sites, and would generally be in a 1.1km direction in any direction.

Ms Mellsop identifies existing and consented development in the vicinity of the site and references a further subdivision consent RM170891. At the time of writing this report a decision on RM170891 has not been made, therefore cannot be considered as part of the receiving environment, even though the northern part of this site where one RBP is proposed is within 1km of the application site. Regardless, given the curving nature of the road and separation of that site by Lot 1 DP 21342 (Blakely site to the west who have provided written APA for this application), I consider that views of this and the application site would not be contained within the same view, particularly from SH6, and given the application site is not visible from the Crown Range Zig Zag or Crown Range Look Out, and would not be seen in the same vista.

I accept Ms Mellsop's opinion that the area is close to the threshold where additional domestication would significantly undermine the rural and pastoral character, that the 'gateway' to the flats surrounding SH6 between the Judge and Jury and the Crown Range Road intersection is highly sensitive to additional domestication. Ms Mellsop suggests that this sensitivity is recognised in the 1999 subdivision decision (granted in 2001) and resultant consent notice preventing further subdivision. I note however that no further subdivision condition eventuated following mediation on an appeal by submitters on the grant of consent, and not because the decision specifically determined the site and landscape character had reached a capacity to absorb further change. Further, Ms Mellsop has referenced the 2014 Wakatipu Basin Residential Subdivision and Development: Landscape Character Assessment and the March 2017 Wakatipu Basin Land Use Planning Study. The culmination of these studies is Chapter 26 (Wakatipu Basin) of the PDP stage 2 (notified 23 November 2017). The application site is located within the "Gibbston Highway Flats" landscape character unit which is determined to have a very low capability to absorb additional development. This chapter is currently open for public consultation and I consider has very little weight on this application given the proposed policy changes are yet to be debated. An assessment on the relevant objectives and policies is provided in section 8.3.3 below.

Mr Blakely's assessment on cumulative effects considers that;

"The development will add to the domestication in a minor way but not to the extent that a threshold has been reached with respect to the site's ability to absorb further change in particular because of its location well away from SH 6. This is a tightly contained development where effects will be mitigated and can be absorbed into the wider landscape. This development will not contribute to degradation of the landscape".

While I accept Ms Mellsop's opinion that the subdivision would result in moderate cumulative effect on the landscape, however; I agree with Mr Blakely's conclusions because, as has been demonstrated through (a)-(c) above, the proposed subdivision is well designed, using the existing environment (vegetation pattern and features which form part of the permitted baseline) to contain the development while maintaining the existing open pastoral character on the site. I accept the future buildings would be partially visible (roofs), however that visibility, as above, is considered acceptable within this VAL context. Therefore while I agree with Ms Mellsop that the area is close to a threshold where cumulative effects would undermine the character, it is my opinion that this development does not cross that threshold.

Therefore, it is my opinion that whilst the proposal will result in moderate cumulative effects on the landscape character, that the proposal demonstrates the effects can be mitigated such that the effects are acceptable.

(e) Rural Amenities

Both experts are in agreement that the proposal maintains appropriate visual access to open space, will not require urban scale infrastructure, that landscaping and fencing maintains traditional rural elements. All adjoining neighbours have provided written APA for the development and I consider the effects of new activities associated with the new RBPs on neighbours amenity does not need to be considered further.

Changes to the Consent Notice and Landscape Guidelines

The existing Landscape Guidelines seek to maintain the open character of the site, mitigate visibility through linking RBPs together with consistent tree planting and mounding, and avoid straight line boundary planting which emphasise boundaries where practical, particularly along the SH6 boundary. This is consistent with VAL assessment matters. It also seeks to avoid further subdivision of the site. These overarching principles are to be retained.

Philip Blakely and Mary Wallace, the owners of Section 116 Block VIII Shotover SD (adjoining application site to the south) and who have provide written approval to this application, were an appellant to the decision to grant RM990535. Environment Court mediation resulted in revised platform locations on Lots 3 and 4 and associated boundary changes, a covenant condition preventing further subdivision of Lots 1-4 (registered as a consent notice condition rather than Land Covenant, though it is not clear why this occurred), that the landscape guidelines be prepared in consultation with submitters, and the condition for all landscaping to be in accordance with those guidelines. Given Mr Blakely and Ms Wallace have provided written APA to this application, I consider this party, being the only appellant to RM990535 are not affected by the landscaping that is not in accordance with the LG or the further subdivision of the site to enable this development.

All other neighbours whose properties are subject to the same LG and subdivision clause have also provided written approval and would not be adversely affected by the grant of consent.

Given the preceding assessment that the changes to the consent notice to enable this development are appropriate, it is my opinion that the changes applied for are also appropriate.

Infrastructure Servicing

The underlying lot and existing dwelling is supplied with water sourced from the Arrow River via an existing private supply scheme and permitted water take. The existing water supply system has sufficient capacity to supply the building platforms with 2,100 l/day of water. Mr Hopkins notes it is unclear if the gravity feed will be sufficient to provide minimum pressures directly to the future dwellings as required under Clause G12 of the Building Code but that if required a buffering tank and localised pressure pump could be installed at each dwelling. Conditions are recommended that detailed design plans to ensure that pipe work to the proposed RBPs on Lots 1 and 2 are installed in accordance with Council standards.

The RM990535 consent found the water supply required UV and filtration treatment. UV filtration is proposed however Mr Hopkins is not satisfied this is the most appropriate treatment method given no recent water quality tests have not been provided. As such a consent condition is recommended that recent water quality testing be provided prior to 224c certification to confirm the supply complies with the minimum requirements of the New Zealand Drinking Water Standard (the Standard), where the supply fails to meet the minimum Standard a water treatment report be provided from a suitably qualified professional detailing how the supply will be treated to comply with the Standard. This treatment system (if required) would need to be either installed prior to 224c certification or a consent notice registered on the future titles to ensure treatment is installed when a dwelling is constructed.

Mr Hopkins has also noted that no evidence as to how the current water supply is monitored or maintained has been provided. As this is a communal system, a condition is recommended that prior to 224c certification evidence as to how the communal water supply system will be monitored and maintained on an ongoing basis be provided, including the provision of an Operation & Maintenance plan for the system.

Onsite static fire-fighting supply will be installed to meet the minimum 20,000litre requirement for each lot, and this is considered appropriate.

Overall, I consider the water supply is feasible and I accept the recommended conditions as appropriate to ensure healthy, continuous water supply is obtained.

Effluent and stormwater disposal is to be dealt with on site. Based on the site and soils assessment from Railton Contracting & Drainage Ltd dated 7/7/2017, Mr Hopkins is satisfied the disposal to ground is feasible for both and recommends supporting conditions for each system to be designed in accordance with the Railton report.

Provisional letters for power and telecommunications supply have been provided demonstrating the new allotments can be serviced. Consent conditions are recommended that prior to 224c certification, written confirmation is provided from power and telecommunication utility providers that suitable supply has been made available to the RBPs on Lots 1 and 2 and any associated costs met.

Overall, I consider the development can appropriately manage effluent and stormwater, and that power and telecommunications can be provided to each new allotment.

Traffic Access and Safety

No new vehicle crossings to SH6 are proposed; the two new allotments will access from the existing crossing which services the neighbouring sites, including the Millbrook quarry. NZTA have provided their written approval for the additional lots to use this access, and Mr Hopkin's is satisfied the crossing is appropriately formed.

Mr Hopkins is also satisfied the existing right of way (ROW) from which the lots will access, either meets or exceeds the Subdivision Code of Practice (CoP) requirements given the number of lots is accesses, materiality, carriageway width and passing provision. The new ROW to Lots 1 and 2 would be 4m wide, with minimum formed 2.5m width which Mr Hopkins is satisfied can meet the CoP standards.

Conditions are recommended for the detailed designs for the new ROW and to ensure the relevant easements are secured at the time of section 223 certification.

Given the above I consider appropriate access to the new allotments can be secured, and that the additional traffic from this location would not be inappropriate or result in adverse traffic safety effects.

Natural Hazards

QLDC hazard maps show a liquefaction risk and Alluvial Fan (Young Active Composite) hazard associated with the Royal Burn waterway located to the south-east (approximately 35-40m from the RBPs on Lots 1 and 2, and 115m from the existing dwelling on Lot 3). Mr Hopkins is satisfied that given the offset from the hazard boundary, that neither hazard applies to the proposed RBPs.

Given this assessment I consider the location of the RBPs would not be affected by or exacerbate a natural hazard situation.

8.2.3 SUMMARY OF EFFECTS

I consider the proposed development would be appropriate as the proposal maintains the open character of the site, with the future built form contained within established vegetation that forms part of the permitted baseline, is clustered with existing development and can be appropriately serviced. Consent conditions can be imposed to this effect should consent be granted.

Overall, I consider the effects of this development are acceptable.

8.3 THE DISTRICT PLAN – ASSESSMENT MATTERS AND OBJECTIVES AND POLICIES

The relevant Objectives and Policies of the Operative and Proposed District Plans are attached as *Appendix 6* to this report. A discussion on these is provided below. Further, I consider the assessment provided in the Applicant's AEE is thorough and direct the commission to this for further reading.

8.3.1 Operative District Plan

Part 4: District Wide Landscape and Visual Amenity

The relevant objective 4.2.5 and associated policies 1, 4, 8 and 17 recognise the significance of landscape and visual amenity values and seeks to ensure that those values are not diminished through inappropriate future development and cumulative degradation.

As discussed previously, the location of proposed boundary lines and the platforms are mitigated by integrating within the existing permitted vegetation pattern to be strengthened with additional planting, clustering with existing development, and ongoing building, external appearance and landscape controls. It is recognised that the area does have limited ability to absorb change due to its open pastoral character associated with the VAL, however the retention of established vegetation to screen development while keeping the existing areas of open space mean the open character of the site and surrounds are maintained. The open character of the site is highly visible along a 600m stretch of SH6 as is the existing vegetation windbreak, behind which the existing house and future houses within the proposed RBPs would be constructed. I accept the area is sensitive to change however; I am satisfied that the proposal including level of mitigation is appropriate and would not result in more than minor cumulative degradation. Linear tree planting is maintained away from SH6 ensuring open character retention, and making the RBPs only partially, not highly visible from the road.

Therefore, I consider this location does have the potential to absorb the change without detracting from the landscape and visual amenity values and is consistent with the objective and associated policies.

Part 5: Rural Areas

The relevant objectives and policies contained in Part 5.2 (Objective 1; Policies 1.1-1.8, Objective 2; Policies 2.1-2.2 and 2.4, and Objective 3; Policies 3.1-3.3 and 3.5) seek to protect the character and landscape values of the rural area, to retain the life supporting capacity of soils and vegetation, and to appropriately manage effects of activities on rural amenity.

The proposed subdivision will occur on a site presently used for peony growing, rearing deer and residential living. The majority of the site will remain unchanged, with a discrete area located between existing shelterbelt vegetation the location for the RBPs and new ROW. In this I consider the proposed allows for a range of activities on the site including the maintenance of productive land, and would avoid adverse effects on the life supporting capacity of soils. As discussed previously, given the subdivision design and RBP location away from boundaries, I consider the site does have the ability to absorb the change and would preserve the visual coherence of the site, thereby maintaining rural amenity values.

Overall, I consider the proposed is consistent with the relevant Rural objectives and policies to protect character and landscape values, soils capacity and rural amenities.

Part 15: Subdivision, Development and Financial Contributions

The relevant objectives and policies (Objective 1; policies 1.2, 1.5-1.12, Objective 2; policy 2.1, and Objective 5; policies 5.1-5.5) seek to ensure the necessary services are installed, that the cost of subdivision is met by the subdivider, and to ensure that amenity is protected through lot sizes that provide for efficient and effective functioning with appropriate levels of open space. The engineering assessment has determined that the site can be appropriately serviced, albeit that conditions will need to be imposed to ensure water quality standards and confirmed and maintained. Ensuring the RBPs are serviced prior to 224c certification will also ensure the subdivider bears the cost of subdivision. Further, as above, amenity is maintained as the lot and RBP sizes and location have been determined as appropriate.

Overall, I consider the proposed is consistent with the relevant Part 15 objectives and policies.

8.3.2 Proposed District Plan

The Proposed District Plan (PDP) Stage 1 was notified on 26 August 2015, and Stage 2 on 23 November 2017. The relevant Objectives and Policies are located in Part 2: Chapter 6 (Landscapes), Part 5: Chapter 27 (Subdivision and Development) (Stage 1), and Chapter 24 (Wakatipu Basin) (variation to Rural zone under Stage 2) attached as *Appendix 6* to this report.

Part 2: Chapter 6 (Landscapes)

The relevant objectives and policies (Objective 6.3.1; Policies 6.3.1.4, 6.3.1.5, 6.3.1.8 and 6.3.1.11, Objective 6.3.2; Policies 6.3.2.1-6.3.2.5, and Objective 6.3.5; Policies 6.3.5.1-6.3.5.6) seek to recognise the importance of the landscape values, including those areas described as Rural Landscape Character (RLC – currently known Visual Amenity Landscapes) and that these landscapes require protection from inappropriate development, to ensure careful consideration is given to cumulative effects in terms of character and environmental impact when considering residential activity in rural areas, and to ensure that landscape character is not diminished as a consequence of inappropriate subdivision and development.

These objectives and policies are similar in nature to those of the ODP and as has been discussed above, given the subdivision design and RBP location away from boundaries, I consider the site does have the ability to absorb the change, does not constitute inappropriate development with adverse cumulative effects and, thereby does not degrade the landscape character.

Overall, I consider the proposal is consistent with the relevant Chapter 6 objectives and policies.

Part 5: Chapter 27 (Subdivision and Development)

The relevant objectives and policies (Objective 27.2.1; policies 27.2.1.1 - 27.2.1.3 and 27.2.1.5, Objective 27.2.5; policies 27.2.5.4, 27.2.5.7, 27.2.5.11 – 27.2.5.18, and Objective 27.2.6; policy 27.2.6.1 seek to ensure that subdivisions create quality environments that serviced with infrastructure that meets the anticipated needs of the development, and whereby the cost are borne by the subdivider.

I consider the subdivision is well designed with the resultant allotments being an appropriate size and shape for the intended purpose and internal roading linked with the existing access and otherwise shielded from view by the established onsite vegetation. The engineering assessment, which I have relied upon, has determined the sites can be appropriately serviced to meet the QLDC Land Development and Subdivision Code of Practice with respect to all key services, noting that potable water supply is feasible however may need to be treated. This matter can be dealt with by consent conditions, which are recommended. The services will be established prior to 224c certification thus the cost of subdivision will be borne by the subdivider.

Overall, I consider the proposed is consistent with the Chapter 27 objectives and policies.

Chapter 24 (Wakatipu Basin)

The relevant objectives and policies (Objective 24.2.1; policies 24.2.1.1 – 24.2.1.12, Objective 24.2.3; policies 24.2.3.1 – 24.2.3.3 and Objective 24.2.4; policies 24.2.4.1 – 24.2.4.6) seek to ensure the landscape and visual amenity values are protected, maintained and enhanced through implementing minimum lot sizes (80 hectares in the Wakatipu Basin Rural Amenity Zone), minimise landscape modification, control colour, scale and form of development, ensure buildings are subservient to the landscape, to avoid or mitigate reverse sensitivity effects, and that subdivision maintains water and ecological quality and ensuring infrastructure provision.

The proposed does not meet the minimum 80 hectares for subdivision in the WBRAZ as discussed in the zone purpose and set through proposed new rules. However this minimum allotment size is not specifically set through the objective and policies albeit that policy 24.2.1.1 is key to supporting implementation of the proposed minimum lot size rules. The application site is presently 7.4122ha in size. The resultant allotments would be 6.4142 ha, 4220m² and 5760m² thereby I consider the proposed will not achieve policy 24.2.1.1 which supports implementation of the minimum lot sizes set for the WBRAZ to help protect the landscape character and amenity values.

The proposal does demonstrate the development can be appropriately serviced including access onsite without modifying the landscape. Mounding as visual mitigation was specifically not chosen to avoid further landscape modification. I consider the proposal is consistent with policy 24.2.1.2.

The site is located within the 'Gibbston Highway Flats' landscape character unit. Ms Mellsop determined the development, though well designed and largely screened by established and supplementary vegetation, would create adverse cumulative effects on the character of the Gibbston Highway Flats. This is a challenging position as the proposed development does maintain the existing views across the site towards the Arrow River (though the river itself cannot be seen), and the established sense of openness across the site and perception of naturalness associated with a small predominantly pasture based working farm. The proposed scale of buildings within the RBPs is suitably limited by height controls, and a subdued colour pallet, though no maximum coverage is proposed, and each RBP is well setback from boundaries. No earthworks are proposed and where vegetation will be removed, this will be done over time in a controlled format once replacement vegetation is established. I do not consider the proposed development enhances the landscape character and amenity values however; I do consider the proposed development would maintain those values and therefore achieves policies 24.2.1.3 – 24.2.1.9. Clustering additional residential development in this rural location does have the potential to result in reverse sensitivity effects from rural activities. Particularly in relation to any associated noise, odour and general operational activities. The application site is a small farm, which I observed to stock few animals in the principle grazing paddock to be retained in addition to commercial peony growing at the sites rear, surrounded by other various sized rural land. There is also an operational mine in the vicinity (accessed from the shared vehicles crossing at SH6). The clustered RBPs bound by proposed evergreen shelterbelts would provide visual separation from the rural activities and future buildings. While the applicants have not proposed any specific conditions to address reverse sensitivity issues, the PDP continues to recognise that rural activities and associated effects are part of the surrounding rural amenity.

Given these factors and the preceding assessment, I consider the proposal does maintain a sense of openness on the site whereby the buildings will be subservient to the natural landscape and the existing landscape character and amenity values are maintained. However those values are not enhanced by this subdivision and minimum allotment size is not achieved. Overall, I consider the proposed is only partially consistent with the Chapter 24 objectives and policies and is inconsistent with the key objective to maintain new proposed minimum allotment sizes.

8.3.3 Weighting

While the District Plan is the current planning document and the Proposed District Plan has yet to be debated fully, the District Plan must have significant weight. This is particularly relevant given proposed changes to the Wakatipu Basin which as notified would see minimum lot sizes with strong supporting policies. Stage 2 is still open to public consultation with submissions closing 23 February 2018. Given the proposed lot size is well below the minimum lot size proposed in the PDP, the application, though considered a well-designed subdivision is not wholly consistent with the direction of the PDP. However, given the WBRAZ provisions (which replaces previous proposed Rural zones provisions under PDP Chapter 21), and supporting objectives and policies are yet to be debated, I consider these new WBRAZ objectives and policies do not yet hold sufficient weight, and the ODP must be given full consideration. I am satisfied that the relevant objectives and policies in the operative District Plan and those in the PDP with respect to subdivision and the landscape classification are otherwise closely aligned to each other, and seek to achieve the same outcomes.

