



**DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**UNDER s104 RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	Scott Mazey Family Trust
<b>RM reference:</b>	RM180604
<b>Application:</b>	Application pursuant to Section 88 of the Resource Management Act (RMA) to undertake a 2 lot subdivision and establish two building platforms, one on each lot. Consent is also sought to establish buildings in the form of fire fighting water tanks outside of the building platforms, and to clear indigenous vegetation in a Significant Natural Area.
<b>Location:</b>	965 Aubrey Road, Wanaka
<b>Legal Description:</b>	Lot 5 Deposited Plan 406222 held in Record of Title 421821
<b>Operative Plan Zoning:</b>	Rural General
<b>Proposed Plan Zoning:</b>	Rural

## 1. PROPOSAL AND SITE DESCRIPTION

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

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

The application was limited notified on 18 December 2018

No submitters have indicated they wish to be heard if a hearing is held 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 Ms Katrina Ellis (Team Leader, Resource Consents) on 12 February 2019.

## 3. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 5.4 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 7.5 of the S42A report outlines Part 2 of the Act.

### 3.1 RELEVANT PLAN CONSIDERATIONS

#### OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General. Resource consent is required for the following reasons:

##### Subdivision

- A **controlled** activity resource consent pursuant to Rule 15.2.21.1 for earthworks associated with the subdivision activity. Council's control is restricted to this matter.

##### Land Use

- A **restricted discretionary** activity resource consent pursuant to Rule 5.3.3.3(xi) as the proposal breaches Site Standard 5.3.5.1(x) in relation to the clearance of vegetation. It is proposed to remove 1,750m<sup>2</sup> of vegetation in an area vegetated entirely by indigenous vegetation. Council's discretion is restricted to this matter.
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i) for the construction of any new building not located within a Residential Building Platform. It is proposed to erect water tanks not located within the proposed building platforms.

Overall, the proposed development is a **discretionary** activity under the ODP.

#### PROPOSED DISTRICT PLAN

Council notified the Proposed District Plan on 26 August 2015, and decisions on submissions were notified on 5 May 2018. The application site is zoned Rural. The proposed activity requires resource consent for the following reasons:

##### Subdivision

- A **discretionary** activity resource consent pursuant to Rule 27.5.11 for the proposed subdivision in the Rural Zone.

- A **discretionary** activity resource consent pursuant to Rule 27.5.15 for the proposed subdivision within a Significant Natural Area.

#### Land Use

- A **restricted discretionary** activity resource consent pursuant to Rule 21.5.1, which requires buildings to be setback 15m from internal boundaries. It is proposed to identify a RBP that would enable the construction of a dwelling up to the boundary with the site. Council's discretion is restricted to:
  - Rural amenity and landscape character; and
  - Privacy, outlook and amenity from adjoining properties
- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the proposed identification of residential building platforms. It is proposed to identify two building platforms.
- A **discretionary** activity resource consent pursuant to Rule 21.4.11 for the construction of a building not provided for by any other rule. It is proposed to erect water tanks outside of the proposed building platforms.
- A **discretionary** activity resource consent pursuant to Rule 33.5.3 for the proposed earthworks within the Significant Natural Area.
- A **discretionary** activity resource consent pursuant to Rule 33.5.4 for the proposed clearance of indigenous vegetation within the Significant Natural Area. It is proposed to clear up to 1,750m<sup>2</sup> of vegetation.

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

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

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

## **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, section 42A report and content of submissions are:

- The adverse effects from the proposed development on the landscape values of the Outstanding Natural Feature (ONF)
- The adverse effects from the proposed development on the values of the Significant Natural Area (SNA).
- Whether the proposal was exceptional and therefore appropriate within the ONF.

The findings relating to these principal issues of contention are outlined in Section 7.2.2 and 7.3 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 7.2.2 of the S42A report prepared for Council and provides a full assessment of the application. The actual and potential effects are in relation to landscape, services, ecology, access, earthworks and natural hazards. Where relevant conditions of consent can be imposed under Sections 108 and 220 of the RMA as required to avoid, remedy or mitigate adverse effects.

A summary of conclusions of that report are outlined below:

"Overall, given the above assessment, I consider any adverse effects from the proposed development to be no more than minor and acceptable."

Effects on the 961 Aubrey Road property are considered to be acceptable, subject to proposed mitigation and conditions.

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

As outlined in detail in Section 7.3 of the S42A report, overall the proposed development is considered to be in accordance with the relevant policies and objectives of the Operative and Proposed District Plans.

### **6.3 OTHER s104 MATTERS**

Other matters relevant to consider under s104 for this proposal are:

- The Otago Regional Policy Statement (ORPS),
- S106 relating to subdivisions, and
- Precedent

These matters are considered under section 7.3 of the s42a report. Overall, the proposal is considered in accordance with the ORSP, meets the s106 test for subdivisions and will not create a precedent for unwarranted development on an Outstanding Natural Feature or Significant Natural Area.

### **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 7.5 of the S42A report.

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

Pursuant to section 104 of the RMA this consent is **granted** subject to the conditions stated in *Annexure 1* of this decision imposed pursuant to Section 108 and 220 of the RMA.

## **8. OTHER MATTERS**

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

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to 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 Annexure 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 Erin Stagg on phone (03) 441 0499 or email [erin.stagg@qldc.govt.nz](mailto:erin.stagg@qldc.govt.nz)

Report prepared by

Decision made by



Erin Stagg  
**SENIOR PLANNER**



Katrina Ellis  
**TEAM LEADER, RESOURCE CONSENTS**

**ANNEXURE 1 – Consent Conditions**

**ANNEXURE 2 – Section 42A Report**

**Date 19 February 2019**

# **ANNEXURE 1 – CONSENT CONDITIONS**

## SUBDIVISION CONDITIONS

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town' Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2

#### Rough and Milne Landscape Architect

- 'Proposed Master Plan' Job No 15102 Dwg L 1.0 Rev E Sheet 1 24/05/18
- 'Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18
- 'Proposed Lot 1 – Building Platform' Job No 15102 Dwg L 3.0 Rev C Sheet 3 03/10/18
- 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18
- 'Proposed Lot 2 – Building Platform Envelope' Job No 15102 Dwg L 5.0 Rev A Sheet 5 31/08/18
- 'Proposed Lot 2 – Earthworks Plan' Job No 15102 Dwg L 6.0 Rev 0 Sheet 6 30/08/18
- 'Proposed Lot 2 – Cross Sections' Job No 15102 Dwg L 7.0 Rev A Sheet 7 30/08/18
- 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwg L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18

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

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

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 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>

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

4. The consent holder shall provide a letter to the Manager of Resource Management Engineering 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 work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 8m into the site. Wooden planks or similar shall be provided to protect the kerb from damage caused by construction traffic movements, in accordance with '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council.

The construction traffic crossing shall be removed/upgraded in accordance with Condition 8b) on completion of works.

6. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated April 2018, GeoSolve Ref: 180150) and who shall supervise the rock bolting, excavation and fill procedure, and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) The provision of a water supply to Lots 1 and 2 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a gravel vehicle crossing that shall be constructed to Lot 2 to Council's standards. Provision shall be made to continue any roadside drainage.
  - c) The provision for a basic access formation to the building platform within Lots 2. The basic formation shall ensure that vehicle break over angles shall comply with Appendix 7 of the District Plan and the maximum gradient of the access shall not exceed 1(V):6(H).
  - d) The provision of stormwater management and secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any building platform on Lots 1 and 2, and no increase in run-off onto land beyond the site from the pre-development situation.
  - e) The formation of right of way 'C' in accordance with Figure E9 of QLDC Land Development and Subdivision Code of Practice to Council's standards. Provision shall be made for stormwater disposal.
  - f) The provision of a PS1 producer statement for the rock bolting on the schist bluff above Lot 2.

9. Within one year of the date of approval of consent, wilding pine eradication plan shall be submitted to the Council for certification, in order to provide on-going removal and management of pine species across the site, where practical, with specific regard to the '*Proposed Masterplan- 965 Aubrey Road, Albert Town*', Plan 'L 1.0', Rev. E, dated 31/08/2018.

***To be monitored throughout earthworks***

10. The earthworks, rock bolting and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated April 2018, GeoSolve Ref: 180150).
11. Hours of operation for earthworks, shall be:
- Monday to Saturday (inclusive): 8.00am to 6.00pm.  
Sundays and Public Holidays: No Activity
- In addition, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate earlier than 8.00am. All activity on the site is to cease by 6.00pm.
12. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
13. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the works required for the vehicle crossing.

Accidental Discovery Protocol

14. If the consent holder:
- a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
- i) notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.
  - ii) stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.
- Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the Heritage New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.
- b) does not have an archaeological authority and discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
- i) stop work within the immediate vicinity of the discovery or disturbance and;
  - ii) advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 and;
  - iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

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

15. 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.
  - b) The Survey Plan shall show the location of Building Platforms and associated curtilage on proposed Lots 1 and 2.

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

16. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
- a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The completion and implementation of all certified works detailed in Condition (8) above.
  - d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 1 and 2, and evidence of supply shall be provided to Council's Subdivision Inspector.
  - e) The provision of certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
  - f) The provision of a PS4 producer statement for the rock bolting on the schist bluff above Lot 2.
  - 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 net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
  - h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
  - i) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
  - j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

- k) The firefighting water supply for the existing residential unit within Lot 1 shall be designed by a suitably qualified Fire Engineer and upgraded to comply with *Appendix B - Alternative Firefighting Water Sources, SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* prior to subdivision completion. The consent holder shall demonstrate approval has been obtained for the alternative solution from the Fire and Emergency New Zealand Fire Risk Management Officer.
- l) The 'Stage One' planting on Lot 2, shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018 shall be undertaken, in accordance with L 8.0, Rev.A dated 14/11/2018 and L 9.0 Rev.A dated 14/11/2018.
- m) Prior to planting in Stage One as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018, pines within this planting area shall be cleared from Lot 2.

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

17. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
  - a) All 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 building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
    - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
    - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
  - c) At the time a residential unit is erected within Lots 1 or 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by GeoSolve Ltd, dated 4/07/2018. The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

Or

The lot owner for the time being shall connect to Council's wastewater reticulation via a low pressure pumping connection. All necessary easements will need to be obtained and approval shall be obtained for the connection prior to being made. The costs of the connections shall be borne by the consent holder.