8.3.4 SUMMARY OF OBJECTIVES AND POLICIES

Overall, it is my opinion that the proposed development will give effect to and be consistent with the relevant objectives and policies and therefore is considered aligned with the provisions of both the Operative and Proposed District Plans.

8.4 REGIONAL POLICY STATEMENTS (Section 104(1)(b)(v))

The relevant objectives and policies in the Operative Regional Policy Statement are contained within Part 5 (*Land*), and for the Proposed Regional Policy Statements within Part B Chapter 1 (*Resource management in Otago is integrated*), and Chapter 3 (*Otago has high quality natural resources and ecosystems*). A full list is contained in *Appendix 7*.

8.4.1 Operative Regional Policy Statement ("ORPS")

As the District Plan must give effect to the RPS, it is considered that the assessment above is also relevant to assessing the proposal against the relevant objectives and policies of the ORPS which also seeks to promote the sustainable management of Otago's land resources, to avoid, remedy or mitigate degradation to natural and physical resources from activities utilising the land resource (Objectives 5.4.1, 5.4.2; Policy 5.5.4 and 5.5.6).

The proposed subdivision and additional residential use of the site will diminish available productive land. However, the level of soil quality and if this site constitutes high class soils is not known, and as the site is not a large scale farm and the majority of the site is maintained in open pasture for small scale farming activities, I consider the proposed does not significantly reduce potential productivity. Further the proposed does not adversely affect any outstanding natural features or landscapes. As such I consider the additional residential development, would not be inconsistent with the relevant RPS objective and policy.

8.4.2 Proposed Regional Policy Statement for Otago ("PRPS")

The Regional Policy statement is currently under review; proposed changes were notified 23 May 2015, submissions closed 24 July 2015 and the Decisions on the PRPS released 1 October 2017. The relevant objectives and policies of the proposed Regional Policy Statement are contained within Part B Chapter 1 (*Resource management in Otago is integrated*), and Chapter 3 (*Otago has high quality natural resources and ecosystems*) of the Council Decisions Version dated 14 February 2017. The relevant Objectives 1.1, 3.1 and policies 1.12, 1.13, 3.1.8, 3.1.10, and are all subject to appeals by various parties, and are therefore not considered fully operative, and as such carry limited weight.

The PRPS is largely consistent with the ORSP in that the relevant objectives and policies seek to support the wellbeing of people and communities (economic, social, cultural and health and safety)(Objective 1.1), and to ensure Otago's natural resources are identified, recognised and maintained, this includes protecting the land resource from inappropriate development and subdivision (Objectives 3.1 and 3.2). Given the preceding assessments which have found the subdivision and future dwellings in this location is appropriate, and that the proposed development is considered to be consistent with the ORPS, I consider the proposal is also consistent with the PRPS.

8.4.3 SUMMARY OF REGIONAL POLICY STATEMENTS

The PRPS is largely consistent with the ORSP in that the relevant objectives and policies seek to support the wellbeing of people and communities (economic, social, cultural and health and safety)(Objective 1.1), and to ensure that sufficient land is protected for economic production. Given the proposed development is considered to be consistent with the ORPS I consider the proposal is consistent with the PRPS.

9. LEGISLATIVE REQUIREMENTS

9.1 SUBDIVISION (S106) ASSESSMENT

Section 106 enables Council to refuse to grant subdivision consent if it considers the land subject to the application is likely to be subject to natural hazards, if any subsequent use of the land could exacerbate effects from natural hazards, or if sufficient provision has not been made for legal and physical access to each site.

It is considered that appropriate physical and legal access has been or can be created to the site. As to hazards, it is considered the proposed subdivision does suitably consider natural hazards and that subsequent use of the site will be not increase risk from natural hazards.

On the basis of the above assessments there is scope to grant consent under s106 of the RMA.

9.2 CHANGE OF CONSENT NOTICE CONDITION (S221)

Given the preceding assessment has determined that enabling landscaping not in accordance with the Landscape Guidelines and the further subdivision of the site is appropriate, I consider there is scope to grant consent to change the requested conditions of Consent Notice 5081454.6 as it relates to Lot 4 Deposited Plan 300878 held in Computer Freehold Register 4170 as follows:

- a) Bullet point 2 of Consent Notice 5081454.6 is amended to read as follows (deleted text struck-through, added text underlined):

“At such a time that a dwelling is to be established, all landscaping on Lots 1, 2, 3 and 4 shall be in accordance with the subdivision “Landscape Guidelines”, which are attached to this consent notice and form part of the decision of the Queenstown Lakes District Council with the exception of the landscaping approved on Lot 4 and the resultant subdivided lots pursuant to RM171048.”

- b) Bullet point 7 of Consent Notice 5081454.6 is amended to read as follows (deleted text struck-through, added text underlined):

“The registered proprietors shall not further subdivide Lots 1, 2, 3 and 4 except that Lot 4 shall be able to be subdivided into three allotments pursuant to RM171048.”

10. PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

As discussed throughout this report, it is considered that the development proposed is appropriate based upon an assessment of the application against s104 matters and in particular, the relevant provisions of the Operative District Plan.

It is concluded against this document that the proposal does maintain the sought character, landscape and visual amenity values ascribed to a Visual Amenity Landscape. As such, I consider the proposal does promote sustainable management of the landscape resource.

Overall, I consider the proposal does promote sustainable management as per the purposes and principles of the RMA.

11. RECOMMENDATION

- Having considered the proposal it is my opinion that the proposed development can be contained within the established vegetation, is suitably setback from the road, and maintains the established open character of the site in such a way to avoid unacceptable adverse effects on the Visual Amenity Landscape character. Further, I consider the proposed landscaping not in accordance with the LG and the subdivision to be appropriate, and therefore Consent Notice 5081454.6 can be varied with respect to these matters.
- I record that based on expert advice, the sites can be serviced. The location of the proposed building platforms makes use of the established vegetation to maintain landscape values with respect to the VAL. In this regard the proposal would give effect to the relevant objectives and policies of the Operative plan and partially give effect to the Proposed District Plan, thought following a weighting exercise it is the ODP that carries more weight. For these same reasons, I consider the proposal does promote sustainable management and is aligned to Part 2 of the RMA.
- Should the Commission decide to grant consent with conditions pursuant to section 108, a list of draft recommended conditions based upon the matters discussed in the report above, and as recommended by the reporting officers, can be found in *Appendix 8*.

Report prepared by



Alana Standish
SENIOR PLANNER

Reviewed by



Sarah Picard
SENIOR PLANNER

Attachments:	Appendix 1	Applicant's Assessment of Environmental Effects
	Appendix 2	Applicant's Landscape Assessment
	Appendix 3	Council's Landscape Report
	Appendix 4	Council's Engineering Report
	Appendix 5	QLDC Assessment Matters
	Appendix 6	QLDC Objectives and Policies
	Appendix 7	Relevant ORC Regional Policy Statement Objectives and Policies
	Appendix 8	Consent Conditions

Report Dated: **9 February 2018**

APPENDIX 1

Applicant's Assessment of Environmental Effects

McWhirter Subdivision

1224 Gibbston Highway, Queenstown

3 lot Subdivision of Lot 4 DP 300878 and the
establishment of 2 Residential Building Platforms

Application and Assessment of Environmental Effects

25 September 2017

(Updated 26 October 2017)

Prepared by:

Vision Planning Limited

In conjunction with Blakely and Wallace and Southern Land



TABLE OF CONTENTS

1	PROPOSAL	3
1.2	Background	4
1.3	Property Description and Location	4
2	STATUTORY CONSIDERATIONS	5
2.1	The Operative District Plan (ODP)	5
2.2	Resource Management Act 1991	6
2.3	The Proposed District Plan (PDP)	6
2.4	National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (NES)	6
3	DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT PROVISIONS	7
3.1	The Operative District Plan (ODP)	7
3.2	Proposed District Plan Objectives and Policies	13
4	SECTION 104 CONSIDERATIONS - ASSESSMENT OF ENVIRONMENTAL EFFECTS (AEE)	18
5	CONSULTATION AND NOTIFICATION	23
6	PART 2 OF THE RMA 1991 (the Act)	25

APPENDICES

Appendix A	- Computer Register (CT)
Appendix B	- Consent Notice
Appendix C	- Scheme Plan
Appendix D	- Engineering Assessment Report
Appendix E	- Landscape Assessment Report
Appendix F	- Landscape Structure Plan
Appendix G	- Photos of the bare land taken 2001
Appendix H	- Otago Regional Council letter regarding Hail on the site.
Appendix I	- Affected Party Approvals

1 PROPOSAL

This application and Assessment of Environmental Effects (**AEE**) is provided in accordance with the requirements of section 88 of the Resource Management Act 1991 (**the Act**) and the Fourth Schedule of the Act.

This AEE is in support of a resource consent application made by the McWhirter Trust C/o MW & JM McWhirter (the “Applicant”) to:

- Subdivide Lot 4 DP 300878 into 3 lots;
- Establish building platforms on the two new lots; and
- Change conditions of Consent Notice 5081454.6 (B) (bullet points 2 and 7) (refer Condition 11 of RM990535) in order to enable the further subdivision of Lot 4 DP 300878 and to enable landscaping in a manner that is not in accordance with the Landscape Guidelines attached to the Consent Notice. The conditions of that Consent Notice relating to building location, servicing, and building height are proposed to remain unchanged and a condition is volunteered limiting fencing to post and rail and post and wire fencing, as per the Landscape Guidelines attached to the Consent Notice. The Computer Register (CT) is attached as **Appendix A** to this application and the Consent notice is attached as **Appendix B**.

The 3 proposed lots range in size as outlined below:

- Lot 1 5,760 m²
- Lot 2 4,220 m²
- Lot 3 6.41 ha

The proposed subdivision layout is shown on the attached scheme Plan (drawing reference U4002_S1 (revision A approved 19/07/17), attached as **Appendix C**).

The attached Engineering Assessment Report covers the provision of services and access matters in detail (refer **Appendix D**) and confirms there are no servicing constraints to developing the site in the manner proposed

The attached Landscape Assessment confirms that, provided the proposed landscape plan is adhered to, the site is able to absorb the subdivision and extent of development it enables and that any potential landscape and visual amenity effects will be minor or less than minor and will not degrade the landscape (refer **Appendix E**).

In addition to the design and landscape controls already required by Consent Notice 5081454.6 (as outlined above), the following controls are also volunteered to be registered on the Computer Register for all future buildings/ development:

- External building cladding – colours within the range of browns, greys, and greens, with a light reflectance value (LRV) of less than 36%;
- landscaping to be as per the attached Landscape Structure Plan;
- fencing to be only post and wire (including deer fencing) and post and rail types; and
- retaining the existing poplars until the proposed evergreen hedge reaches a height sufficient to screen the buildings to the extent that only the rooftops can be partially seen

from the State Highway, as shown on the attached Landscape Structure Plan (refer **Appendix F**).

You are referred to Section 4.9 of this application for more detail on proposed mitigation measures.

1.2 Background

Consent for a 4 lot subdivision was granted on 9 March 2001 following appeal to the Environment Court to subdivide the land (reference: **RM990535/ Environment Court Decision No. C26/2000**). Lot 4 DP 30087 is by far the largest of the four lots created by this subdivision and it is that lot which is now proposed to be further subdivided through this application.

Through Environment Court mediation, a Consent Memorandum was agreed by the various parties and a Consent Order issued, which amended the Council's decision to approve the subdivision by changing the location of the platforms on Lots 3 and 4, changing condition (7c) to refer to specific agreed landscape guidelines, and by adding an additional condition (11) requiring a covenant to be registered on all titles preventing any further subdivision of lots 1, 2, 3, and 4 in perpetuity.

Landuse Consent (**RM010287**) was then granted on 27 June 2001 for a dwelling within the approved residential building platform (**RBP**) and a farm shed on Lot 4 DP 300878.

1.3 Property Description and Location

The property is located at 1224 Gibbston Highway, Queenstown. It is legally described as Lot 4 DP 300878 and is 7.412 ha in area. A copy of the Certificate of Title is attached to this application as **Appendix A**.

The site contains a house within the approved building platform and a farm shed clustered close to the house in the rear/ west of the site, with the balance land being used by the owners/ residents for grazing deer and growing Peonies (flowers) commercially.

The site is bordered on one side by crown land/ the Arrow River, on one side by the Gibbston Highway/ the State Highway) and on the remaining 2 sides by rural general zoned properties; one of which contains a dwelling.

The site location and boundaries are indicated on the Location Plan below:



Figure 1 - Location Plan

The site is zoned Rural General in the Operative District Plan (ODP) and is located within the Visual Amenity Landscape of the district (refer Map 2, Appendix 8 of the District Plan).

The topography of the subject site is relatively flat. The majority of the site is retained in pasture and the shelter belts and tree planting running along the fence lines are a strong character element of the site. The western-most part of the site is used for the commercial growing of peonies. You are referred to Mr Blakely's landscape assessment for a more detailed physical description of the site and its surrounds.

2 STATUTORY CONSIDERATIONS

2.1 The Operative District Plan (ODP)

The subject site is located within the Rural General Zone of the ODP. The site contains no known protected items or areas of significant vegetation. Under the ODP consent is required for the following:

- A **discretionary activity** consent pursuant to Rule 15.2.3.3 (vi) for the subdivision of Lot 4 DP 300878 into 3 lots and the location of a RBP on each of the two new lots.

The proposed subdivision layout is shown on the attached scheme Plan (reference U4002_S1), included in **Appendix C**).

2.2 Resource Management Act 1991

The proposed activity also requires resource consent for the following reason:

- A **discretionary activity** consent pursuant to Section 87B of the Resource Management Act (**the Act**) and in accordance with Section 221 of the Act which specifies a change to/ cancellation of a Consent Notice shall be processed in accordance with Sections 88 to 121 and 127(4) to 132 of the RMA.

It is proposed to change conditions of Consent Notice 5081454.6 (B) (bullet points 2 and 7) (refer Condition 11 of RM990535) in order to enable the further subdivision of Lot 4 DP 300878 and enable landscaping of the 3 proposed lots in a manner that is not in accordance with the Landscape Guidelines attached to the Consent Notice but is, instead, consistent with the Landscape Structure Plan attached to this Application.

Overall the proposal is a **Discretionary Activity**.

2.3 The Proposed District Plan (PDP)

The review of the District Plan was notified in September 2015. The site is zoned Rural in the PDP. While the PDP rules have no weight at the time of lodging this application, the objectives and policies shall be considered. As such, an assessment of the proposed subdivision has been undertaken against the relevant proposed objectives and policies of the PDP, below.

2.4 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012 (NES).

Having researched the history of the site and made enquiries of both the Queenstown Lakes District Council (**QLDC**) and the Otago Regional Council (**ORC**), it is my view that none of the uses listed in the HAIL have occurred on this site. The current owner has owned this property since June 2001 and photos of the bare land taken at that time are attached as **Appendix G**. Before then it was farm land used for grazing sheep. Having discussed the site with Allan Hamilton, a local elderly farmer who has farmed in the Wakatipu basin for many decades, he advises that the land has always been bare land up until the time the current owners erected their buildings. There is no evidence of dipping or drenching or bulk fertiliser storage ever having been undertaken on this site and, as per the photos, no sheds or yards were located on the land proposed to contain the 2 new RBP's.

Neither the ORC nor the QLDC's GIS have any record of any HAIL activity having occurred on the site. A letter to this effect from the ORC is attached as **Appendix H**.

As such, it is considered more likely than not that past uses have not contaminated the soil to a level that poses a risk to human health and that the NES does not apply to the proposed uses on this site.

3 DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT PROVISIONS

3.1 The Operative District Plan (ODP)

The following relevant Objectives and Policies of the ODP are considered below.

3.1.1 District wide objectives and policies

Objective 4.2.5 - Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.

Policies

1 Future Development

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

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

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

The subdivision is located in an area which is not vulnerable to degradation but, rather, is in a location that has a greater potential to absorb change than many other parts of the Rural General Zone. The subdivision, associated landscaping, and the future residential development enabled through the identification of a RBP on each of the new sites have been designed in a manner that will harmonise with the existing topography and landscape character of the site and its surrounds. Specifically, the introduction of mounding has been avoided as a mitigation technique as it would appear incongruous in the context of this site. It is noted that the site does not contain any ecological or other nature conservation values.

The future dwellings will have only a minor impact on landscape and visual amenity value, with the RPS's being well setback from the State Highway and the Arrow River and clustered with the existing dwellings and farm shed. The boundaries and boundary planting have been positioned to generally reflect the existing pattern of fence lines and rows of tree planting. Consistent with the fencing component of the existing Landscape Guidelines attached to Consent Notice 5081454.6, conditions are volunteered to ensure that only post and rail and post and wire fencing will be erected. Similarly the access follows the boundary planting in a manner that will make it unobtrusive and provides the option for the owners of the new lots to graze the land, should they wish. The landscape assessment by Blakely and Wallace addresses these matters in greater detail and concludes that the proposed layout, landscaping, and fencing controls will result in a development that is consistent with the policy framework set out in the District Plan.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

4. Visual Amenity Landscapes

*(a) To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:
highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and visible from public roads.*

(b) To mitigate loss of or enhance natural character by appropriate planting and landscaping.

(c) To discourage linear tree planting along roads as a method of achieving (a) or (b) above.

The subdivision and resultant residential development is set back at least 182 m from the road and any effects are further mitigated by the proposed planting of all the boundaries and volunteered conditions of consent relating to retaining the existing poplar shelter belt (refer Landscape Structure Plan) until the proposed planting shown in the Landscape Structure Plan has reached sufficient maturity to effectively screen the dwellings, such that no more than the upper part of the rooftops, at most, are visible from State Highway 6.

The landscape assessment concludes that the proposal is not highly visible from any public place and that it will be almost completely screened from the State Highway, with only the possibility of partial views of rooftops potentially able to be glimpsed through trees from a relatively short (600m) stretch of the State Highway.

Through careful placement and design, the adverse visual effects of development on this site will be effectively and sufficiently mitigated. While the additional planting will not necessarily enhance the natural character of the site, it is noted that the site presently exhibits low levels of natural character and that Mr Blakely considers that planting appropriate species consistent with the existing strong cultural character of the locality, which is typified by shelterbelts, hedgerows, and amenity planting is the most appropriate landscape response. Such planting will, in his opinion, mitigate the effects of development and be consistent with and enhance the existing character of the site.

While linear planting is proposed as a means of mitigating the visual effects of the subdivision and development from the State Highway, this is setback at least 182 m from the road and, as such, is not considered to conflict with policy 4(c).

In conclusion, relying on Mr Blakely's landscape assessment, despite the fact that glimpses of the rooftops may be visible through vegetation from a short section of the State Highway, the development will have no more than minor effect on the character of the site and its surrounds or on the landscape and visual amenity values of the wider area. The proposal is therefore considered to be consistent with the above objective and supporting policies.