- d) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. Written approval from Fire and Emergency New Zealand Fire Risk Management Officer shall be obtained for the alternative solution and the system shall be installed prior to the occupation of the building.
- e) Within the first planting season following the completion of construction on Lots 1 and 2, the 'Landscape Plans' being Plans Ref: 'L 1.0' Rev. E, dated 24/05/2018 'L 2.0' Rev. A, dated 24/05/2018 'L 3.0' Rev. B, dated 24/05/2018 and 'L 4.0' Rev.E, dated 31/08/2018 prepared by Rough and Milne shall be planted as they relate to each lot, (unless planted in accordance with Condition 20K), maintained and irrigated into perpetuity. If any plant or tree should be removed, die or become diseased it shall be replaced within the next available planting season.
- f) With the exception to the pines removed to accommodate the Stage one planting, all other wilding pines, where practical shall be managed in perpetuity, with specific regard to the 'Proposed Master Plan- 965 Aubrey Road, Albert Town', Plan 'L 1.0', Rev. E, dated 24/05/2018, in accordance with the management plan approved in Condition 9.
- g) Within the first planting season following the completion of construction of the building on Lot 2, 'Stage Two' planting, as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E, dated 31/08/2018 shall be undertaken in accordance with L 8.0, Rev.A dated 14/11/2018.
- h) All planted vegetation shown in the landscape plans (Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18; 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18; and 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwg L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18) shall be irrigated for at least two growing seasons and kept free of pests and woody weeds. If any plant should die or become diseased it will be replaced with the same species or a similar appropriate indigenous species.
- i) All exterior lighting shall be fixed no higher than 1.8 metres above finished ground level, shall be directed downwards and away from property boundaries, so that light spill beyond property boundaries does not occur.
- j) All domestic outdoor living activities shall be confined within the identified curtilage areas such as lawns, amenity gardens, car-parking, paving, decking, outdoor furniture, play equipment, vegetable patch and the like.
- k) Prior to the construction of a dwelling on Lot 2 the lot owner shall submit to Council for certification the proposed design of the rock anchors, which shall be designed by a suitably qualified geotechnical practitioner. The certified rock anchor design shall then implemented on site.
- l) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. The final design of the alternative firefighting system shall be certified by Fire and Emergency NZ and submitted to Council prior to the construction of a building. The certified design shall be installed prior to the occupation of the building.
- m) Future buildings on each building platform shall adhere to the following design controls:  
 Lot 1:
  - o) The maximum footprint of all buildings within an approved platform shall be 400m<sup>2</sup>;



- p) The maximum height of buildings shall be 4.0m above 361.05masl for a maximum length of 30m along the eastern elevation;
- q) There shall be no more than 60% glazing along the eastern elevation;
- r) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

Lot 2:

- s) Any residential building (including accessory buildings) shall be located entirely within the building envelope shown on the Rough and Milne Plan L 5.0, Rev.A, dated 31/08/2018;
- t) The maximum height for any building shall be 6.0m above 324.0masl,
- u) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

## LAND USE CONDITIONS

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town' Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2

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- 'Proposed Lot 2 – Earthworks Plan' Job No 15102 Dwg L 6.0 Rev 0 Sheet 6 30/08/18
- 'Proposed Lot 2 – Cross Sections' Job No 15102 Dwg L 7.0 Rev A Sheet 7 30/08/18
- 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwg L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18

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### Engineering

#### **General conditions**

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*Note: The current standards are available on Council's website via the following link:*  
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#### **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 Manager of Resource Management Engineering 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 work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 8m into the site. Wooden planks or similar shall be provided to protect the kerb from damage caused by construction traffic movements, in accordance with '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council.

The construction traffic crossing shall be removed/upgraded in accordance with Condition 8b) on completion of works.

6. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated April 2018, GeoSolve Ref: 180150) and who shall supervise the rock bolting, excavation and fill procedure, and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) The provision of a water supply to Lots 1 and 2 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a gravel vehicle crossing that shall be constructed to Lot 2 to Council's standards. Provision shall be made to continue any roadside drainage.
  - c) The provision for a basic access formation to the buildable areas within Lots 2. The basic formation shall ensure that vehicle break over angles shall comply with Appendix 7 of the District Plan and the maximum gradient of the access shall not exceed 1(V):6(H).
  - d) The provision of stormwater management and secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 1 and 2, and no increase in run-off onto land beyond the site from the pre-development situation.
  - e) The formation of right of way 'C' in accordance with Figure E9 of QLDC Land Development and Subdivision Code of Practice to Council's standards. Provision shall be made for stormwater disposal.
  - f) The provision of a PS1 producer statement for the rock bolting on the schist bluff above Lot 2.

9. Within one year of the date of approval of consent, a wilding pine eradication plan shall be submitted to the Council for certification, in order to provide on-going removal and management of pine species across the site, where practical, with specific regard to the '*Proposed Masterplan-965 Aubrey Road, Albert Town*', Plan 'L 1.0', Rev. E, dated 31/08/2018.

***To be monitored throughout earthworks***

10. The earthworks, rock bolting and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated April 2018, GeoSolve Ref: 180150).
11. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
12. No earthworks, temporary or permanent, are to breach the boundaries of the site.

***New Building Platform to be registered***

13. At the time the consent is given effect to, the consent holder shall provide a 'Land Transfer Covenant Plan' showing the location of the approved building platforms (as per Southern Land plans titled *Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town* Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register Identifier 8373 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

***Prior to the registration of the building platform on the Register of Title***

14. Prior to the building platform being registered on the Register of Title, the consent holder shall complete the following:
  - a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The completion and implementation of all certified works detailed in Condition (8) above.
  - d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 1 and 2, and evidence of supply shall be provided to Council's Subdivision Inspector.
  - e) The provision of certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
  - f) The provision of a PS4 producer statement for the rock bolting on the schist bluff above Lot 2.
  - 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 net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- i) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- k) The firefighting water supply for the existing residential unit within Lot 1 shall be designed by a suitably qualified Fire Engineer and upgraded to comply with *Appendix B - Alternative Firefighting Water Sources, SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* prior to subdivision completion. The consent holder shall demonstrate approval has been obtained for the alternative solution from the Fire and Emergency New Zealand Fire Risk Management Officer.
- l) The 'Stage One' planting on Lot 2, shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018 shall be undertaken, in accordance with L 8.0, Rev.A dated 14/11/2018 and L 9.0 Rev.A dated 14/11/2018.
- m) Prior to planting in Stage One as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018, pines within this planting area shall be cleared from Lot 2.

***To be monitored throughout earthworks***

***Ongoing Conditions/Covenant***

15. In the event that the Engineering Acceptance issued under Condition (6) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a Covenant in Gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

*[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].*

15. At the time that the building platform is registered on the Register of Title for the site, the consent holder shall register the following conditions as a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 for works to be carried out at the time a residential unit is proposed:
  - 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 building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
  - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
  - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
- c) At the time a residential unit is erected within Lots 1 and 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by GeoSolve Ltd, dated 4/07/2018. The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

Or

The lot owner for the time being shall connect to Council's wastewater reticulation via a low pressure pumping connection. All necessary easements will need to be obtained and approval shall be obtained for the connection prior to being made. The costs of the connections shall be borne by the consent holder.

- c) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. Written approval from Fire and Emergency New Zealand Fire Risk Management Officer shall be obtained for the alternative solution and the system shall be installed prior to the occupation of the building.
- e) Within the first planting season following the completion of construction constructed on Lots 1 and 2, the '*Landscape Plans*' being Plans Ref: 'L 1.0' Rev. E, dated 24/05/2018 'L 2.0' Rev. A, dated 24/05/2018 'L 3.0' Rev. B, dated 24/05/2018 and 'L 4.0' Rev.E, dated 31/08/2018 prepared by Rough and Milne shall be planted (unless planted in accordance with Condition 20K), maintained and irrigated into perpetuity. If any plant or tree should be removed, die or become diseased it shall be replaced within the next available planting season.
- f) With the exception to the pines removed to accommodate the Stage one planting, all other wilding pines, where practical shall be managed in perpetuity, with specific regard to the 'Proposed Master Plan- 965 Aubrey Road, Albert Town', Plan 'L 1.0', Rev. E, dated 24/05/2018, in accordance with the management plan approved in Condition 9.
- g) Within the first planting season following the completion of construction , 'Stage Two' planting, as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2-Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E, dated 31/08/2018 shall be undertaken in accordance with L 8.0, Rev.A dated 14/11/2018.

- g) All planted vegetation shown in the landscape plans (Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18; 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18; and 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwgs L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18) shall be irrigated for at least two growing seasons and kept free of pests and woody weeds. If any plant should die or become diseased it will be replaced with the same species or a similar appropriate indigenous species.
- h) All exterior lighting shall be fixed no higher than 1.8 metres above finished ground level, shall be directed downwards and away from property boundaries, so that light spill beyond property boundaries does not occur.
- i) All domestic outdoor living activities shall be confined within the identified curtilage areas such as lawns, amenity gardens, car-parking, paving, decking, outdoor furniture, play equipment, vegetable patch and the like.
- j) Prior to the construction of a dwelling on Lot 2 the lot owner shall submit to Council for certification the proposed design of the rock anchors, which shall be designed by a suitably qualified geotechnical practitioner. The certified rock anchor design shall then implemented on site.
- l) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. The final design of the alternative firefighting system shall be certified by Fire and Emergency NZ and submitted to Council prior to the construction of a building. The certified design shall be installed prior to the occupation of the building.

m) Future buildings on each building platform shall adhere to the following design controls:

Lot 1:

- n) The maximum footprint of all buildings within an approved platform shall be 400m<sup>2</sup>;
- o) The maximum height of buildings shall be 4.0m above 361.05masl for a length of 30m along the eastern elevation;
- p) There shall be no more than 60% glazing along the eastern elevation;
- q) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

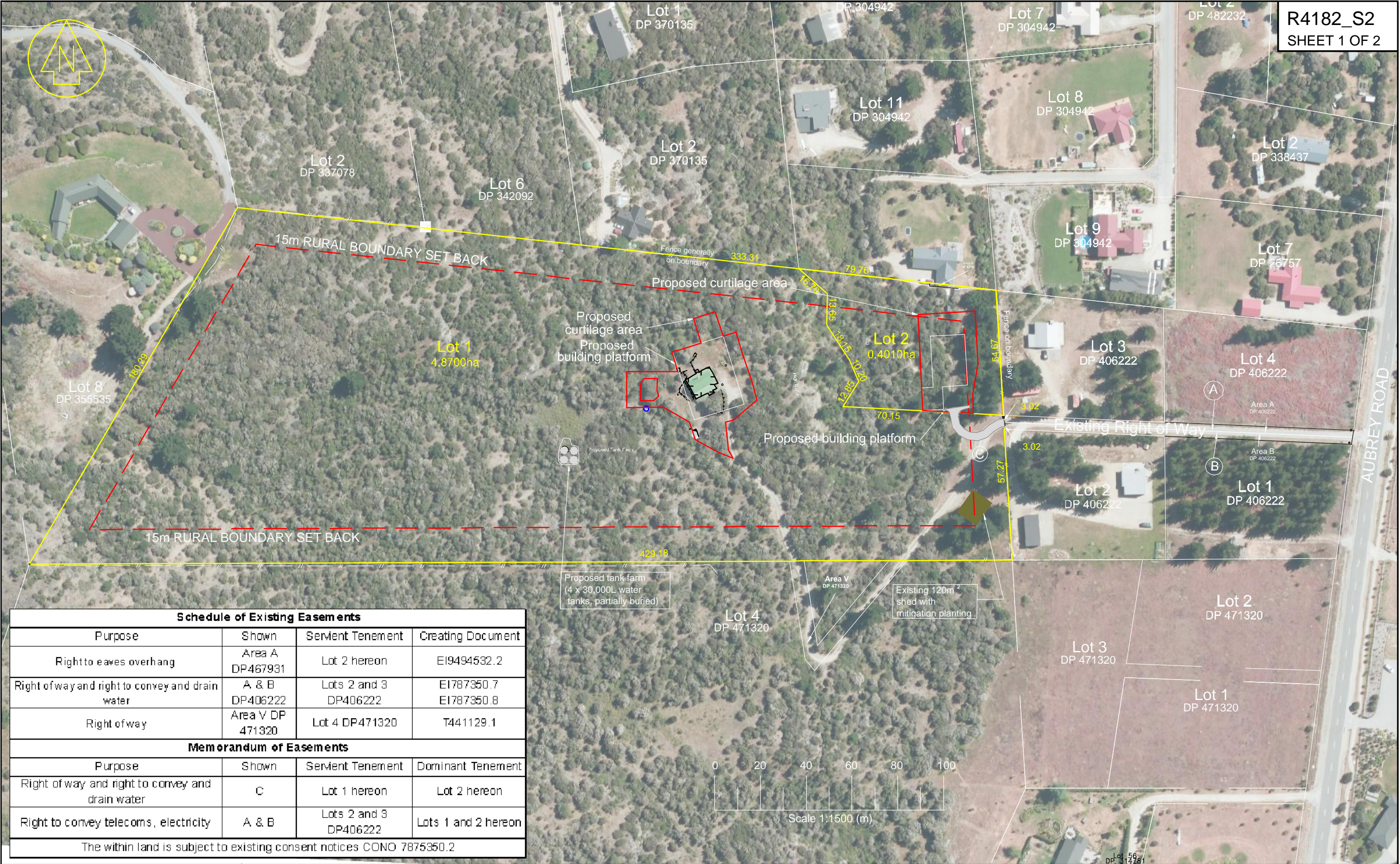
Lot 2:

- s) Any residential building (including accessory buildings) shall be located entirely within the building envelope shown on the Rough and Milne Plan L 5.0, Rev.A, dated 31/08/2018;
- t) The maximum height for any building shall be 6.0m above 324.0masl,
- u) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.


### **Recommended Advice Notes**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.






Schedule of Existing Easements			
Purpose	Shown	Servient Tenement	Creating Document
Right to eaves overhang	Area A DP467931	Lot 2 hereon	E19494532.2
Right of way and right to convey and drain water	A & B DP406222	Lots 2 and 3 DP406222	E1787350.7 E1787350.8
Right of way	Area V DP 471320	Lot 4 DP471320	T441129.1
Memorandum of Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of way and right to convey and drain water	C	Lot 1 hereon	Lot 2 hereon
Right to convey telecoms, electricity	A & B	Lots 2 and 3 DP406222	Lots 1 and 2 hereon
The within land is subject to existing consent notices CONO 7875350.2			



**SOUTHERN LAND**

SURVEYING | PLANNING | LAND DEVELOPMENT

REVISION	DESCRIPTION	DATE
A	ORIGINAL ISSUE	27/03/18
B	BOUNDARIES AMENDED	16/04/18
C	BOUNDARIES AMENDED	16/04/18
D	CARTILAGE AREA AMENDED	24/04/18
E	BUILDING PLATFORMS & CURTLAGE AREAS AMENDED	19/09/18



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Lots 1 & 2 Being a Proposed Subdivision of  
Lot 5 DP 406222, Aubrey Road, Albert Town

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PREPARED FOR

**Mazey Family Trust**

SCALE

**1:1500 @ A3**

DATUM & LEVEL


**Lindis Peak 2000**

LEVEL IN TERMS OF MSL  
ORIGIN COT 2 DP 406222 RL = 319.52

SURVEYED	DATE	CHECKED	DATE	DRAWING REFERENCE	REVISION
JR	18-19/03/18	LW	19/09/18	R4182_S2	E
DRAWN	DATE	APPROVED	DATE		
LW	19/09/18	LW	19/09/18		








**SOUTHERN LAND**

SURVEYING | PLANNING | LAND DEVELOPMENT

REVISION	DESCRIPTION	DATE
A	ORIGINAL ISSUE	27/03/18
B	BOUNDARIES AMENDED	16/04/18
C	BOUNDARIES AMENDED	16/04/18
D	CARTILAGE AREA AMENDED	24/04/18
E	BUILDING PLATFORMS & CURTILAGE AREAS AMENDED	19/09/18

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**Mazey Family Trust**

SURVEYED	DATE	CHECKED	DATE
JR	18-19/03/18	LW	19/09/18
DRAWN	DATE	APPROVED	DATE
LW	19/09/18	LW	19/09/18

SCALE

**1:500 @ A3**

DATUM & LEVEL

**Lindis Peak 2000**

LEVEL IN TERMS OF MSL  
ORIGIN OIT 2 DP 406222 RL = 319.52

DRAWING REFERENCE	REVISION
<b>R4182_S2</b>	<b>E</b>

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SURVEYED	DATE	CHECKED	DATE
JR	18-19/03/18	LW	19/09/18
DRAWN	DATE	APPROVED	DATE
LW	19/09/18	LW	19/09/18

SCALE

**1:500 @ A3**

DATUM & LEVEL

**Lindis Peak 2000**

LEVEL IN TERMS OF MSL  
ORIGIN OIT 2 DP 406222 RL = 319.52

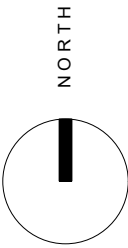
DRAWING REFERENCE	REVISION
<b>R4182_S2</b>	<b>E</b>



ISSUE	DATE	STATUS
0	06/03/18	FOR CLIENT REVIEW
A	12/03/18	FOR CLIENT REVIEW
B	04/03/18	FOR RESOURCE CONSENT
C	18/03/18	FOR RESOURCE CONSENT
D	24/04/18	FOR RESOURCE CONSENT
E	24/05/18	FOR RESOURCE CONSENT

LEGEND

- Proposed building platform
- Proposed curtilage area
- Significant Natural Area (SNA) boundary as per Proposed District Plan (PDP)
- Existing dwelling
- Proposed mitigation planting
- Indicative location of significant wilding pines to be removed / terminated
- Existing pine plantation to be removed (870m<sup>2</sup>)