8. Avoiding Cumulative Degradation

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

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

(b) to encourage comprehensive and sympathetic development of rural areas.

Having considered the proposal in the context of existing and consented development within the immediately surrounding area (refer paragraph 55 of the attached landscape assessment), it is considered that the addition of this development will not result in over-

domestication of the wider area and that it will not become over domesticated to the point that effects on landscape values outweigh the benefits of development.

Taken in conjunction with existing development on the site and the immediate vicinity, the proposal is considered to be a comprehensive and sympathetic development that is compatible with the absorption capacity of the site. The proposal is therefore considered to be consistent with the above objective and supporting policies.

17. Land Use

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

While that part of the site closest to the highway has an open character, this character has been compromised at the rear of the site due to the existing consented development. The identification of two building platforms in the proposed location will result in a cluster of buildings set back and well screened from the highway in a manner that will minimise any adverse effects on the existing open character and visual coherence of the wider site and its surrounding. The proposal is therefore considered to be consistent with the above objective and supporting policies.

3.1.2 Rural General Objectives and Policies

The site is zoned Rural General in the ODP.

Objective 1 - Character and Landscape Value

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

Policies:

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

1.3 Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.

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

1.6 Avoid remedy or mitigate the adverse effects of development on the landscape values of the District.

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

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

The proposal will not compromise the rural productive activities that currently occur on the site, noting that convenient access is specifically maintained between the paddocks and the farm buildings. The clustering of the buildings and consistency of planting proposed and absence of mounding and such other remediation that would appear out of context in this environment mean that the character of the rural area will not be adversely impacted and the visual coherence of the landscape will be preserved. It is noted that the proposed RBP's are located on flat land and will not be visible on any skyline or ridge. This is further confirmed by the assessment undertaken by Blakely and Wallace, which finds that the

proposed development, including the access and landscaping, are located so as to respond to the natural form of the site and existing planting and boundary patterns.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

Objective 2 - Life Supporting Capacity of Soils
Retention of the life supporting capacity of soils and/or vegetation in the rural area so that they are safeguarded to meet the reasonably foreseeable needs of future generations.

Policies

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

The subdivision has been designed to enable the existing agricultural and horticultural activities on the site to continue to be undertaken in a viable manner. The proposal is therefore considered to be consistent with the above objective and supporting policies.

Objective 3 - Rural Amenity
Avoiding, remedying, or mitigating adverse effects of activities on rural amenity.

Policies

- 3.3 To avoid, remedy or mitigate adverse effects of activities located in rural areas.*
- 3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.*

With the proposed mitigation, any adverse effects arising either from the residential activity enabled by the approval of the RBP's or in relation to conflict between residential activity and surrounding rural activities will be no more than minor. The RBP's are set back at least 182 m from the road boundary and, while they encroach into the 15m minimum internal building setback along the eastern and southern boundaries and along the boundary proposed between the two newly created sites (Lots 1 and 2), these encroachments are minor and only affect the applicant, whose affected persons approval is inherently implied. As such, any effect on that person should not be further considered.

Regardless, proposals to limit the reflectivity of the dwellings; restrict the building height (as per the existing Consent Notice); and undertake planting that will complement the existing planting patterns and provide an effective physical barrier between the residential and farming activities mean that there will be a less a minor effect on rural amenity or in relation to conflicts between residential activity and rural activities on Lot 3 and adjacent sites.

Therefore, with the exception of policy 3.5 which will not necessarily be met, the proposal is considered to be consistent with the above objective and the supporting policies.

Objective 4 - Life Supporting Capacity of Water
To safeguard the life supporting capacity of water through the integrated management of the effects of activities

Policies

4.1 In conjunction with the Otago Regional Council:

To encourage activities, which use water efficiently, thereby conserving water quality and quantity.

To discourage activities, which adversely affect the life supporting capacity of water and associated ecosystems.

4.2 To encourage buildings, earthworks and landscaping to be located or carried out a sufficient distance from irrigation infrastructure.

As outlined in the attached Engineering Assessment Report (section 3.1) and the associated attachments thereto, there will be no adverse effects on the life supporting capacity of the water resource being used to service the 2 new lots (being the existing water take from the Arrow River approved through RM990535). The proposal is therefore considered to be consistent with the above objective and supporting policies.

3.1.3 Part 15 - Subdivision, Development, and Financial Contributions

Part 15 of the ODP relates to subdivision, development and financial contributions. The following objectives and policies are considered relevant to this subdivision application:

3.5.1 Objective 1 – Servicing

The provision of necessary services to subdivided lots and development in anticipation of the likely effects of land use activities on those lots and within the developments.

Policies

1.1 To integrate subdivision roading with the existing road network in an efficient manner, which reflects expected traffic levels and the safe and convenient management of vehicles, cyclists and pedestrians.

1.2 To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments.

1.4 To avoid or mitigate any adverse visual and physical effects of subdivision and development roading on the environment.

The subdivision will increase traffic volumes by only a small amount and will utilise an existing vehicle crossing onto State Highway 6, which has been recently upgraded to a standard that is generally consistent with NZTA's Diagram E. As detailed in the Assessment of Effects in Part 4 of this Application, the vehicle crossing point design is adequate for the proposed increased traffic flows and the additional traffic will not affect the safety or efficiency of the access or the wider State Highway network.

Furthermore, using the existing driveway to access the new lots mitigates any effects on rural character and the ability to farm the balance land, which would otherwise result if new, separate driveways were to be created.

Policy 1.5 To ensure water supplies are of a sufficient capacity, including firefighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

The proposal will utilise the existing water supply from the Arrow River. Water testing has shown this to be of sufficient quantity and quality (provided UV filtration is undertaken) to

service the anticipated needs of the two new lots in addition to those lots that it already services.

Policy 1.6 To ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers in accordance with Council's Long Term Community Plan Development Contributions Policy.

The applicant will service the new lots at his own cost. Suitable conditions of consent are expected to ensure that the provision of power, water and telecom supplies occurs prior to Section 224c and that the waste water system and disposal of stormwater is constructed prior to occupation of any dwelling on the new building platforms.

Development contributions will not be payable for wastewater or storm water disposal as these will be disposed of on site. As such, this application also satisfies Objective 15.1.3.2 and the policies associated with that.

1.9 To ensure, upon subdivision or development, that anticipated land uses are provided with means of treating and disposing of sewage in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.

Effluent disposal can be accommodated on site provided a secondary treated effluent system is installed in accordance with the recommendations of the Site and Soils Assessment provided by Railton Contracting Limited, which included with the attached Engineering Assessment Report.

1.11 To ensure adequate provision is made for the supply of reticulated energy, including street lighting, and communication facilities for the anticipated land uses, and the method of reticulation is appropriate to the visual amenity values of the area.

The existing transformer serving Lots 2 and 4 DP 300878 (1222 and 1224 Gibbston Highway) can be upgraded to service the 2 additional lots (refer section 3.2 of the Engineering Assessment Report). Furthermore, a reticulated telecommunication service is available to the 2 additional lots. Letters confirming this are attached to the Engineering Assessment Report.

In summary, Objective 1 seeks to maintain the environmental standards/ quality of the roading network, water and soil, and to ensure that proposed lots are able to be provided with electricity and telecommunication services. The proposal is therefore considered to be consistent with the above objective and supporting policies.

Objective 5 – Amenity Protection

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

Policies

5.2 To ensure subdivision patterns and the location, size and dimensions of lots in rural areas will not lead to a pattern of land uses, which will adversely affect landscape, visual, cultural and other amenity values.

5.3 To encourage innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services.

5.4 To encourage the protection of significant trees or areas of vegetation, upon the subdivision of land.

5.5 To minimise the effects of subdivision and development on the safe and efficient functioning of services and roads.

The proposed location, size, and dimensions of the lots has been determined in order to maintain and enhance the existing landuse patterns and visual amenity of the site, which is characterised by amenity planting and sensitively designed built form at the rear of the site and by pasture, shelterbelts, and linear planting in the front portion. The proposed boundaries will enable the residential and rural activity that currently exists on the site to continue on the balance lot.

As outlined elsewhere in this report, any effect on safety and efficiency of the State Highway arising from this proposal will be minimal and are acceptable to NZTA.

As outlined in the Landscape Assessment undertaken by Blakely and Wallace, the proposal will have no more than minor adverse effects on the existing visual amenity values of the surrounding area. Consideration has also been given to the impact on views from surrounding neighbours and any effect it may have on them. In this regard, the approval of all persons whose visual amenity could be potentially affected has been obtained and, as such, any such effects on them need not be further considered.

There are no significant trees or vegetation that require protection as part of this application.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

3.1.4 Summary

In summary, the proposed subdivision is consistent with the relevant objectives and policies of the ODP. Further detail is provided in the Assessment of Environmental Effects contained in Part 4 of this application.

3.2 Proposed District Plan Objectives and Policies

As this application is being lodged *following* the notification of the Proposed District Plan (PDP), the objectives and policies of that Plan must also be considered. The relevant objectives and policies are contained in Part 6 (Landscapes), Part 21 (Rural Zone), and Part 27 (subdivision) of the PDP and these are assessed below.

3.2.1 Chapter 6 - Landscapes

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.

Policies

6.3.1.4 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many

locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.

6.3.1.10 Recognise that low-intensity pastoral farming on large landholdings contributes to the District's landscape character.

Notwithstanding the fact the assessment matters referred to in Policy 6.3.1.4 do not hold any legal weight, this application has been considered against these assessment matters and is considered to be consistent with them. As such, the nature and scale of this proposal is considered to be appropriate in this location.

While this site is not a large landholding (and therefore Policy 6.3.1.10 does not apply) it is noted that the pastoral (deer) farming that currently occurs to the north of the proposed RBP's will be able to continue in a manner that contributes to the District's landscape character.

In summary, the proposal is considered to be wholly consistent with the above objective and supporting policies.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

Policies

6.3.2.1 Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.

6.3.2.2 Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded

6.3.2.3 Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.

6.3.2.4 Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.

6.3.2.5 Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.

Given the clustered nature of the RBP's within close proximity of the existing dwelling and farm shed; the planting and building controls proposed; and the fact development will be set back and difficult to see from the state highway, this development will not result in the District's landscape quality, character and amenity values being degraded or unable to be sustained.

In Mr Blakely's opinion, due to its clustered layout and the use of an existing accessway, together with further planting consistent with existing species and patterns, the development will not degrade landscape values; will have only negligible cumulative effects; and does not

constitute sprawl along roads due to the clustering of buildings with existing built form. In his opinion, the two additional RBP's proposed can be readily absorbed into the landscape.

The vegetation that is proposed for screening purposes is consistent with the existing cultural plantings on this and surrounding sites and, in Mr Blakely's view, will not adversely affect the landscape quality or rural character of the site or wider area.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).

Policies

6.3.5.1 Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.

6.3.5.2 Avoid adverse effects from subdivision and development that are:

- Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and
- Visible from public roads.

6.3.5.3 Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.

6.3.5.4 Encourage any landscaping to be sustainable and consistent with the established character of the area.

6.3.5.5 Encourage development to utilise shared accesses and infrastructure, to locate within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character.

6.3.5.6 Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.

This proposal (including the proposed landscaping and design controls) will not degrade the landscape character and diminish visual amenity values of the Rural Landscapes (RLC) given that, relying on Mr Blakely's assessment:

- It will not be highly visible from public places and, at worst, will be difficult to see from the state highway and not visible from any other public road;
- openness is part of the landscape character of the front part of Lot 4 DP 300878 but is not a relevant consideration in the rear part of the site. As such, the proposed planting will not, in and of itself, result in adverse effects on openness and is consistent with the established character of the area;
- the development will utilise an existing shared access and shared infrastructure and is specifically located within that part of the site where it will be least visible, and will have the least effect on the rural and open character of the respective parts of the site, including the established rural activities.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

3.2.2 Chapter 21 - Rural

21.2.2 Objective - Sustain the life supporting capacity of soils.

Policies

21.2.2.1 Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.

21.2.2.2 Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.

The proposed development will not compromise the site's ability to continue be used for productive purposes. The applicant intends to continue to farm deer and to grow peonies commercially on proposed Lot 3, noting that both are high yielding primary activities that do not require a large amount of land. The existing land practices will therefore be retained the life supporting capacity of the soils sustained.

21.2.8 Objective - Avoid subdivision and development in areas that are identified as being unsuitable for development.

Policies

21.2.8.1 Assess subdivision and development proposals against the applicable District Wide chapters, in particular, the objectives and policies of the Natural Hazards and Landscape chapters.

For the reasons outlined in more detail in the Assessment of Effects (section 4.8) the proposal is not considered to be in an area identified as unsuitable for development and the proposal is not considered to be contrary to the objectives and policies of the Natural Hazards chapter of the PDP.

As outlined in Mr Blakely's assessment, the area is not considered unsuitable for the proposed development from a landscape perspective.

In summary, the proposal is therefore considered to be consistent with the above objective and supporting policies.

3.2.3 Chapter 27 - Subdivision

27.2.1 Objective - Subdivision will create quality environments that ensure the District is a desirable place to live, visit, work and play.

Policies

27.2.1.1 Require subdivision to be consistent with the QLDC Land Development and Subdivision Code of Practice, while recognising opportunities for innovative design.

27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed to the anticipated land use of the applicable zone.

27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.

To the extent it is relevant, the subdivision is consistent with the QLDC Land Development and Subdivision Code of Practice and will result in lots of a size that are capable of containing a dwelling and that can deal appropriately with servicing requirements.

Furthermore, the requirements of NZTA have been satisfactorily met and its Affected Persons Approval has been obtained.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

27.2.5 Objective - Require infrastructure and services are provided to lots and developments in anticipation of the likely effects of land use activities on those lots and within overall developments.

Policies

27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.

27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:

- *The availability, quantity, quality and security of the supply of water to the lots being created;*
- *Water supplies for fire fighting purposes;*
- *The standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;*
- *Any initiatives proposed to reduce water demand and water use.*

27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

27.2.5.12 Ensure appropriate stormwater design and management by having regard to...

27.2.5.13 Treating and disposing of sewage is provided for in a manner that is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.

27.2.5.14 Ensure appropriate sewage treatment and disposal by having regard to...

27.2.5.16 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:

- *Providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;*
- *Ensure the method of reticulation is appropriate for the visual amenity values of the area by generally requiring services are underground;*
- *Have regard to the design, location and direction of lighting to avoid upward light spill, recognising the night sky as an element that contributes to the District's sense of place;*
- *Generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.*

27.2.5.17 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.

27.2.5.18 Ensure that easements are of an appropriate size, location and length for the intended use.

The necessary infrastructure and services will be provided to the proposed new lots at the developer's cost and all services and the shared access will be protected and managed through appropriate easements.

The proposal is therefore considered to be consistent with the above objective and supporting policies.

4 SECTION 104 CONSIDERATIONS - ASSESSMENT OF ENVIRONMENTAL EFFECTS (AEE)

The following is an assessment of the actual or potential effect on the environment of the activity, as required by Section 104.

4.1 Receiving Environment

The site and the surrounding land are located within the Visual Amenity Landscape of the Rural General Zone.

The land surrounding the site, as well as the site itself, has been subject to a number of subdivision and landuse consents which have created a number of smaller land holdings and a quarry development. While a number of existing dwellings are currently partially visible from the State Highway in this general vicinity, the extent of visibility is limited and viewed through effective vegetative screening. The land surrounding these dwellings is generally retained as pastoral farm land.

These various developments are evident in the location Plan (aerial photograph) included in Section 1.3 of this Application.

Permitted and Consented Baseline

Farming activities, planting (with specific exclusions), fencing, and earthworks of a certain nature and scale are permitted activities in the Rural General Zone. Within the Rural General Zone any subdivision and any building that exceeds 5m² or 2m in height requires resource consent. The consented baseline for this site includes the dwelling and farm shed on Lot 4 DP 300878 consented under RM010287.

Due to the development of this site and others in the vicinity over approximately the past 16 years, the receiving environment now exhibits a predominantly rural residential character (refer paragraph 22 of the attached Landscape Assessment).

4.2 Landscape and Visual effects

The proposal has been designed to maintain the landscape and visual amenity values of the site and to ensure that any effects (including cumulative effects) on the landscape are

no more than minor. The mitigation measures proposed to ensure this are outlined in Section 4.9 of this Assessment of effects and are discussed in the Landscape Assessment attached as **Appendix E** to this application.

It is highlighted that Mr Blakely has adopted a conservative/ precautionary approach in his assessment by concluding that glimpses of rooftops may still be visible but it is noted that it may well be that full screening is, in fact, achieved.

4.3 Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects

Effects on the neighbourhood

Any effects on surrounding neighbours shall be disregarded as all neighbours, including the neighbours on the other side of the state highway opposite the state highway access, have provided their affected persons approval. The location of these persons relative to the site is shown in Table 1 and in a plan included as Figure 2 in Section 5 of this Application. All potential adverse effects on these neighbours must be disregarded.

Beyond those who have provided their approval, no other neighbours will have direct views of the proposed new dwellings due to the fact the dwellings will be well setback from both the road and the riverbank. Given the site can be adequately serviced and the development adequately mitigated in respect to any landscape effects, as addressed in the Landscape Assessment included as **Appendix E**, it is considered that the proposal will have negligible adverse effects on the wider neighbourhood.

Effects on the wider community

Positive Effects

In regard to effects on the wider community, the creation of 2 new lots will provide for increased residential opportunities within the rural area in a manner that is consistent with the District Plan objectives. Construction of the subdivision and dwellings will have positive economic effects on the wider community; will result in more efficient use of the existing water supply and access; and will result in a net gain in terms of enhanced amenity planting as envisaged for the Visual Amenity Landscapes of the Rural General Zone.

It is considered that the proposal will result in net benefit to the wider community when considered in light of the relevant District Plan objectives and when weighed up against the minor adverse effect on landscape and visual amenity values, as outlined by Mr Blakely.

Effects on the safety and efficiency of the State Highway

There is an established vehicle crossing off State Highway 6, which provides access to the four dwellings, including the existing dwelling on the subject site, as well as to the Millbrook quarry. It is proposed that the additional 2 lots will also use this existing vehicle crossing and the Right of Way (ROW), which currently provides access to residences at 1220 Gibbston Highway and 1224 Gibbston Highway.

The existing vehicle crossing is generally formed to a NZTA Diagram E standard¹ and is consistent with Diagram 3: Private Access (Frequent use by heavy vehicles) contained in

¹ Letter from NZTA, 16 May 2017 (attached as part of **Appendix I**)

Appendix 7 of the Queenstown Lakes District Plan, as required as a condition of consent for the Millbrook Quarry (RM9804235). The existing vehicle crossing currently services an estimated 64 vpd from the 4 residences and low levels of daily use by vehicles visiting the quarry (RM980435). It is estimated that the proposed addition of two lots/ dwellings will increase the use of this vehicle crossing to around 80 vpd plus the low amount of traffic related to the quarry operation.