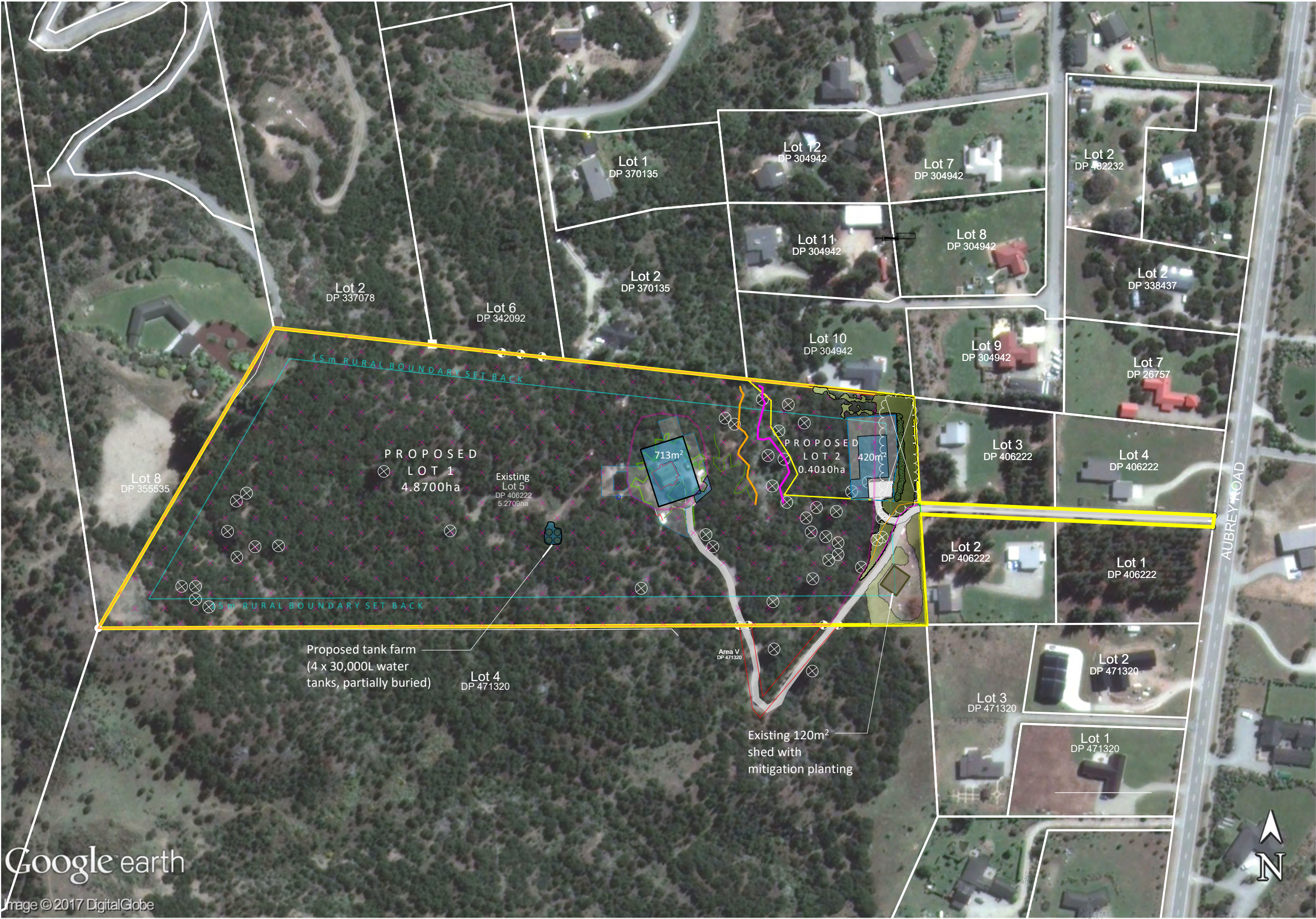
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info@roughandmilne.co.nz

PROPOSED MASTER PLAN  
965 AUBREY ROAD  
ALBERT TOWN

JOB No.	15102
SCALE	1:2000 @ A3
DATE	24/05/18
DESIGNED	HANNAH AYRES
DRAWN	HANNAH AYRES
CHECKED	
STATUS	FOR RESOURCE CONSENT
DRAWING No.	REVISION
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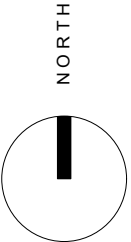




ISSUE	DATE	STATUS
0	24/04/18	FOR RESOURCE CONSENT
A	24/05/18	FOR RESOURCE CONSENT
B	03/10/18	FOR RESOURCE CONSENT

LEGEND

- Significant Natural Area (SNA) boundary as per Proposed District Plan (PDP)
- Existing kanuka located within curtilage, outside SNA (464m<sup>2</sup>)
- Existing kanuka located within curtilage, inside SNA (668m<sup>2</sup>)
- Significant wilding pines to be removed / terminated
- Pine plantation to be removed (870m<sup>2</sup>)
- Indigenous mitigation planting to offset that removed (1,070m<sup>2</sup>)
- Curtilage area



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**OVERALL VEGETATION PLAN**  
**965 AUBREY ROAD**  
**ALBERT TOWN**

JOB No.	15121
SCALE	1:400 @ A3
DATE	03/10/18
DESIGNED	HANNAH AYRES
DRAWN	HANNAH AYRES
CHECKED	
STATUS	FOR RESOURCE CONSENT
DRAWING No.	REVISION
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SERIES	
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DO NOT SCALE, ALL DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCING ANY WORK

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ISSUE	DATE	STATUS
0	02/04/18	FOR CLIENT REVIEW
A	18/04/18	FOR CLIENT REVIEW
B	24/05/18	FOR RESOURCE CONSENT
C	03/10/18	FOR RESOURCE CONSENT

## LEGEND

- Proposed building platform (713m<sup>2</sup>)
- Proposed curtilage area (1,620m<sup>2</sup>)
- Significant Natural Area (SNA) boundary as per Proposed District Plan (PDP)
- Existing dwelling footprint (117m<sup>2</sup>) FFL: 361.05masl
- Significant pines to be removed / terminated

NOTE: Existing kanuka mitigates visual effects of the building platform and tank farm. This vegetation is protected from removal under the SNA. No further mitigation planting is proposed.

Domestic amenity landscaping will include native plants that are recommended by the ecologist as endemic to the Mt Iron plant community. Domestic plantings will also include fire resistant plant species that are native to New Zealand but not necessarily endemic to Mt Iron (including pittosporum and lancewood).

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PROPOSED LOT 1 - BUILDING PLATFORM  
965 AUBREY ROAD  
ALBERT TOWN

JOB No.	15102
SCALE	1:400 @ A3
DATE	03/10/18
DESIGNED	HANNAH AYRES
DRAWN	HANNAH AYRES
CHECKED	
STATUS	FOR RESOURCE CONSENT
DRAWING No.	REVISION
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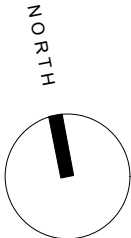




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ISSUE	DATE	STATUS
0	02/04/18	FOR CLIENT REVIEW
A	18/04/18	FOR RESOURCE CONSENT
B	24/04/18	FOR RESOURCE CONSENT
C	24/05/18	FOR RESOURCE CONSENT
D	25/05/18	FOR COORDINATION
E	31/08/18	FOR RESOURCE CONSENT

**LEGEND**

- Proposed building platform (420m²) as per envelope on L 5.0
- Proposed curtilage area (1040m²)
- Significant Natural Area (SNA) boundary
- Viewpoint Location
- Stage One Screen Planting:**  
60 native trees to be planted out at min 1.8m high saplings. Refer to planting plan on L 9.0
- Stage Two Revegetation:**  
Native shrub and tree selection at suitable spacing to achieve continuous cover. Refer to planting plan on L 8.0

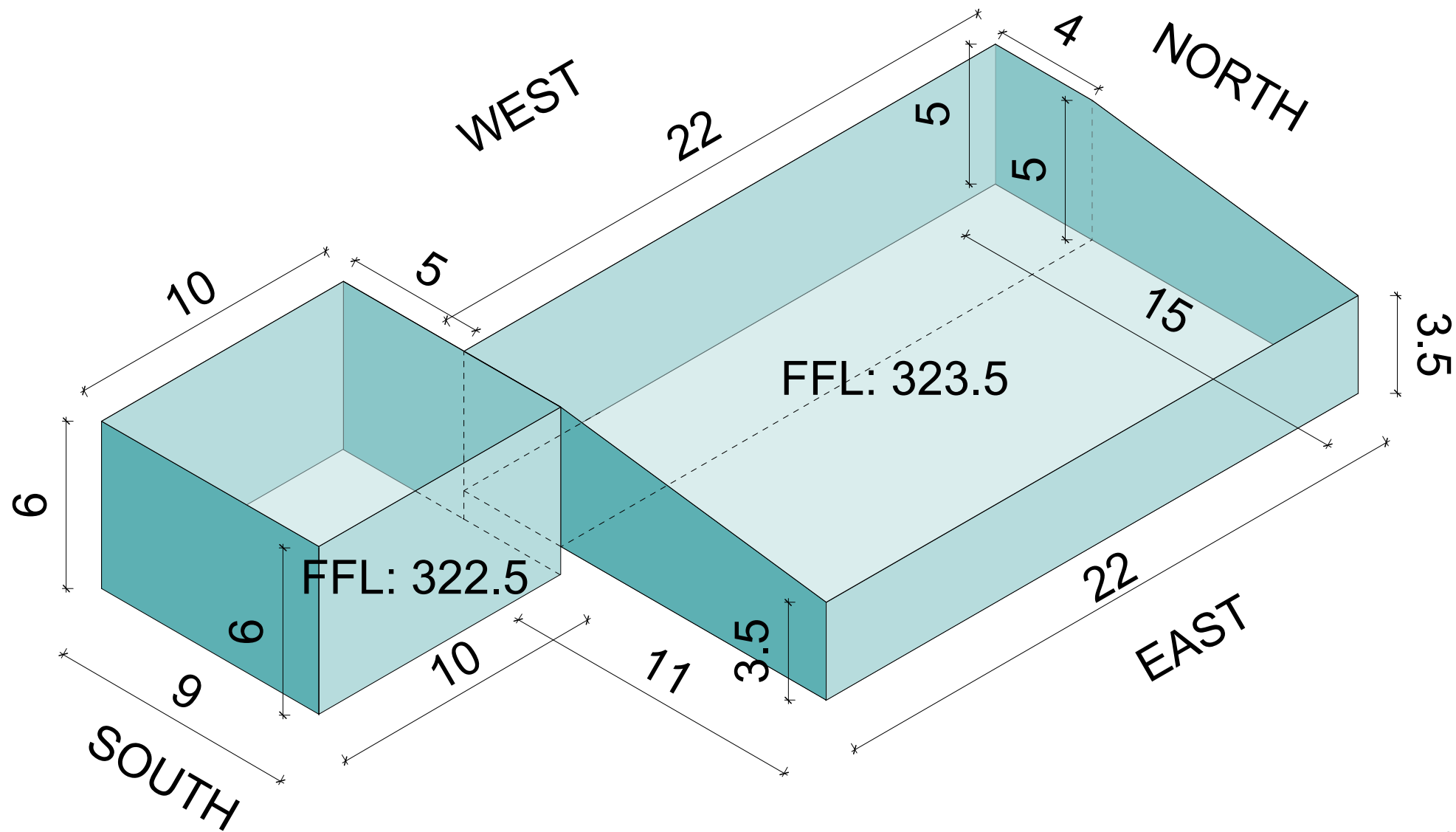


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**PROPOSED LOT 2 - LANDSCAPE PLAN**  
**965 AUBREY ROAD**  
**ALBERT TOWN**