Given the 80km posted speed environment of the State Highway in this location, the available sight distances, and the design of the existing vehicle crossing, it is considered that there will be no more than a minor adverse effect on the safety and efficiency of the State Highway as a result of the additional traffic volumes resulting from this application. As such and due to the modest additional traffic volumes generated by this subdivision, no upgrading of the vehicle crossing or ROW is considered necessary

NZTA has assessed the application and provided its Affected Persons Approval, which is attached as part of **Appendix I**.

In summary, any effects on the wider community will be no more than minor and limited to potential glimpses of rooftops through vegetation for a 600m stretch of the state highway. The proposed building controls, access design, and landscaping collectively provide a well-considered design that is sympathetic to the existing (flat) topography of the site and the existing landuse and planting.

4.4 Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:

The subject site is not known to contain any ecosystems or habitat (plant or animal).

4.5 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations

The subject site is not known to contain any natural resource of any particular recreational, scientific, historical, spiritual, or cultural value, or other special value.

4.6 Effects on the environment in relation to the 3 waters (water supply, sewage, and stormwater)

As outlined in the Engineering Assessment Report (attached as **Appendix D**), all services are adequately provided for. In summary, there will be no adverse effect on the environment in regard to water supply or stormwater and wastewater disposal and effects on the efficiency and safety of the roading network will be no more than minor.

Stormwater and Sewage Disposal

Sewage disposal and stormwater management in relation to the residential building already constructed on Lot 4 DP 300878 in accordance with the approved resource consent.

Disposal of foul sewer and stormwater from the dwellings on the proposed new RBP's will be to ground in accordance with the Site and Soils Assessment provided by Railton Contracting Limited, included in **Appendix D**. This assessment confirms that the site has

the ability to provide for onsite disposal of sewer and stormwater in such a way as to avoid any adverse effects on this receiving environment.

Water Supply

The water supply arrangements that exist for Lot 4 DP 300878 will be retained and upgraded for use by proposed Lots 1, 2, and 3 as outlined in the Engineering Assessment Report, attached as **Appendix D**. There will be no to adverse effects on the receiving environment as a result of upgrading the scheme in the manner proposed.

Telecommunications and Power Supply

The existing dwelling on Lot 2 already has a telecommunications and power supply and telecommunications and electricity will also be supplied to the RBPs. Confirmation of this supply is included in **Appendix D**.

4.7 Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants

The proposed subdivision will be adequately serviced in respect to wastewater disposal as discussed in Section 4.6 above. The proposal does not include the discharge of any additional contaminants.

4.8 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations

The Council's GIS identifies part of proposed Lot 3 and a small corner of proposed Lot 1 as "Alluvial Fan (Regional Scale) Active: Composite" and "Liquefaction Risk Possibly Susceptible". The boundary of the natural hazard, as shown in Council's GIS, is shown as a purple dashed line on the scheme plan attached as **Appendix C**. The proposed RBP's and the existing dwelling sit entirely outside this area; with the area being over 35m from the nearest RBP, at the nearest point. As such, the proposed development is considered suitable in that any risks arising from the presence of natural hazards on the site are avoided by locating the developable areas well outside the identified hazard.

The proposed activity does not include the use of hazardous substances or installations. As the activity does not include the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise is not necessary.

4.9 A description of the mitigation measures to be undertaken to help prevent or reduce the actual or potential effect

The only potential adverse effect identified relates to landscape and visual amenity values.

In order to mitigate any potential effects on landscape and visual amenity values, the following mitigation has been included in the proposal:

- Once established, the proposed landscaping (namely the proposed avenue of deciduous trees along the existing accessway and the proposed new ROW/ driveway, the existing

Cupressus leylandii hedge, the new evergreen hedge² along the northern and southern boundaries of Lots 1 and 2, and the new 1.5 m hedge within Lot 2) will provide effective year-round screening of the buildings from the state highway (with the possible exception of the roof tops) and will be consistent with the existing landscape patterns on this and adjoining sites.

- A condition is volunteered requiring that the two existing avenues of poplars within Lots 1 and 2 will be retained, with the exception of the removal of the minimal number necessary to enable construct the intersection of the existing and proposed accessways and the driveway into Lot 2, until the proposed planting reaches a height and maturity sufficient to screen the buildings to the extent that only the rooftops can be partially seen from the State Highway, as shown on the landscape plan. Only then will the poplars be removed and/ or thinned.
- A condition is volunteered requiring that all building cladding, including roof materials, will be within the range of browns, greys, and greens, with a light reflectance value (LRV) of less than 36%;
- The proposed driveway (a 4m wide right of way) will be located alongside the proposed 4m high hedge; thereby minimising the visual fragmentation of the land and providing a single discrete, safe, and efficient access to both sites.
- A condition is volunteered that all fencing will be limited to post and rail or post and netting which will be in keeping with traditional rural elements.
- All landscaping outside the RBPs will be consistent with the proposed Landscape Structure Plan, thereby reinforcing the existing character of the site. This will be assured via a condition of consent.

In addition:

- Given the flat nature of the site the fact that mounding does not form part of the landscape plan, only very minor earthworks will be undertaken. This will maintain the naturally flat topography of the site.
- The proposed dwellings will be modest in height (subject to an existing consent notice³ on this and the surrounding titles limiting the height to 6m) and will only be partially visible beyond the boundaries of the site.

4.10 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted

As outlined in Table 1 and Figure 2 in Section 5 of this application, all persons who have been deemed to be potentially affected by the proposal have provided their approval. Any effects on the wider community are considered to be de minimus.

4.11 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved

Standard monitoring consent conditions are sufficient.

² Referred to as "New internal 4m evergreen hedge (Cupressus leylandii) East and South of R.B.P" on the attached Landscape Structure Plan

³ Consent Notice 5081454.6

4.12 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group)

As outlined in this application, the proposal will not result in any significant adverse effect on the environment and the location proposed is considered appropriate. As such, the matter of alternative locations has not been addressed in this application. Furthermore, the proposed activity will not have any adverse effect on the exercise of a protected customary right.

4.13 Conclusion

In conclusion, the overall adverse effects of the proposal are no more than minor.

5 CONSULTATION AND NOTIFICATION

Section 95A of the Act states that:

(1) A consent authority may, in its discretion, decide whether to publicly notify an application for a resource consent for an activity.

(2) Despite subsection (1), a consent authority must publicly notify the application if—

(a) it decides (under section 95D) that the activity will have or is likely to have adverse effects on the environment that are more than minor; or

(b) the Applicant requests public notification of the application; or

(c) a rule or national environmental standard requires public notification of the application.

(3) Despite subsections (1) and (2)(a), a consent authority must not publicly notify the application if—

(a) a rule or national environmental standard precludes public notification of the application; and

(b) subsection (2)(b) does not apply.

(4) Despite subsection (3), a consent authority may publicly notify an application if it decides that special circumstances exist in relation to the application.

The applicant has consulted with all of the immediate neighbours, including NZTA, and all those that are considered to be potentially affected by the proposal have provided their affected party approvals. These are attached as **Appendix I**. A summary of those obtained is also shown in Table 1 and Figure 1 below (numbers collate to location of property to site, Figure 1).

Table 1 - Affected Persons Approvals

	Name	Address	Location description
1.	Murray Scott/ Joy Mcdonald	1218 Gibbston Highway, Queenstown	To the north of the applicant's site. It does not adjoin the applicant's site

			but shares the access with 1224 Gibbston Highway.
2.	Shaojie Ma	1220 Gibbston Highway, Queenstown	To the north of the applicant's site. It does not adjoin the applicant's site but shares the access with 1224 Gibbston Highway.
3.	Trevor Owen/ Julie Maree McRae	1222 Gibbston Highway, Queenstown	Adjoins the applicant's site, to the north
4.	Brian and Linda Muirhead,	1217 Gibbston Highway, Queenstown (NB the Affected persons form states it as 1223 but that does not exist on Council's GIS)	Directly opposite and on the other side of the state highway from the entrance to the applicant's site.
5.	Mary Wallace/ Phillip Blakely	Gibbston Highway, Queenstown (Lot 1 DP 21342 Sec116 BLK VIII Shotover SD)	Adjoins the applicant's site, to the south
6.	NZTA	Gibbston Highway, Queenstown	Gibbston Highway, Queenstown



Figure 2 - Locations of Potentially Affected Persons

No other persons are considered to be adversely affected by the proposal due to the fact the site is well contained and will be difficult to see from the State Highway with only glimpses of the rooflines will be visible for a short (600m) section of the State Highway, which Mr Blakely considers will result in negligible cumulative effects, will not result in over domestication, and will read as a cluster of buildings and associated landscaping; much in the same way as is currently the case.

Regardless of this assessment, on the basis that the Council has been directed to notify all applications for new lots and building platforms in the Rural General Zone following the High Court decision AP33/01, the applicant requests public notification under Section 95A (2)(b).

6 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991 (the Act)

Consideration of those matters listed in Section 104(1) is subject to Part 2 of the Act and the Council's discretion is to be informed by the statutory purpose of promoting the sustainable management of natural and physical resources, as reflected in the District Plan.

The elaboration of the term "sustainable management" in section 5(2) of the Act refers to enabling people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety and requires that this purpose be considered in the context of sections 6 - 8.

The application does not raise any matters of national importance (Section 6).

The application raises a number of matters for which particular regard is to be given under Section 7; with those that are relevant to this application being:

- (c) The maintenance and enhancement of amenity values;
- (f) Maintenance and enhancement of the quality of the environment

The rural amenity values attributable to the subject site will be maintained, in accordance with section 7(c) and, in respect of Section 7(f), the quality of the environment will be maintained, if not enhanced, through the increased living opportunities provided by the RBP's and through the enhancement of plantings on the site.

Through this assessment, it is concluded that this subdivision will promote the sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. It is consistent with the values described in paragraphs (a) and (b) of Section 5 of the Act and through appropriate conditions of consent, any adverse effects of the activity on the environment will be avoided, remedied, or sufficiently mitigated as required by the Act.

APPENDIX 2

Applicant's Landscape Assessment

BLAKELY WALLACE ASSOCIATES

PO Box 121, Arrowtown, New Zealand
Telephone 03-442 0303 or 03-442 1188, Fax 03-4420307, E-mail philip@blakelywallace.co.nz



Landscape Assessment Report

McWhirter Subdivision Arrow Junction

INTRODUCTION

1. This landscape assessment accompanies the application for a resource consent. The report assesses the proposed effects on the landscape and visual values in terms of the Operative Queenstown Lakes District Plan. At the outset I wish to declare that I am a joint owner of the adjoining lot (Lot 1 DP 21342) to the south. I do not consider this presents a conflict of interest or affects my ability to provide independent advice to the applicant.
2. The report includes the following:
 - Description of the site and surrounding landscape Context
 - Description of proposal
 - Assessment of landscape and visual effects
 - Assessment Matters (Operative District Plan)
 - Conclusions

DESCRIPTION OF THE SITE AND LANDSCAPE CONTEXT

3. The site is 7.4122 ha and described as Lot 4 Deposited Plan 300878. It is situated on SH6 Gibbston Highway approximately 250 m south of the Crown Range turn-off and extends from the highway west to the upper escarpment edge of the Arrow River Gorge.
4. The area is known locally as Arrow Junction and refers to the area near the junction of the Arrow with the Kawarau River.
5. From Arrowtown the Arrow follows more or less the base of the Crown Terrace as far as Whitechapel. At the turn off to the Crown Range Road, the terrace face extends forward then south east leaving a gently sloping alluvial flats between the base of the terrace face and the Arrow River (and bisected by SH6). From the Arrow Junction bridge downstream the Arrow is incised within a gorge to the

confluence of the two rivers. The river escarpment is higher on the true left of the river and lower on the true right.

6. Alluvial flats continue on the west side of the Arrow River. These are contained to the west by Morven Hill (750m asl), a glacial roche moutonnee, and to the north and south by higher ice sculptured topography. The high ground forming the southern mountain backdrop to Arrow Junction is dominated by Double Cone, and the adjoining range including Ben Croachan and Mt. Salmond.
7. At Whitechapel there is a small rural residential settlement dating back to early settlement of the District and includes some stone buildings and ruins and associated plantings. Residential settlement has now grown and extends to the north and south of the original settlement. The southern extension (south of the Arrow Junction bridge) is called Rapley Close.
8. The applicant's land is Lot 4 of a 4 lot subdivision (2001) south of Rapley Close rural residential area.
9. The 2001 subdivision has created a rural residential character to this parcel of land consisting of four dwellings, associated outbuildings, curtilage areas and access roads. A rock quarry is operated on Lot 1 opposite the Crown Range turn-off. Immediately north of the quarry and opposite the Crown Range turnoff is a prominent rock outcrop.
10. South of the applicant's land on both sides of the highway is a mix of scattered rural residential and more open rural, grazed land. Plantings generally reflect early cultural shelter plantings of poplar, hawthorn and exotic conifers and deciduous trees.
11. The applicant's site is gently sloping to flat land with an existing dwelling located close to the edge of the Arrow River gorge. Commercial peony flowers occupy a strip of land south of the dwelling on the edge of the river escarpment. A farm shed is located east of the Peony garden and south of the residential dwelling. The residential dwelling and adjoining paddock have evergreen and deciduous shelterbelts with amenity planting surrounding the dwelling. The balance of the property is open and grazed with deer fencing and is used for deer farming. Lot 3 to the north has a residential dwelling and shed both reasonably close to the applicants dwelling.

DESCRIPTION OF PROPOSAL AND OVERVIEW OF DESIGN

12. The proposal is to subdivide Lot 4 DP 300878 into 3 Lots. The largest lot, Lot 3 (6.4142ha) will retain the existing residential dwelling, shed, commercial peony garden, and grazing land. The two new lots (Lots 1 and 2) will have separate building platforms and a shared access road off the existing accessway ROW. The new residential building platforms (RBP) are located reasonably close together with allowance for privacy, and also close to the existing dwelling and farmshed

on the McWhirter property. The proposed RBPs are also located reasonably close to the buildings on Lot 3 (DP 300878).

13. The overall effect is that buildings erected on the new RBPs are clustered close to existing buildings and contained within existing and proposed shelterbelts and other amenity planting. From SH6 the existing and proposed development will read as a single cluster of development set back from the highway while maintaining a band of open rural land adjacent to SH6.

ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

14. The assessment of landscape and visual effects comprises two parts.
 - the visual effects of the development from public places.
 - the assessment of landscape effects. This deals with the effects of change on the landscape as a resource, the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape and its distinctive character.

These matters are addressed in the assessment matters for Visual Amenity Landscapes. (VAL)

Visual Effects and Visibility

15. The site has high visibility from SH6 for approximately 600m from the south boundary of the applicant's land to the Crown Range turn-off. However the potential visibility of development is mitigated by the setback from the SH and by the existing and proposed planting. The set back from the highway is at least 182m to the east boundary of the subdivision and this will remain open and rural and 200m to the closest build platform). It is not visible from the Crown Range Zig Zag or Crown Range Look Out. The site proposed for subdivision is also not visible from across the river from Arrow Junction Road (or the Queenstown Trail) due to the RBPs being setback from the Arrow River Gorge and also because of existing vegetation screening on Arrow Junction Road that blocks views to the proposed site .

Landscape Categorization

16. The site is classified as Visual Amenity Landscape (VAL), Rural General Zone in the Operative Queenstown Lakes District Plan.
17. The Queenstown-Lakes District Council Operative District Plan (the District Plan) includes the following statement with regard to VAL:

The visual amenity landscapes are the landscapes to which particular regard is to be had under Section 7 of the Act. They are the landscapes, which wear a cloak of human activity much more obviously – pastoral (in the poetic and picturesque sense rather than the functional sense) or Arcadian landscapes with more houses and trees, greener (introduced)

grasses and tend to be on the district's downlands, flats and terraces. The extra quality that these landscapes possess which bring them into the category of 'visual amenity landscape' is their prominence because they are:

- 1. adjacent to outstanding natural features or landscapes;*
- 2. or on ridges or hills; downlands or terraces; or*
- 3. a combination of the above.*

18. In terms of the District Plan categorisation, I agree that the landscape that includes the subject site is VAL.

OPERATIVE QLDC DISTRICT PLAN

Visual Amenity Landscape (VAL)

19. The assessment matters for the VAL landscape category are contained within Part 5 4.2.2(3) of the Operative Plan. The site is part of a larger VAL that surrounds and extends beyond the site.

Effect on natural and pastoral character

20. The site is adjacent to the Crown Range ONL and the Arrow River ONF. It is considered that the proposal will have very little, if any effect on the natural and pastoral character in the foreground of the Crown Range ONL. This is due to the proposed subdivision being setback from Crown Terrace and the band of open grazing land that will remain adjacent to the Crown Terrace and SH6. The new development will be clustered with existing development on the applicant's land and close to adjoining Lot 2 (DP 300878). The effect on natural and pastoral character of the ONL will be little different to the existing situation. It is considered that the effects on the Arrow River ONF will also be de minimus because the proposed subdivision and development is set back from the edge of the river escarpment and has no direct effect on the ONF.
21. The scale and nature of the development will have minor effect on the natural and pastoral character of the surrounding VAL. The proposed subdivision is clustered with the existing dwelling and farmshed and is also close to the dwelling on Lot 2 DP 300878. With the existing amenity and shelter planting and proposed additional planting the development will be contained and appear similar to the existing situation.
22. The proposed development will not degrade the natural or arcadian pastoral character of the landscape surrounding the site by causing over-domestication of the landscape as the development is clustered and contained adjacent to existing development (within the applicant's land) and to a lesser extent with the adjoining 2001 created lots. An existing hedgerow (identified as the 'hawthorne hedge' on the Landscape Plan) defines the south boundary of the applicant's land with the southern neighbour (Lot 1 DP 21342) and this will contain the effects of the development to the south. A new internal 4m tall evergreen hedge

(*Cupressus leylandii*), the same species as the evergreen hedge surrounding the existing dwelling on Lot 3, is proposed on the south and east side of the proposed new lots. The eastern boundary of Lots 1 and 2 has been aligned so that it is perpendicular to the proposed new driveway rather than follow the line of the existing fence and poplar shelterbelt. In addition, medium size deciduous trees (*Fraxinus* or *Acer* species) follow the new driveway to the two new lots. When these plantings are established they will replace the existing poplar shelterbelt on the east side of the proposed lots. I.e. the existing poplar shelterbelt will be retained, with the exception of a minimum number of trees possible to allow for access into Lot 2 until the proposed evergreen hedge and deciduous trees have reached sufficient maturity to effectively screen the dwellings from SH6 except for views of rooftops (refer BWA 281-1A landscape structure plan) which may potentially remain partially visible. To the north there is an existing predominantly rural residential character contiguous with Rapley Close and Whitechapel residential settlements.

23. On the north-east and north-west boundary of Lot 2 (which adjoin the existing accessway and proposed new driveway/ ROW), a 1.5m evergreen hedge and spaced deciduous trees (same species as specified in paragraph 22), will also be planted inside Lot 2. The existing poplars on the boundary of the existing accessway between the intersection of the new driveway and the start of the existing leyland cypress hedge will be topped and gradually thinned over time as the new planting is established provided that no more than the rooftops are visible through this planting from SH6. The gradual replacement of the poplars over time is seen as a better overall landscape result than retaining the poplar shelterbelts in the long term. The eventual effect will be an almost complete screening of the existing and proposed development on the applicant's property from SH6 apart from partial views of rooflines glimpsed through trees. The balance of the property between SH6 and the site will remain rural land used for deer farming.

Visibility of development

24. The development will not result in a loss of the natural or arcadian pastoral character. The 2001 subdivision has already had some effect on the natural or arcadian pastoral character to this part of Arrow Junction and the additional 2 lots clustered with the existing buildings will have very minor or no detrimental additional effect.
25. As discussed above the site of the proposed subdivision (without mitigation screening) is visible for a short section on SH6 (approximately 600m). With the setback from the highway and the combined effects of the existing shelterbelt and the proposed screening and amenity planting the three lot subdivision will be screened when new planting is established apart from distant views of rooflines of the new dwellings (and the existing dwelling) set back a minimum of 200m

from the highway. At this distance and with the level of screening proposed the new buildings will be difficult to see. The concentration of planting may indicate that there is development within the amenity and shelter planting but buildings will be screened except for partial views of the roof lines. In summary from SH6 the existing and proposed development will read as a cluster of development set back from the highway with buildings difficult to see apart from glimpses through trees of rooflines (when new planting is established).

26. The subdivision site is not visible from The Crown Range Zig Zag or Crown Range look out. It is also not visible from across the river on Arrow Junction Road (or the Queenstown Trail).
27. Proposed planting will not detract from or obstruct views of the existing natural topography any more than currently exists.
28. No structures are proposed that will break the line and form of any skylines, ridges, hills or prominent slopes.
29. The site is gently sloping alluvial flats and the visual effects will be similar to the existing situation. When new planting is established the visual effects of development (including existing development will be less than at present) due the replacement of a deciduous poplar shelterbelt with a dense evergreen hedge with year round mitigation.
30. Existing boundaries are to be retained and the existing pattern of shelterbelts and scattered amenity planting will be retained and extended. There will be no arbitrary lines and patterns on the landscape as a result of this subdivision but, rather, they will be consistent with the existing pattern and lines.
31. Proposed accessways, earthworks and landscaping will not change the line of the landscape. The naturalness of the landscape will be changed to the extent that Lots 1 and 2 will be removed from deer farming and replaced with rural residential use.
32. The development does not constitute sprawl of built development as the additional two lot subdivision is contained and clustered together with the existing McWhirter dwelling and shed and is setback from the highway.
33. The development also does not constitute sprawl of development along the roads of the District as the new development is clustered with existing development, and is setback from the highway and will be substantially screened from view when mitigation planting is established.

Form and density of development

34. The additional two lots are low density and clustered close to the existing dwelling and farmshed. From outside of the site the additional buildings will read

as part of the one development. The density will be increased by the addition of two dwellings but is not inconsistent with the density or form of rural residential development that has already occurred on the applicant's land and the adjoining Lots 1, 2, and 3 (DP 300878).

35. The development will use the existing accessway (ROW) to Lots 3 and 4 and the opportunity has been taken to aggregate built development with existing and proposed development. Development is concentrated close to existing development with a higher potential to absorb development away from SH6.
36. The proposed development will have a low level of visibility from SH6 when mitigation planting is established and does not introduce densities which reflect those characteristic of urban areas.

Cumulative effects of development on the landscape

37. The development will add two lots and two additional dwellings and associated curtilage to the McWhirter property. The 2001 subdivision has had the effect of replacing the open rural character on this piece of land to a more rural residential character. The addition of two additional lots and building platforms will consolidate existing development but have negligible cumulative effects due to the layout and design of the subdivision and to the nature and character of the site. The site can absorb this additional development.
38. In terms of the assessment matters (a) to (d) (i.e. effect on natural and pastoral character, visibility of development, form and density of development and cumulative effects of development), the proposal can be absorbed in this location for the reasons outlined in the above discussion.
39. Existing development surrounding the site is rural to the south with rural residential land use to the north and west. This proposal will be clustered with existing development setback from the highway and will maintain the open character and rural land between the development and SH6.
40. The development will add to the domestication in a minor way but not to the extent that a threshold has been reached with respect to the site's ability to absorb further change in particular because of its location well away from SH 6. This is a tightly contained development where effects will be mitigated and can be absorbed into the wider landscape. This development will not contribute to degradation of the landscape.
41. As discussed above the development will not visually compromise the existing natural or arcadian pastoral character of the landscape by exacerbating existing and potential use effects. The 2001 subdivision has already impacted to some extent on the natural or arcadian pastoral character of this part of Arrow Junction and the additional 2 lots clustered with the existing buildings will have very minor

or no additional detrimental effect.

42. There is some ability to contain development within discrete landscape units. The Arrow River and escarpment contains the development to the west and the rock outcrop to the north. To the south a hedgerow and poplars define and contain the development.
- 43.. The development will not require infrastructure consistent with urban landscapes. Access roads will be gravel and rural, consistent with the existing roading on the applicant's lot. Lighting will comply with QLDC's lighting standards for rural areas.

Rural Amenities

44. The proposed subdivision maintains adequate and appropriate visual access to open space and views across arcadian pastoral landscapes. The rural land between SH6 and the two new lots will be maintained.
45. Agricultural activities will not occur within the 2 new lots but will remain on the balance of the applicant's property (Lot 3) including the commercial peony garden.
46. The development will not require infrastructure upgrades and lighting will comply with QLDC lighting standards for rural areas.
47. Buildings and building platforms are set back from property boundaries to avoid potential effects on existing amenities of neighbouring properties. A height restriction of 6m for the new dwellings is volunteered by the applicant. While the RBPs are located within the minimum boundary setback, the comprehensive landscape plan (including existing and proposed hedges) will effectively mitigate any effects on privacy or rural amenity between the existing and proposed dwellings.
48. Fences will continue to be restricted to farm style fencing (e.g. sheep and deer fences including timber rail fences) through retaining the existing fencing condition that is imposed on this and other sites created by the original subdivision consent and enforced via a consent notice on the title.

3.1.2 District Wide Objectives and Policies

49. The following relevant objectives and supporting policies are discussed below.

Objective 4.2.5 - Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.

Policies

1 Future Development

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

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

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

50. The proposed subdivision is located in an area that can absorb additional development due to its location adjacent to existing rural residential activity to the north and the previously consented 2001 development which has changed the character of this area of land from rural to rural residential. This proposal is consistent with this rural residential character.
51. The subdivision, including the proposed shelterbelts and planting, has been designed in a manner that will integrate and harmonise with the existing pattern of development and the wider landscape. The development will not detract from landscape or visual amenity values. The subdivision will harmonise with the local flat to gently sloping topography and will have no effect on ecological systems and nature conservation values.

4 Visual Amenity Landscapes

(a) To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:

- highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and
- visible from public roads.

(b) To mitigate loss of or enhance natural character by appropriate planting and landscaping.

(c) To discourage linear tree planting along roads as a method of achieving (a) or (b) above.

52. As discussed in the landscape assessment this proposal is close to SH6 (Kawarau Gorge Road) but is set back a minimum of 182m and will be almost completely screened from the highway apart from views of rooftops when mitigation planting is established.
53. The site currently has low natural character. Appropriate planting is designed to merge with the existing cultural character of the locality consisting of shelterbelts hedgerows and amenity planting.
54. No linear planting is proposed along the road. The proposed hedgerow to the east is setback 180m from the highway and maintains the long views as currently exists.

8 Avoiding Cumulative Degradation

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

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

(b) to encourage comprehensive and sympathetic development of rural areas.

55. Having considered this proposal in the context of existing and consented development the addition of this development will not result in over domestication of the wider area. Neither will the density of subdivision become over domesticated to the point that effects on landscape values outweigh the benefits of development. Taken in conjunction with the existing development this proposal can be absorbed in this site with little or no adverse effect.

17 Land Use

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

56. This existing open character and visual coherence of the rural land adjacent to SH6 will remain and the new development will be set back from the highway. The new development will be integrated and clustered with the existing buildings and associated plantings.

EXISTING AND VARIED CONDITIONS

57. The Landscape Guidelines condition of the previous consent relating to plants and planting should in my view be varied as the reality of what has occurred on the applicant's property and the other lots in this subdivision bear little resemblance to the intent of the Guidelines eg linear planting was discouraged in the guidelines but linear shelterbelts are an established feature and now part of the character of this locality. In my opinion linear shelterbelts are appropriate in this location (given what now exists), and taking into account that it is a very windy site, provided they are set back from the highway and allow for views to the wider landscape.
58. I consider that the condition relating to 6m building height should remain to reduce the dominance of built form and similarly the condition relating to fences should remain.

CONCLUSIONS

59. The proposed subdivision will create 2 additional Lots including Residential Building Platforms, allow for dwellings and accessory buildings within the RBPs up to 6 m in height; curtilage areas and a single new accessway off the existing ROW.
60. The site is able to absorb this new development as it is contained and clustered with existing development
61. Appropriate planting is designed to merge with the existing cultural character of the locality consisting of shelterbelts, hedgerows, and amenity planting.

62. The addition of two additional lots and building platforms will consolidate existing development but have negligible cumulative effects due to the layout and design of the subdivision and to the nature and character of the site. The site can absorb this additional development.

Philip Blakely
Blakely Wallace Associates
July, 2017



APPENDIX 3

Council's Landscape Report

Landscape Assessment Report

FILE REF: RM171048 – McWhirter Trust

TO: Alana Standish – Senior Planner, QLDC

FROM: Helen Mellsop – Registered NZILA Landscape Architect

DATE: 12 December 2017

INTRODUCTION

1. An application has been received by Queenstown Lakes District Council (QLDC) to subdivide a property at 1224 Gibbston Highway (State Highway 6), Wakatipu Basin, into three lots, to establish new building platforms on two of the lots and to change conditions of Consent Notice 5081454.6. The site in question is legally described as Lot 4 DP 300878 and is 7.412 hectares in area.
2. In terms of the QLDC Operative and Proposed district plans, the site is zoned Rural General and Rural, respectively. I understand that the proposed subdivision is a discretionary activity overall under the operative plan.
3. This report provides a review of the Blakely Wallace Associates Landscape Assessment Report, dated July 2017. The review evaluates the adequacy of the submitted assessment and specifically addresses the following aspects:
 - Whether the assessment methodology is appropriate and robust;
 - Whether the analysis and classification of the landscape context of the site is robust and corresponds to the landscape attributes and values.
 - Whether any key issues or considerations have been missed in the assessment;
 - Whether the assessment has correctly interpreted the nature and magnitude of visual and landscape effects;
 - Whether the conclusions of the assessment are credible and justifiable.

In my review the magnitude of landscape and visual effects, based on my professional judgement, is rated as very high, high, moderate-high, moderate, low-moderate, low and very low. An effect which is determined to be low or very low could be considered to be less than minor in extent.

4. The subject site, resource consent background and the proposal have been described in the Assessment of Environmental Effects (AEE) dated 26 October 2017 and in the Blakely Wallace report. In general I concur with the descriptions of the site and surrounding landscape contained in the Blakely Wallace report. However I disagree with the description of the RM990535/Environment Court Decision No. C26/2000 subdivision (2001 subdivision) and surrounding development in

paragraphs 9 and 10 of the report as 'rural residential'. While I understand that Mr Blakely is not referring to the zone in his landscape description, the Rural Residential Zone anticipates a density of one dwelling per 4000m² and, in my opinion, retains little rural character. The character of the landscape surrounding the site does not approach that anticipated in Rural Lifestyle or Rural Residential zones within the district and actually has less rural living activity and a greater proportion of open pastoral land than many parts of the Rural General Zone within the Wakatipu Basin. I will discuss this in more detail in my comments below on the cumulative adverse effects of the proposal on the natural and pastoral character of the landscape.

ASSESSMENT REVIEW

5. I concur with Mr Wallace's opinion that the appropriate landscape classification is Visual Amenity Landscape (VAL).
6. I consider that the methodology of the Blakely Wallace report is generally appropriate – the extent of potential visibility of development has been described and the proposal has been assessed against the appropriate assessment criteria for VAL within the Operative District Plan. However the relevance of existing screening vegetation on the site has not been addressed. I differ from Mr Wallace in my assessment of the nature and magnitude of some identified landscape and visual effects and have outlined the areas of disagreement below.

Operative District Plan assessment matters – Part 5.4.2.2 (3)

7. The poplar shelter belts lining the driveway and the eastern side of the proposed platforms are not in accordance with the recommendations of the landscape guidelines included as a condition of the underlying subdivision consent RM990535. These guidelines discouraged rows of boundary plantings and lineal tree planting adjacent to driveways and access ways. The shelter belts were established after 2002 (not present on a 2004 Google Earth aerial photograph). The driveway willows do partially obstruct views of the landscape from the Gibbston Highway but they are consistent with existing patterns and species of shelter belts within the surrounding landscape and they do not obstruct views of the open pastoral land adjoining the highway. I consider that the vegetation can be considered as beneficial under the VAL assessment matters.

Effects on natural and pastoral character

8. I agree with Mr Blakely that the proposed subdivision would have very little, if any, effect on the natural character of the adjacent Arrow River Outstanding Natural Feature (ONF) or on the open character or natural character of the Crown Range escarpment Outstanding Natural Landscape (ONL).
9. I also agree that the scale and nature of the proposed development would have a low-moderate (minor) adverse effect on the natural and pastoral character of the surrounding VAL. This is as a result of the clustering of new dwellings with the existing houses on the site and at 1222 Gibbston Highway, and the retention of open pasture. However future dwellings within the proposed platforms would remain at least partially visible even when proposed hedge and specimen tree planting matures, and I consider that this additional visible development would contribute to a perception of over-domestication in this part of the landscape. I will address this in more detail in the discussion of cumulative adverse effects.
10. I note that while the adverse effects of the subdivision on pastoral character are minimised by the location of building platforms in an area that is more or less surrounded by poplar shelter belts, these shelter belts are not in accordance with the landscape guidelines applying to the site. These sought to maintain the open pastoral character of the landscape by avoiding obvious demarcation of boundaries and linear planting.

Visibility of development

11. I agree that proposed development would be visible from an approximately 600-metre section of the Gibbston Highway. Initially future dwellings and curtilage activities would be highly visible from the highway during the winter months, when screening poplars are not in leaf (refer Photographs in Appendix A). Once the proposed cypress hedges east and south of Lots 1 and 2 had matured, I agree that only the roofs of dwellings would be visible from those parts of the highway south of the site entry. This would take about 5-10 years to achieve. A house on Lot 2 would remain partially visible, especially in winter months, from parts of the highway north of the site entry (refer Photograph 1 in Appendix A), as the 1.5-metre high hedge would not substantially screen a 6-metre high dwelling and views would be available under the canopy of proposed ash or maple trees.
12. Until the hedges mature I consider the development would be visually prominent at some times of the year and would have moderate adverse effects on the natural character of views from the road. Once screen planting was effective obscuring the majority of development, I consider that the remaining adverse effects on visual amenity would be low in magnitude.
13. A future dwelling on Lot 2 could also be visible from near the southern end of Morven Ferry Road and the Twin Trails route that follows the unformed portion of this road. Given the viewing distance of over 1.5 kilometres and the proposed hedge east of the Lot 2 platform, I do not consider development would have any effect on the natural or pastoral character of views from the road or trail.
14. Development would be visually prominent from the shared driveway with 1222 Gibbston Highway and has the potential to adversely affect the natural character of the owners' private views. However I understand that the owners of this property have provided affected party approval for the proposal and that any adverse effects on them must therefore be disregarded.
15. I agree that proposed planting is consistent with the existing landscape character and is unlikely to have any significant adverse effects on the natural or pastoral character of available views. The hedges and the ash and maple trees would have a domesticating effect on the landscape, as they are species generally associated with rural living rather than other rural activities.

Form and density of development

16. I concur with Mr Blakely's assessment in relation to form and density. The proposed lots are within 50 metres of either the existing dwelling on the site or the garage/shed at 1222 Gibbston Highway. The two platforms are approximately 25 metres from each other.

Cumulative effects of development on the landscape

17. The application site is located on the flats between the Arrow River and the Crown Escarpment. In my opinion the 'vicinity' of the site extends from the Crown Range Road intersection in the north to the Judge and Jury landforms in the south (see Figure 1 below). While there is rural living activity within this area, the majority of the lots are between 10 and 20 hectares in size and residential development is reasonably dispersed and discrete. A level of open character has been retained and there are a number of working farms or horticultural businesses, including the peony growing and deer breeding on the application site. The flats retain a moderately high level of rural character and, as the first area of the Wakatipu Basin experienced as people approach from the east, form a high amenity 'rural' gateway to the basin.
18. Existing or consented development in the vicinity of the site includes:

- a 'row' of dwellings at the base of the Crown Escarpment north of the highway;
- scattered small rural living lots south of the highway, including two close to the road;
- four larger rural living lots, including the application site, consented in 2001 (RM990535);
- two lots with consented but undeveloped building platforms close to the Arrow River at 1356 and 1358 Gibbston Highway; and
- the schist quarry at the northern end of the flats.

19. Two additional residential building platforms and associated access and landscaping are currently sought at 1358 Gibbston Highway (RM170891, refer Figure 1 below). This application was publicly notified prior to the current application and a decision may therefore be issued prior to consideration of the proposed subdivision of the McWhirter's property.

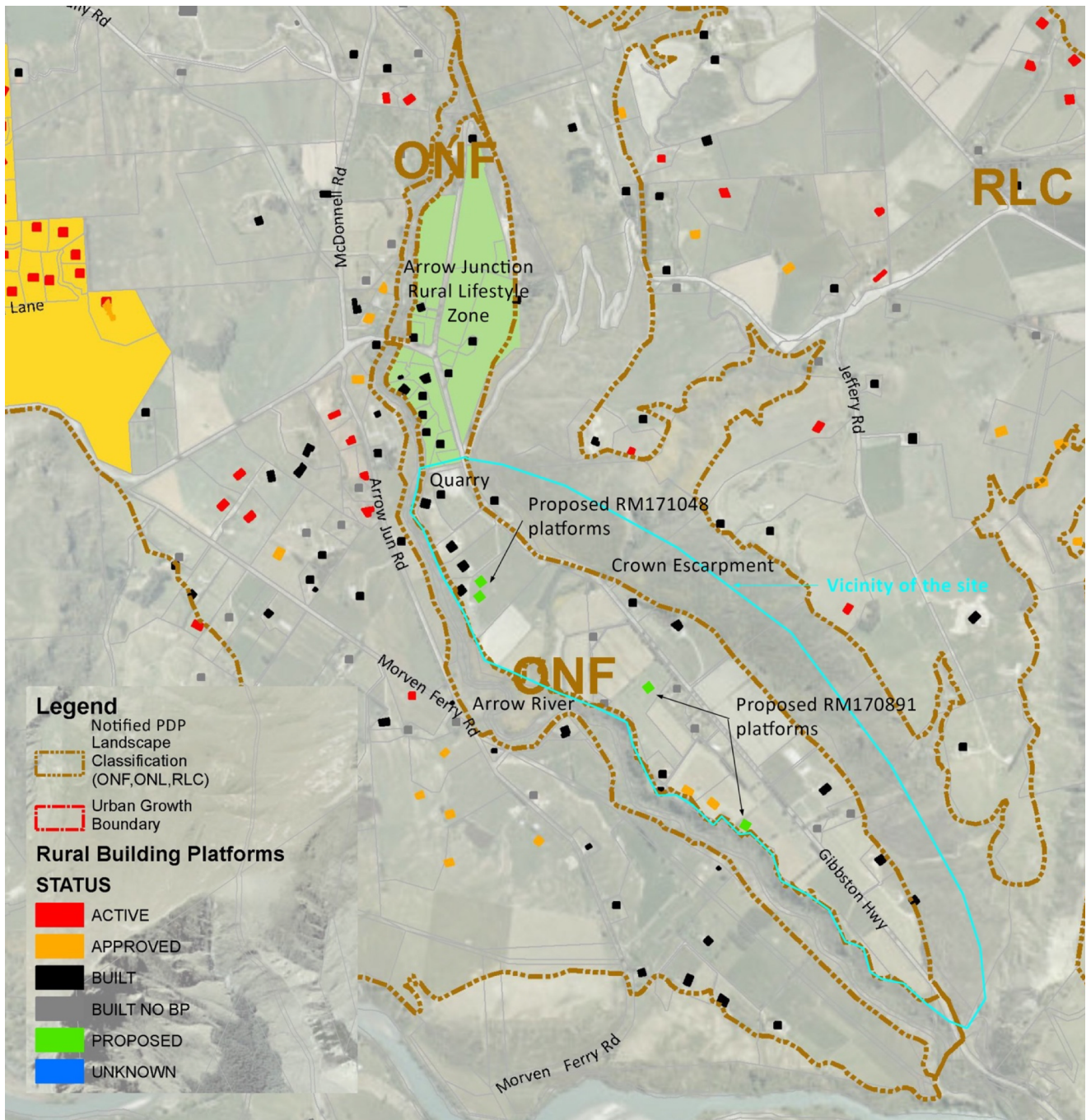


Figure 1: building platforms in the vicinity of the application site (base plan, QLDC Rural Building Platforms 2016)

20. I consider that the 'gateway' area of the flats surrounding SH6 between the Judge and Jury and the Crown Range Road intersection is highly sensitive to the adverse effects of additional domestication.

This area has been identified as one vulnerable to fragmentation and domestication, and as an area with very low absorption capability in both the 2014 Wakatipu Basin Residential Subdivision and Development: Landscape Character Assessment¹ and in the March 2017 Wakatipu Basin Land Use Planning Study², respectively. This sensitivity is also recognised in the consent notice condition for the underlying 2001 subdivision, which prevents further subdivision of the application site and the three lots to the north.

21. Mr Blakely considers that the site can absorb the additional development with negligible cumulative effects, but does not consider the absorption capacity of the wider landscape in the vicinity or the effects of the proposal when combined with those of existing and consented development.
22. In my opinion the area is close to the threshold where additional domestication would significantly undermine its rural and pastoral character, and where the benefits of additional planting and building are outweighed by a loss of the landscape characteristics that are valued by residents and visitors.
23. While the proposed subdivision is well-designed and locates development in a less sensitive part of the application site, it would still introduce additional visible domestication within the landscape. Given the existing and consented level of domestication in the vicinity, and potential additional domestication if development sought in RM170891 is approved, I consider the subdivision would result in moderate adverse cumulative effects on the natural, and to a lesser extent pastoral, character of the landscape.
24. I agree with Mr Blakely that the topographical boundaries of the landscape setting could contain the spread of development *outside* the flats, but there are no features that would check the spread of development within this defined area.

Rural amenities

25. I agree with Mr Blakely's assessment in relation to rural amenities. While there is potential for development to adversely affect the privacy, quiet and rural outlook of the adjacent property at 1222 Gibbston Highway, the owners of this property have provided affected party approval.

CONCLUSIONS

26. Resource consent is sought to subdivide a 7.4-hectare property at 1224 Gibbston Highway, Wakatipu Basin, into three lots and to establish new building platforms on two of the lots. The site is zoned Rural General and is within a Visual Amenity Landscape.
27. The design of the subdivision minimises adverse effects on the natural and pastoral character of the site and surrounding landscape and proposed planting would in time adequately mitigate adverse effects on the pleasantness, coherence and naturalness of views from Gibbston Highway. However additional domestication of the landscape would still be clearly perceived by residents of and visitors to the Wakatipu Basin, and this would result in a reduction in rural character.
28. Given the level of existing and consented development in the vicinity of the site and the sensitivity of this 'gateway' area to additional fragmentation and domestication, the proposed development is likely to result in adverse cumulative effects on landscape character and landscape values that are moderate in magnitude.

¹ Read Landscapes. Wakatipu Basin Residential Subdivision and Development: Landscape Character Assessment. June 2014, p12.

² Barry Kaye Associates, Bridget Gilbert Landscape Architecture & StrategEase. Wakatipu Basin Land Use Planning Study Final Report. March 2017, p4 & p30.

A handwritten signature in dark ink, appearing to read 'H Mellso', with a stylized, flowing script.

Helen Mellso

BLA, BHB, Dip Hort (Distinction)

Registered NZILA Landscape Architect



Photograph 1: View towards the application site from adjacent to the Gibbston Highway approximately 90 metres north of the site entry (panorama stitched from 3 photographs taken at 50mm lens equivalent at 12.35pm, 13-10-17)



Photograph 2: View towards the application site from adjacent to the Gibbston Highway approximately 130 metres south of the site entry (panorama stitched from 3 photographs taken at 50mm lens equivalent at 12.40pm, 13-10-17)



Photograph 3: View towards the application site from adjacent to the Gibbston Highway approximately 200 metres south of the site entry (panorama stitched from 3 photographs taken at 50mm lens equivalent at 12.45pm, 13-10-17)

APPENDIX 4

Council's Engineering Report



ENGINEERING REPORT

TO: Alana Standish

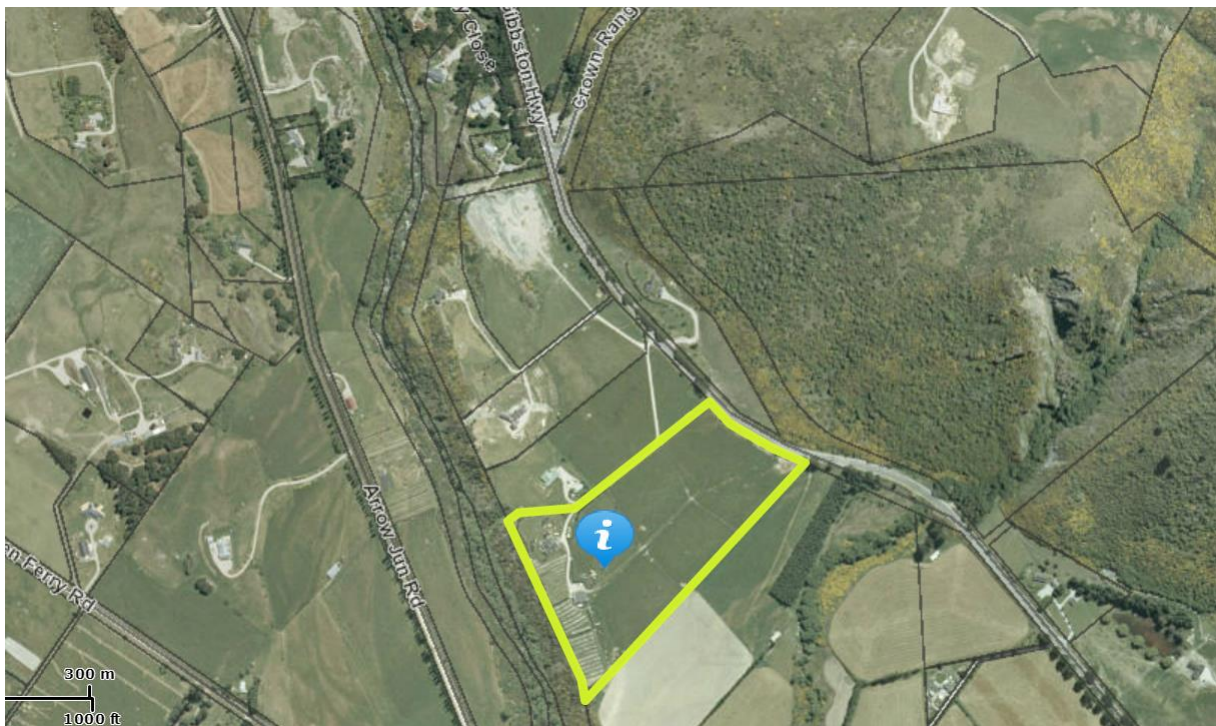
FROM: Alan Hopkins

DATE: 27/10/2017

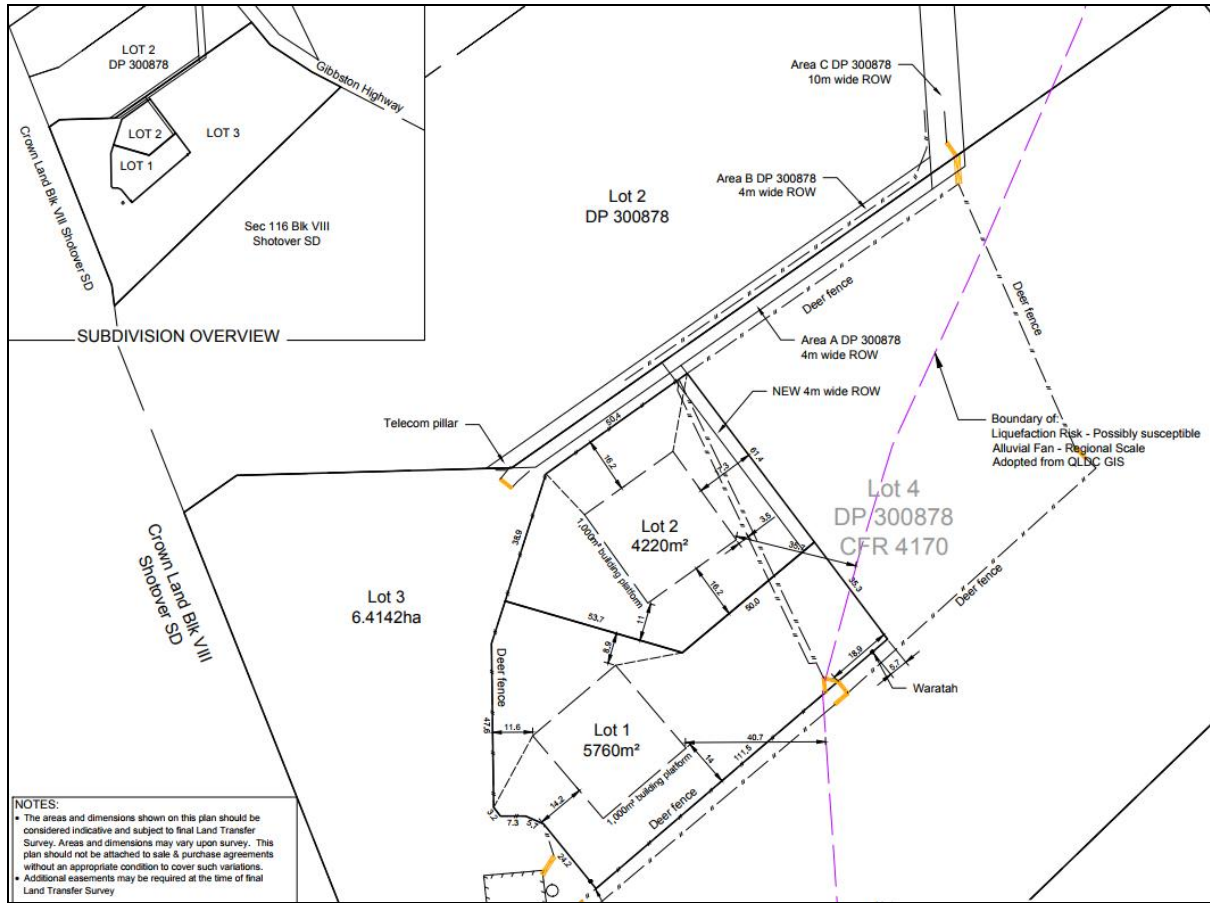
APPLICATION DETAILS

REFERENCE	RM171048
APPLICANT	McWhirter Trust
APPLICATION TYPE & DESCRIPTION	SUBDIVISION to create 3 allotments and establish two residential building platforms
ADDRESS	1224 Gibbston Highway, Gibbston
ZONING	Rural General
SITE AREA	7.4122 Ha
ACTIVITY STATUS	Discretionary
VALUATION NUMBER	2907213500

Location Diagram



Scheme Plan



Comments		
	Existing Use	Grazed paddock land with dwelling and sheds on proposed Lot 3
	Neighbours	A single rural dwelling to the north-west. All other land currently paddocks.
	Topography/Aspect	Flat topography
	Water Bodies	Royal Burn located approximately 250 m to the south-east

ENGINEERING	COMMENTS	Condition
<p>Means of Access</p>	<p><u>Vehicle Crossing to SH6</u> There is an established vehicle crossing off State Highway 6 which provides access to four dwellings, including the existing dwelling on the subject site, as well as to the Millbrook quarry. It is proposed that the additional 2 lots will also use this existing vehicle crossing and the Right of Way (ROW), which currently provides access to residences at 1220 Gibbston Highway and 1224 Gibbston Highway. The existing vehicle crossing is generally formed to a NZTA Diagram E standard and is consistent with Diagram 3: Private Access (Frequent use by heavy vehicles) contained in Appendix 7 of the Queenstown Lakes District Plan. NZTA has assessed the application and provided its Affected Persons Approval and therefore I am satisfied that this access crossing is sufficient.</p> <p><u>Existing Access ROW</u> Access from the SH6 vehicle crossing to the existing dwelling on proposed Lot 3 is via an existing formed ROW. The carriageway itself is formed as a 2.5-3 m wide gravel track with 1.5 m wide grassed shoulders on either side. The applicant proposes to access the new building platforms on Lots 1 & 2 from this existing ROW.</p> <p>The applicable Council standard for formation of this access is figure E2 of Table 3.2 of the QLDC Subdivision Code of Practice. This standard requires a 2.5 m wide carriageway with provision for passing every 50 m. I am satisfied that the current formation meets or exceeds 2.5 m and the soft shoulders provide sufficient width for two vehicle to pass at any point if required. This access ROW is currently formed in gravel and I am satisfied that it is appropriate for it to remain unsealed as the number of vehicle movements are limited and maintenance is dealt with via easement agreement.</p> <p><u>New Access to Lots 1 & 2</u> To access the new building platforms on Lots 1 & 2 the applicant proposes a new 4 m wide legal ROW and minimum 2.5 m wide carriageway from the existing main formed ROW. From the new section of ROW a private driveway will be installed to each individual building platform. I am satisfied that the proposed new accesses to the building platforms can feasibly meet QLDC standards. To ensure access to the platforms are suitably provided, I recommend a consent condition that prior to the commencement of works the consent holder shall provide detailed design plans for the provision of an access way to each building platform in accordance with Council standards.</p> <p>To ensure right-of-way easements are secured I recommend a consent condition that at time of 223 all required easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved.</p>	<p>x</p>

SERVICES	Existing Services	The existing dwelling on site is currently fully serviced to Council standards. Water is supplied via an existing private supply and treated wastewater and stormwater is disposed to ground.	
----------	--------------------------	---	--

	Water	Potable	<p>The underlying lot and existing dwelling is supplied with water sourced from the Arrow River via an existing private supply scheme and permitted water take. Water is pumped up to two 30,000 litre concrete storage tanks located on the northern side of SH6 immediately adjacent to the site entry. Water is then gravity fed to Lots 2-4 DP 300878 and Lot 2 DP 405264. The applicant has confirmed the system has the capacity to supply 115 m³/day. Council's minimum potable water requirement is 2,100 litres per dwelling per day. For a total of 5 existing lots plus two new lots = 7 @ 2.1m³/day = 14.7m³/day.</p> <p>It is unclear if the gravity feed will be sufficient to provide minimum pressures directly to the future dwellings as required under Clause G12 of the Building Code. It is noted however that if required a trickle feed to buffering tank and localised pressure pump could be installed at each dwelling. Overall I am satisfied that the existing water supply system has sufficient capacity to supply the building platforms with 2,100 l/day of water and pressures and flows can be further assessed under the building consent process at time of future development.</p> <p>The gravity reticulation consists of a 50 mm internal diameter HDPE pipe. The applicant proposes to tee into the existing system and extend laterals to the two new lots and install CM2000 water tobies for each lot. To ensure that pipe work to the proposed building platforms on Lots 1 & 2 are installed in accordance with Council standards I recommend a consent condition that prior to commencement of works the consent holder shall provide detailed design plans for review and acceptance for the provision of a minimum 2,100 l/day of water supply to Lots 1 & 2 in accordance with Council standards.</p> <p>At time of the underlying subdivision (RM990535) the quality of the raw water supply was found to require UV and filtration treatment. The applicant has not provided recent water quality tests with the application and proposes UV filtration systems will be installed on the water supply for any future dwelling on Lots 1 & 2. I am not satisfied that this is sufficient as UV filtration may not be confirmed as an appropriate form of treatment based on the actual current chemical and biological testing. I therefore recommend a consent condition that prior to 224c certification the consent holder shall provide recent water quality testing to confirm the supply complies with the minimum requirements of the New Zealand Drinking Water Standard (the Standard), where the supply fails to meet the minimum requirement of the Standard the consent holder shall provide a water treatment report from a suitably qualified professional detailing how the supply will be treated to comply with the Standard. This treatment system (if required) shall either be installed prior to 224c certification or a consent notice registered on the future titles of Lots 1 & 2 to ensure treatment is installed when a dwelling is constructed.</p>	x
--	-------	---------	--	---

	Fire-fighting	The applicant proposes to service the future dwellings on proposed Lots 1 & 2 via static onsite storage installed in accordance with PAS SNZ4509:2008. QLDC have previously agreed with Fire & Emergency New Zealand that a minimum 20,000 litres of static storage is required to service standard residential dwellings. I am satisfied that use of static storage for fire-fighting as proposed is an acceptable solution to both QLDC and Fire & Emergency New Zealand and I therefore recommend a consent notice is registered on the future titles that at the time a dwelling is constructed a minimum 20,000 litres of static storage shall be provided within a tank and in accordance with PAS SNZ4509:2008.	x
	Effluent Disposal	The subject site does not have access to Council reticulated wastewater disposal. The applicant therefore proposes on site wastewater treatment and effluent disposal to ground. In this regard the applicant has provided a site and soils assessment from Railton Contracting & Drainage Ltd dated 7/7/2017 in accordance with "AS/NZS1547:2000:On-site Domestic Wastewater Management". I am satisfied that the site soils assessment provided confirms that treated effluent disposal to ground is feasible in accordance with AS/NZS1547 and no water bores or water bodies are identified within 50 m of the proposed building platforms. The future design of the systems for the individual houses can be further assessed and approved at time of building consent and I therefore recommend a consent notice is attached to the title of Lots 1 & 2 that at the time the site is developed in future an onsite wastewater treatment and disposal system shall be installed in accordance with AS/NZS1547 and the Railton Contracting & Drainage Ltd site soils assessment report dated 7/7/2017.	x
	Stormwater	The subject site does not have access to Council reticulated stormwater disposal. The applicant therefore proposes to dispose of stormwater from future dwellings via engineered soakage to ground. I am satisfied based on the site and soils assessment from Railton Contracting & Drainage Ltd dated 7/7/2017 an onsite stormwater collection and disposal system can be designed in accordance with clause E1/VM1 of the Building Code. There are no site constraints that require specific engineering design such as overland flows or sensitive receiving environments. I therefore am satisfied that further assessment and approval of the soakage system/s can be further assessed and approved at time of future building consent and no specific consent conditions or consent notices are required in this regard.	
	Power & Telecoms	The applicant has provided provision letters from both Peak Power and Chorus TDG that confirm there is adequate capacity within the local power and telecommunication networks for the proposed additional lots/dwellings. I therefore recommend consent conditions that prior to 224c certification the consent holder shall provide written confirmation from power and telecommunication utility providers that suitable supply has been made available to the building platforms on Lots 1 & 2 and any associated costs met.	x

	Management Plus O&M Manuals	The applicant has not indicated how the current water supply system is monitored and maintained. I therefore recommend consent conditions that prior to 224c the consent holder shall provide evidence to the Subdivision Planner at Council as to how the communal water supply system will be monitored and maintained on an ongoing basis. This shall also include the provision of an Operation & Maintenance plan for the system.	x
NATURAL HAZARDS	Hazards on or near the site	QLDC hazard maps show a liquefaction risk and Alluvial Fan (Young Active Composite) hazard associated with the Royal Burn waterway located to the south-east. These hazards are shown as impacting on the western extent of proposed Lot 3 only. The hazard boundary is shown at 35-40m from the building platforms on proposed Lots 1 & 2 and 115 m from the existing dwelling on proposed Lot 3. Overall given the offset from the hazard boundary I am satisfied that neither of these hazards apply to the proposed building platforms and no further expert assessment or reporting is required in this regard.	
TITLES	Consent Notices	<p>CN5081454 currently attached to the title of the subject lot relates to the design controls and provision of services when a dwelling is constructed on site. I am satisfied that this relates to the previously constructed dwelling on the site and is not relevant to this application.</p> <p>As outline above I recommend consent notice conditions on the titles of Lots 1 & 2 in regard to:</p> <ul style="list-style-type: none"> • Construction within building platform • On site wastewater treatment and disposal • Provision of fire-fighting static storage • Installation of water treatment (if required) 	x
	Easements	A condition is recommended to ensure prior to 223 certification all necessary easements are granted or reserved.	x
	Building platforms	Digital location of building platforms on survey plan prior to 224c certification.	x

RECOMMENDED CONDITIONS

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

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being 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-subdivision-code-of-practice/>

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

2. 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.

3. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - 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 provision of a vehicle access to the building platform on Lots 1 & 2 from the existing access right-of-way off State Highway 6. This shall be design in accordance with Council standards and provision shall be made for the disposal of stormwater runoff.
 - c) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include water reticulation and vehicle access). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be completed before Council approval of the Survey Plan

4. 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.

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

5. 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) and 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 / Land Transfer 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 (3) 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>).

In the event that the test results required 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 RM171048 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- e) The consent holder shall provide evidence to the satisfaction of the Subdivision Planner at Council as to how the water supply will be monitored and maintained on an ongoing basis.
- f) The consent holder shall provide the Subdivision Planner at Council with a copy of the operation and maintenance manuals for the private water supply, or shall provide evidence that this has been made available to the management company.
- g) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform on Lots 1 & 2 and that all the network supplier's requirements for making such means of supply available have been met.
- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform on Lots 1 & 2 and that all the network supplier's requirements for making such means of supply available have been met.
- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (2) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all vehicle access and water reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

6. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the Titles of Lots 1 & 2 by way of Consent Notice pursuant to s.221 of the Act.
 - a) All future buildings shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
 - b) 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 Railton Contracting & Drainage Ltd, dated 7/7/2017. The proposed wastewater system shall be subject to Council for prior to implementation and shall be installed prior to occupation of the dwelling.
 - c) At the time that a dwelling is erected, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required by Condition (5) above) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).
 - d) At the time a dwelling is erected on Lots 1& 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:

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 of their obligations under the New Zealand Drinking Water Standard to test the potable water supply on an ongoing basis to ensure compliance with the minimum requirements of the standard.

Prepared by:



Alan Hopkins
CONSULTING ENGINEER

Reviewed by:



Michael Wardill
ENGINEER

APPENDIX 5

QLDC Assessment Matters

PART 5.4 – RURAL GENERAL ZONE – ASSESSMENT MATTERS

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited to, the following:

5.4.2.2(3) Visual Amenity Landscapes

These assessment matters should be read in the light of the further guiding principle that existing vegetation which:

- (a) was either
 - planted after; or
 - self seeded and less than 1 metre in height at
 - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads or other public places
 - shall not be considered:
 - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
 - (2) as part of the permitted baseline.
 - nor shall removal of such vegetation be considered as a positive effect of any proposal.

(a) *Effects on natural and pastoral character*

In considering whether the adverse effects (including potential effects of the eventual construction and use of buildings and associated spaces) on the natural and pastoral character are avoided, remedied or mitigated, the following matters shall be taken into account:

- (i) where the site is adjacent to an Outstanding Natural Landscape or Feature, whether and the extent to which the visual effects of the development proposed will compromise any open character of the adjacent Outstanding Natural Landscape or Feature;
- (ii) whether and the extent to which the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape;
- (iii) whether the development will degrade any natural or arcadian pastoral character of the landscape by causing over-domestication of the landscape;
- (iv) whether any adverse effects identified in (i) - (iii) above are or can be avoided or mitigated by appropriate subdivision design and landscaping, and/or appropriate conditions of consent (including covenants, consent notices and other restrictive instruments) having regard to the matters contained in (b) to (e) below;

(b) *Visibility of Development*

Whether the development will result in a loss of the natural or arcadian pastoral character of the landscape, having regard to whether and the extent to which:

- (i) the proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and
- (ii) the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or arcadian pastoral landscapes;
- (iii) there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of the existing natural topography or cultural plantings such as hedge rows and avenues;
- (iv) the subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;
- (v) any building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;

- (vi) any proposed roads, earthworks and landscaping will change the line of the landscape or affect the naturalness of the landscape particularly with respect to elements which are inconsistent with the existing natural topography;
- (vii) any proposed new boundaries and the potential for planting and fencing will give rise to any arbitrary lines and patterns on the landscape with respect to the existing character;
- (viii) boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units;
- (ix) the development constitutes sprawl of built development along the roads of the District and with respect to areas of established development.

(c) Form and Density of Development

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

- (i) there is the opportunity to utilise existing natural topography to ensure that development is located where it is not highly visible when viewed from public places;
 - (ii) opportunity has been taken to aggregate built development to utilise common access ways including pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);
 - (iii) development is concentrated in areas with a higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;
 - (iv) the proposed development, if it is visible, does not introduce densities which reflect those characteristic of urban areas.
 - (v) If a proposed residential building platform is not located inside existing development (being two or more houses each not more than 50 metres from the nearest point of the residential building platform) then on any application for resource consent and subject to all the other criteria, the existence of alternative locations or methods:
 - (a) within a 500 metre radius of the centre of the building platform, whether or not:
 - (i) subdivision and/or development is contemplated on those sites;
 - (ii) the relevant land is within the applicant's ownership; and
 - (b) within a 1,100 metre radius of the centre of the building platform if any owner or occupier of land within that area wishes alternative locations or methods to be taken into account as a significant improvement on the proposal being considered by the Council
- must be taken into account.
- (vi) recognition that if high densities are achieved on any allotment that may in fact preclude residential development and/or subdivision on neighbouring land because the adverse cumulative effects would be unacceptably large.

(d) Cumulative effects of development on the landscape

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

- (i) the assessment matters detailed in (a) to (d) above;
- (ii) the nature and extent of existing development within the vicinity or locality;
- (iii) whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;
- (iv) whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;
- (v) the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually significant natural

elements, so as to check the spread of development that might otherwise occur either adjacent to or within the vicinity as a consequence of granting consent;

- (vi) whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;
- (vii) whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).

Note: For the purposes of this assessment matter the term "vicinity" generally means an area of land containing the site subject to the application plus adjoining or surrounding land (whether or not in the same ownership) contained within the same view or vista as viewed from:

- from any other public road or public place frequented by the public and which is readily visible from that public road or public place; or
- from adjacent or nearby residences.

The "vicinity or locality" to be assessed for cumulative effect will vary in size with the scale of the landscape i.e. when viewed from the road, this "vicinity", will generally be 1.1 kilometre in either direction, but maybe halved in the finer scale landscapes of the inner parts of the Wakatipu basin, but greater in some of the sweeping landscapes of the upper Wakatipu and upper Clutha.

(e) *Rural Amenities*

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

- (i) the proposed development maintains adequate and appropriate visual access to open space and views across arcadian pastoral landscapes from public roads and other public places; and from adjacent land where views are sought to be maintained;
- (ii) the proposed development compromises the ability to undertake agricultural activities on surrounding land;
- (iii) the proposed development is likely to require infrastructure consistent with urban landscapes such as street lighting and curb and channelling, particularly in relation to public road frontages;
- (iv) landscaping, including fencing and entrance ways, are consistent with traditional rural elements, particularly where they front public roads.
- (v) buildings and building platforms are set back from property boundaries to avoid remedy or mitigate the potential effects of new activities on the existing amenities of neighbouring properties.

PART 15.2.3.6 – SUBDIVISION – ASSESSMENT MATTERS

(b) Subdivisions of Land in the Rural General, Rural Lifestyle, Gibbston Character, Bendemeer Zones the Rural Residential area at the north of Lake Hayes, and the Quail Rise Zone (Activity Area R2)

- (i) The extent to which subdivision, the location of Residential Building Platforms and proposed development maintains and enhances:
 - (a) rural character
 - (b) landscape values
 - (c) heritage values
 - (d) visual amenity
 - (e) life supporting capacity of soils, vegetation and water
 - (f) infrastructure, traffic access and safety
 - (g) public access to and along lakes and rivers

- (ii) The extent to which subdivision, the location of residential building platforms and proposed development may adversely affect adjoining land uses.
- (iii) The extent to which subdivision, the location of residential building platforms and proposed development may be serviced by a potable water supply, reticulated sewerage or on-site sewage disposal within the lot, telecommunications and electricity.
- (iv) The extent to which subdivision, the location of residential building platforms and proposed redevelopment may be adversely affected by natural hazards or exacerbate a natural hazard situation, particularly within the Rural Lifestyle Zone at Makarora.
- (v) Consideration of the long term development of the entire property.
- (vi) Whether the subdivision will result in the loss of the life supporting capacity of soils.

APPENDIX 6

QLDC Objectives and Policies

1. District Plan: Relevant Objectives and Policies

Part 4.2: District Wide – Landscape and Visual Amenity

4.2.5 Objective:

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

Policies:

1 Future Development

- (a) To avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation.
- (b) To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.
- (c) To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.

4. Visual Amenity Landscapes

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

8. Avoiding Cumulative Degradation

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

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

17. Land Use

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

Part 5.2: Rural Areas

Objective 1 - Character and Landscape Value

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

Policies:

- 1.1 Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.
- 1.2 Allow for the establishment of a range of activities, which utilise the soil resource of the rural area in a sustainable manner.
- 1.3 Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.
- 1.4 Ensure activities not based on the rural resources of the area occur only where the character of the rural area will not be adversely impacted.
- 1.5 Provide for a range of buildings allied to rural productive activity and worker accommodation.
- 1.6 Avoid, remedy or mitigate adverse effects of development on the landscape values of the District.
- 1.7 Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.
- 1.8 Avoid remedy or mitigate the adverse effects of the location of structures and water tanks on skylines, ridges, hills and prominent slopes.

Objective 2 - Life Supporting Capacity of Soils

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

Policies:

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

Objective 3 - Rural Amenity

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

Policies:

- 3.1 Recognise permitted activities in rural areas may result in effects such as noise, dust and traffic generation, which will be noticeable to residents in the rural areas.
- 3.2 Ensure a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values.
- 3.3 To avoid, remedy or mitigate adverse effects of activities located in rural areas.
- ...
- 3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.

Part 15: Subdivision, Development and Financial Contributions

Objective 1 – Servicing

The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.

Policies:

- [...]
- 1.2 To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments.
- [...]
- 1.5 To ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 1.6 To ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with Council's Long Term Community Plan Development Contributions Policy.

- 1.7 To ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity, with Council being responsible for meeting any additional capacity of infrastructure above that required for the subdivision then being consented to in accordance with Council's Long Term Community Plan Development Contributions Policy.
- 1.8 To encourage the retention of natural open lakes and rivers for stormwater disposal, where safe and practical, and to ensure disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of land within the subdivision or adjoining land.
- 1.9 To ensure, upon subdivision or development, that anticipated land uses are provided with means of treating and disposing of sewage in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.
- 1.10 To ensure, upon subdivision or development, that all new lots or buildings are provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available.
- 1.11 To ensure adequate provision is made for the supply of reticulated energy, including street lighting, and communication facilities for the anticipated land uses, and the method of reticulation is appropriate to the visual amenity values of the area.
- 1.12 To ensure the requirements of other relevant agencies are fully integrated into the subdivision/development process.

Objective 2 - Cost of Services to be Met by Subdividers

The costs of the provision of services to and within subdivisions and developments, or the upgrading of services made necessary by that subdivision and development, to the extent that any of those things are necessitated by the subdivision or development to be met by subdividers.

Policies:

- 2.1 To require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), whether provided before or after the subdivision and/or development, and which are attributable to the effects of the subdivision or development, including where applicable:
 - roading and access;
 - water supply;
 - sewage collection, treatment and disposal;
 - stormwater collection, treatment and disposal;
 - trade waste disposal;
 - provision of energy;
 - provision of telecommunications.

Objective 5 - Amenity Protection

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

Policies:

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

[...]

2. Proposed District Plan: Objectives and Policies

Part 2 Chapter 6: Landscapes

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.

Policies

- 6.3.1.4 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.
- 6.3.1.5 Avoid urban subdivision and development in the Rural Zones.
- 6.3.1.8 Ensure that the location and direction of lights does not cause glare to other properties, roads, and public places or the night sky.
- 6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

Policies

- 6.3.2.1 Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.
- 6.3.2.2 Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.
- 6.3.2.3 Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.
- 6.3.2.4 Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.
- 6.3.2.5 Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.

6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).

Policies

- 6.3.5.1 Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.
- 6.3.5.2 Avoid adverse effects from subdivision and development that are:
- Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and
 - Visible from public roads.
- 6.3.5.3 Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.
- 6.3.5.4 Encourage any landscaping to be sustainable and consistent with the established character of the area.
- 6.3.5.5 Encourage development to utilise shared accesses and infrastructure, to locate within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character.
- 6.3.5.6 Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.

Part 4 Chapter 21: Rural

~~21.2.1 Objective – Enable farming, permitted and established activities while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.~~

~~Policies~~

~~21.2.1.1 Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.~~

~~21.2.1.2 Provide for Farm Buildings associated with larger landholdings where the location, scale and colour of the buildings will not adversely affect landscape values.~~

~~21.2.1.3 Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.~~

~~21.2.1.4 Minimise the dust, visual, noise and odour effects of activities by requiring facilities to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.~~

~~21.2.1.5 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or the night sky.~~

~~21.2.1.6 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.~~

~~21.2.1.7 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua.~~

~~21.2.1.8 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.~~

Part 4 Chapter 27: Subdivision and Development

27.2.1 Objective - Subdivision will create quality environments that ensure the District is a desirable place to live, visit, work and play.

Policies:

27.2.1.1 Require subdivision to be consistent with the QLDC Land Development and Subdivision Code of Practice, while recognising opportunities for innovative design.

27.2.1.2 Support subdivision that is consistent with the QLDC Subdivision Design Guidelines, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.

27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed to the anticipated land use of the applicable zone.

27.2.1.5 The Council recognises that there is an expectation by future landowners that the effects and resources required of anticipated land uses will have been resolved through the subdivision approval process.

27.2.5 Objective - Require infrastructure and services are provided to lots and developments in anticipation of the likely effects of land use activities on those lots and within overall developments.

Policies:

27.2.5.4 The design of subdivision and roading networks to recognise topographical features to ensure the physical and visual effects of subdivision and roading are minimised.

27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

27.2.5.12 Ensure appropriate stormwater design and management by having regard to:

- Recognise and encourage viable alternative design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
 - The capacity of existing and proposed stormwater systems;
 - The method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
 - The location, scale and construction of stormwater infrastructure;
 - The effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including the control of water-borne contaminants, litter and sediments, and
 - the control of peak flow.
- 27.2.5.13 Treating and disposing of sewage is provided for in a manner that is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.
- 27.2.5.14 Ensure appropriate sewage treatment and disposal by having regard to:
- The location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.
- 27.2.5.15 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.
- 27.2.5.16 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses [...]
- 27.2.5.17 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.
- 27.2.5.18 Ensure that easements are of an appropriate size, location and length for the intended use.

27.2.6 Objective - Cost of services to be met by subdividers.

Policies:

- 27.2.6.1 Require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), that are attributable to the effects of the subdivision or development

24.2.1 Objective - Landscape and visual amenity values are protected, maintained and enhanced.

Policies:

- 24.2.1.1 Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to protect landscape character and visual amenity values.
- 24.2.1.2 Ensure subdivision and developments are designed (including accessways, services, utilities and building platforms) to minimise modification to the landform, and maintain and enhance the landscape character and visual amenity values.
- 24.2.1.3 Ensure that subdivision and development maintains and enhances the Wakatipu Basin landscape character and visual amenity values identified for the landscape character units as described in Schedule 24.8.
- 24.2.1.4 Maintain and enhance the landscape character and visual amenity values associated with the Zone and Precinct and surrounding landscape context by controlling the colour, scale, form, coverage, location (including setbacks from boundaries and from Identified Landscape Features) and height of buildings and associated infrastructure, vegetation and landscape elements.
- 24.2.1.5 Require all buildings to be located and designed so that they do not compromise the qualities of adjacent or nearby Outstanding Natural Features and Outstanding Natural Landscapes, or of identified landscape features.
- 24.2.1.6 Ensure non-residential activities avoid adverse effects on the landscape character and visual amenity values.
- 24.2.1.7 Control earthworks and vegetation clearance so as to minimise adverse changes to the landscape character and visual amenity values.
- 24.2.1.8 Ensure land use activities protect, maintain and enhance the range of landscape character and visual amenity values associated with the Zone, Precinct and wider Wakatipu Basin area.

- 24.2.1.9 Provide for activities that maintain a sense of openness and spaciousness in which buildings are subservient to natural landscape elements.
- 24.2.1.10 Facilitate the provision of walkway, cycleway and bridle path networks.
- 24.2.1.11 Manage lighting so that it does not cause adverse glare to other properties, roads, public places or the night sky.
- 24.2.1.12 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua.

24.2.3 Objective – Reverse sensitivity effects are avoided or mitigated where rural living opportunities, visitor and tourism activities, community and recreation activities occur.

Formatted: Font: Bold

Formatted: Font: Bold

Policies:

Formatted: Font: Italic

24.2.3.1 Ensure informal airports are not compromised by the establishment of incompatible activities.

Formatted: Font: Italic

24.2.3.2 Ensure reverse sensitivity effects on residential lifestyle and non-residential activities are avoided or mitigated.

24.2.3.3 Support productive farming activities such as agriculture, horticulture and viticulture in the Zone by ensuring that reverse sensitivity issues do not constrain productive activities.

24.2.4 Objective - Subdivision and land use development maintains and enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.

Policies:

- 24.2.4.1 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.
- 24.2.4.2 Provide for improved public access to and the maintenance and enhancement of the margins of waterbodies including Mill Creek and Lake Hayes.
- 24.2.4.3 Provide adequate fire fighting water and fire service vehicle access to ensure an efficient and effective emergency response.
- 24.2.4.4 Ensure development does not generate servicing and infrastructure costs that fall on the wider community.
- 24.2.4.5 Ensure development infrastructure is self-sufficient and does not exceed capacities for infrastructure servicing.
- 24.2.4.6 Ensure that other utilities including regionally significant infrastructure are located and operated to maintain landscape character and visual amenity values, having regard to the important function and location constraints of these activities.

APPENDIX 7

Relevant ORC Regional Policy Statement Objectives and Policies

1. Operative Regional Policy Statement: Relevant Objectives and Policies

The relevant objectives and policies of the operative Regional Policy Statement are contained within Part 5: Land and are as follows;

5.4 Objectives

- 5.4.1 To promote the sustainable management of Otago's land resources in order: (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and (b) To meet the present and reasonably foreseeable needs of Otago's people and communities.
- 5.4.2 To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.
- 5.4.3 To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.

5.5 Policies

- 5.5.4 To promote the diversification and use of Otago's land resource to achieve sustainable land use and management systems for future generations.
- 5.5.6 To recognise and provide for the protection of Otago's outstanding natural features and landscapes which:
 - (a) Are unique to or characteristic of the region; or
 - (b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or
 - (c) Represent areas of cultural or historic significance in Otago; or
 - (d) Contain visually or scientifically significant geological features; or
 - (e) Have characteristics of cultural, historical and spiritual value that are regionally significant for Tangata Whenua and have been identified in accordance with Tikanga Maori.

2. Proposed Regional Policy Statement: Relevant Objectives and Policies

The Regional Policy statement is currently under review; proposed changes were notified 23 May 2015, submissions closed 24 July 2015 and the Decisions on the PRPS released 1 October 2017. The relevant objectives and policies of the proposed Regional Policy Statement are contained within Part B Chapter 1 (*Resource management in Otago is integrated*), and Chapter 3 (*Otago has high quality natural resources and ecosystems*). The relevant objectives and policies are all subject to appeal.

Objective 1.1 Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago

Policy 1.1.2 *Economic wellbeing*

Provide for the economic wellbeing of Otago's people and communities by enabling the use and development of natural and physical resources only if the adverse effects of those activities on the environment can be managed to give effect to the objectives and policies of the Regional Policy Statement.

Policy 1.1.3 *Social and cultural wellbeing and health and safety*

Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:

- a) Recognising and providing for Kāi Tahu values;
- b) Taking into account the values of other cultures;
- c) Taking into account the diverse needs of Otago's people and communities;
- d) Promoting good quality and accessible infrastructure and public services;
- e) Avoiding significant adverse effects of activities on human health.

Objective 5.3 Sufficient land is managed and protected for economic production

Policy 5.3.1 *Rural activities*

Manage activities in rural areas, to support the region's economy and communities, by all of the following:

- a) Enabling primary production and other rural activities that support the rural economy;
- b) Minimising the loss of significant soils;
- c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects;
- d) Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities;
- e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.

APPENDIX 8

Consent Conditions

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - “Lots 1-3 being a subdivision of Lot 4 DP 300878 1224 Gibbston Highway” Revision A dated 19.7.17; and
 - “Landscape Structure Plan” L01 of 1, revision 7 dated 27.10.17

stamped as approved on 23 February 2018,

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

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

General

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being 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-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 any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
 - 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 provision of a vehicle access to the building platform on Lots 1 & 2 from the existing access right-of-way off State Highway 6. This shall be design in accordance with Council standards and provision shall be made for the disposal of stormwater runoff.
 - c) The provision of Design Certificates for all engineering works associated with this subdivision submitted by a suitably qualified design professional (for clarification this shall include water reticulation and vehicle access). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

To be completed before Council approval of the Survey Plan

6. 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.

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

7. 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) and 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 / Land Transfer 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 (5) 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>).

In the event that the test results required 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 RM171048 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council’s solicitors prior to registration.
- e) The consent holder shall provide evidence to the satisfaction of the Subdivision Planner at Council as to how the water supply will be monitored and maintained on an ongoing basis.

- f) The consent holder shall provide the Subdivision Planner at Council with a copy of the operation and maintenance manuals for the private water supply, or shall provide evidence that this has been made available to the management company.
- g) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform on Lots 1 & 2 and that all the network supplier's requirements for making such means of supply available have been met.
- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform on Lots 1 & 2 and that all the network supplier's requirements for making such means of supply available have been met.
- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (4) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all vehicle access and water reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- 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) A Detailed Planting Plan shall be submitted to Queenstown Lakes District Council for certification. The plan shall be in accordance with the approved Landscape Structure Plan (*Blakely Wallace Associates Dwg No. L01, dated 25/07/17*) and shall include details of the location, species, size at planting, density/spacing and total numbers of all proposed landscaping. The plan shall also clearly show all existing planting to be retained.

Note: the objective of this condition is to ensure the planting proposed does achieve full screening of future residential units once matured, with the exception of roofs.

- l) Implementation of the Detailed Landscape Plan approved under Condition (7)(k). The vegetation shown on the Detailed Landscape Plan shall thereafter be maintained and irrigated in accordance with the plan. If any tree or plant dies or becomes diseased it shall be replaced in the next available planting season.

Ongoing Conditions/Consent Notices

- 8. Conditions of Consent Notice 5081454.6 as it relates to Lot 4 Deposited Plan 300878 held in Computer Freehold Register 4170 (and subsequent titles) shall be varied as follows:

- a) Bullet point 2 of Consent Notice 5081454.6 is amended to read as follows (deleted text struck-through, added text underlined):

"At such a time that a dwelling is to be established, all landscaping on Lots 1, 2, 3 and 4 shall be in accordance with the subdivision "Landscape Guidelines", which are attached to this consent notice and form part of the decision of the Queenstown Lakes District Council with the exception of the landscaping approved on Lot 4 and the resultant subdivided lots pursuant to RM171048."

- b) Bullet point 7 of Consent Notice 5081454.6 is amended to read as follows (deleted text struck-through, added text underlined):

"The registered proprietors shall not further subdivide Lots 1, 2, 3 and 4 except that Lot 4 shall be able to be subdivided into three allotments pursuant to RM171048."

9. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the Titles of Lots 1 & 2 by way of Consent Notice pursuant to s.221 of the Act.
- a) All future buildings (including water tanks) shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
 - b) Any dwelling or other accessory building constructed on Lot 1, 2 or 3 shall not exceed a height of 6 metres above original ground level at the time of granting consent.
 - c) All exterior surfaces of buildings (excluding soffits, windows and skylights) shall be coloured in the range of browns, greens or greys. All roofs and pre-painted steel shall have a light reflectance value not greater than 20%. All other surface finishes shall have a light reflectance value of not greater than 30%.
 - d) All water tanks shall be either buried or finished in a dark recessive colour and screened from places outside the site by planting.
 - e) All fencing shall be standard post and wire (including rabbit proof fencing), deer fencing or timber post and rail.
 - f) All vegetation shown on the Detailed Landscape Plan certified under Condition (7)(k) of RM171048 shall be maintained in perpetuity. If any tree or plant dies or becomes diseased it shall be replaced in the next available planting season. The poplar shelter belt within Lots 1 and 2 shall be retained until an evergreen hedge north-east of the shelter belt reaches a height of at least 3.5 metres and provides dense continuous visual screening of built development (excluding roofs) from State Highway 6.
 - g) In order to maintain the open pastoral character of the landscape, there shall be no mounding or tree planting adjacent to State Highway 6 or in the north-eastern half of Lot 3.
 - h) 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 Railton Contracting & Drainage Ltd, dated 7/7/2017. The proposed wastewater system shall be subject to Council for prior to implementation and shall be installed prior to occupation of the dwelling.
 - i) At the time that a dwelling is erected, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required by Condition (7)(d) above) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).
 - j) At the time a dwelling is erected on Lots 1 & 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.

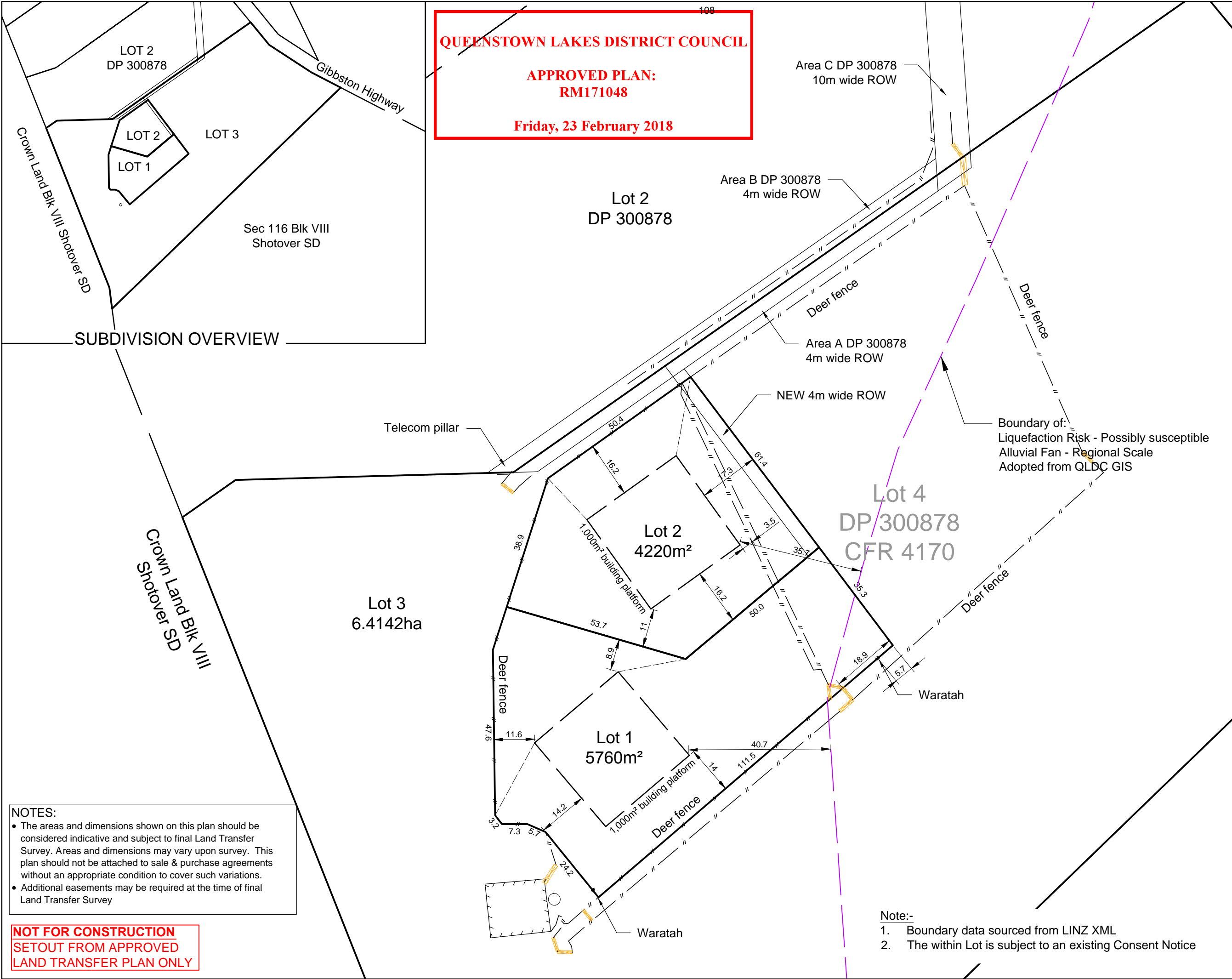
The Fire Service connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

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:

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 of their obligations under the New Zealand Drinking Water Standard to test the potable water supply on an ongoing basis to ensure compliance with the minimum requirements of the standard.




NOTES:

- The areas and dimensions shown on this plan should be considered indicative and subject to final Land Transfer Survey. Areas and dimensions may vary upon survey. This plan should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.
- Additional easements may be required at the time of final Land Transfer Survey

NOT FOR CONSTRUCTION
SETOUT FROM APPROVED
LAND TRANSFER PLAN ONLY

- Note:-**
1. Boundary data sourced from LINZ XML
 2. The within Lot is subject to an existing Consent Notice



COPYRIGHT©
This drawing and parts thereof are copyright to Southern Land Ltd, and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

Notes


Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:


- using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;
- ensuring the information is the most recent issue.

CAD and Production by



SOUTHERN LAND
SURVEYING | PLANNING | LAND DEVELOPMENT

Level 2 Brownston House, 21 Brownston St., Wanaka
Ph: (03) 443 5577, E mail: contact@southernland.co.nz
www.southernland.co.nz



THE CONSULTING SURVEYORS OF NEW ZEALAND
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

APPLICANT

R McWHIRTER

COMPRISED IN

4170

TERRITORIAL AUTHORITY

QUEENSTOWN LAKES DISTRICT

LAND DISTRICT

OTAGO

TOTAL AREA	DATE
7.4122ha	19/7/2017

Drawing Title

LOTS 1-3 BEING A SUBDIVISION OF LOT 4 DP 300878
1224 GIBBSTON HIGHWAY

Prepared for

R McWHIRTER

Plan Revisions

REV.	DESCRIPTION	DATE
A	ORIGINAL ISSUE	19/7/2017

SCALE

1: 1,000 @ A3

DATUM & LEVEL

MT NICHOLAS 2000

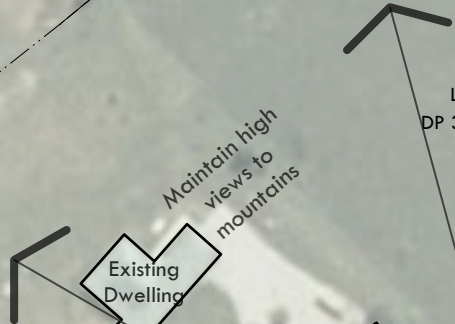
REVISION	DRAWING REFERENCE	Sheet
A	U4002_S1	1 OF 1

SURVEYED	DATE	CHECKED	DATE
TD	9/6/17	TD	13/6/17
DRAWN	DATE	APPROVED	DATE
TD	13/6/17	TD	19/7/17

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM171048

Friday, 23 February 2018



Lot 2
DP 300878

Existing Poplars along existing accessway topped and retained until proposed planting is sufficient to screen the development then gradually thinned. New planting of deciduous trees and 1.5m evergreen hedge inside lot 2 will eventually replace Poplars.

Proposed Deciduous trees (Fraxinus or Acer species) and 1.5m high evergreen hedge

New internal 4m evergreen hedge (Cupressus leylandii) East and South of R.B.P

New 4m wide ROW

Existing Poplar shelterbelt on Lots 1&2 to remain until proposed evergreen shelterbelt is of sufficient maturity to effectively screen the development.

Existing Trees

Existing Dwelling

Lot 2
4220m²
1,000m² building platform

Lot 1
5760m²
1,000m² building platform

Existing Leyland Cypress hedge

Farm Shed

Crown Land Blk VIII
Shotover SD

Commercial
Peony Gardens

Lot 3
6.4142ha

Sec 116 Blk VIII
Shotover SD



7	27/10/17	Amend annotation
6	26/10/17	Relocate Avenue/h
5	25/7/17	Final
4	3/7/17	Add Poplars
3	30/6/17	Add Survey
2	30/6/17	Draft Landscape
1	16/9/15	Draft Concept

Mark	Date	Description
Sheet Scale	1:1500@A3	
Issue/Revision	Amend annotation	
Project ID	279	
CAD File Name	281-1A.vwx	
Drawn By	Drawn By	
Checked By	Checked By	
Consultant		

Client
McWhirter

Project Title
Proposed Building Platform

Sheet Title
Landscape Structure Plan

Drawing No. L01 of 1



**BLAKELY WALLACE
ASSOCIATES**

Landscape Architecture and Planning
PO Box 121, Arrowtown
Tel : 03 442 0303 Fax : 03 442 0307
Email : office@blakelywallace.co.nz