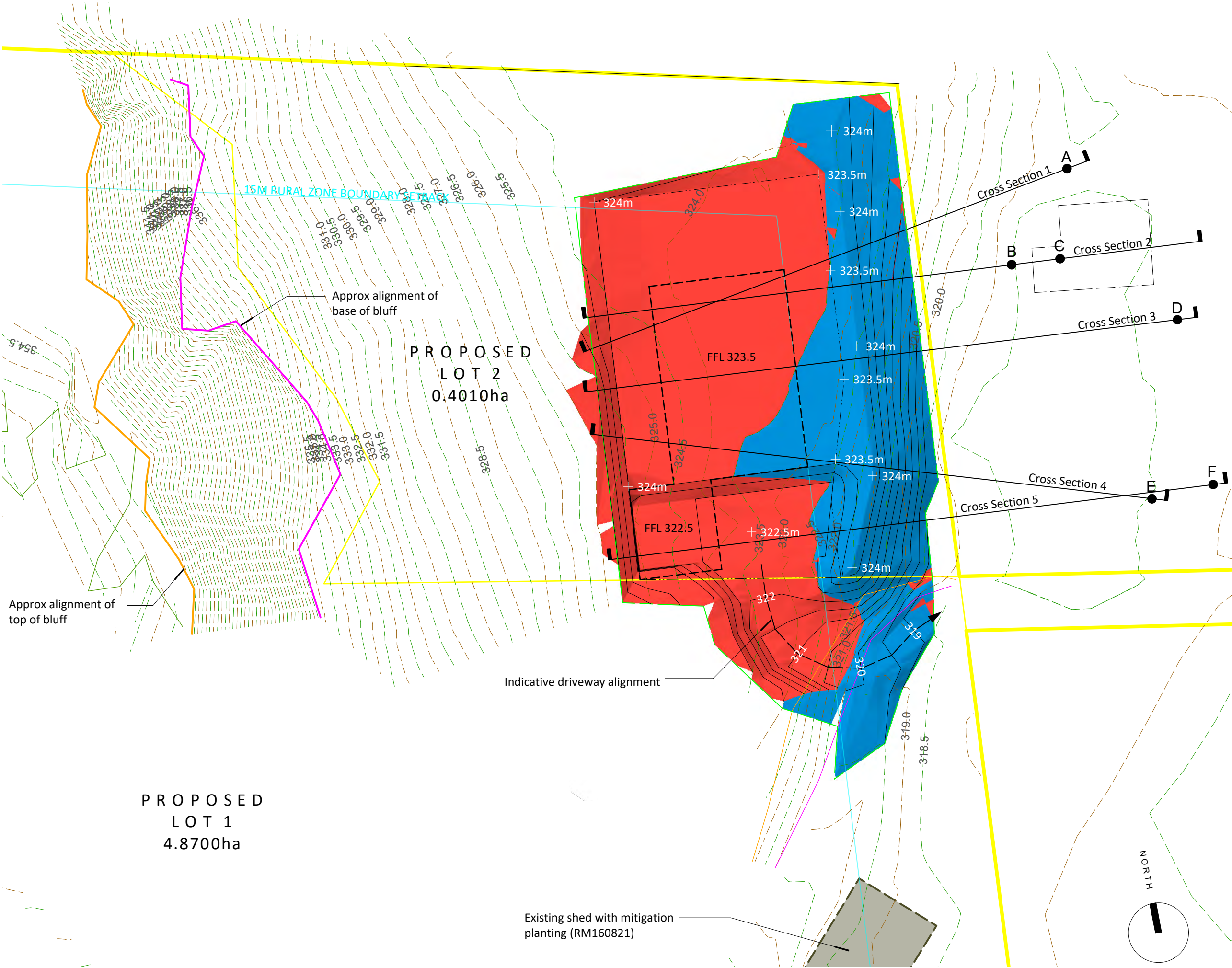
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SCALE	1:400 @ A3
DATE	31/08/18
DESIGNED	HANNAH AYRES
DRAWN	HANNAH AYRES
CHECKED	
STATUS	FOR COORDINATION
DRAWING No.	REVISION
L 4.0	E
SERIES	
4 of 9	





Total Platform Area: 420m<sup>2</sup>

1 LOT 2 BUILDING PLATFORM ENVELOPE  
1:200 @ A3



**LEGEND**

- Proposed building platform (420m<sup>2</sup>)
- Proposed curtilage area (1040m<sup>2</sup>)
- Property Boundary
- Earthworks Limit of Work
- Existing Major Contour
- Existing Minor Contour
- Proposed Contour
- Earthworks Cut 850.76 cu m
- Earthworks Fill 525.387 cu m
- Total Cut & Fill: 1376.15 cu m
- Viewpoint location

rough & milne landscape architects

Level 2, 69 Cambridge Terrace  
PO Box 3764, Christchurch 8140  
New Zealand

Tel +64 3 366 3268  
Fax +64 3 377 8287  
info@roughandmilne.co.nz

PROPOSED LOT 2 - EARTHWORKS PLAN

965 AUBREY ROAD

ALBERT TOWN

JOB No.	15102
SCALE	1:400 @ A3
DATE	30/08/18
DESIGNED	HANNAH AYRES
DRAWN	ANGIE NELSON
CHECKED	HANNAH AYRES
STATUS	FOR RESOURCE CONSENT
DRAWING No.	REVISION
L 6.0	0
SERIES	
6 of 9	



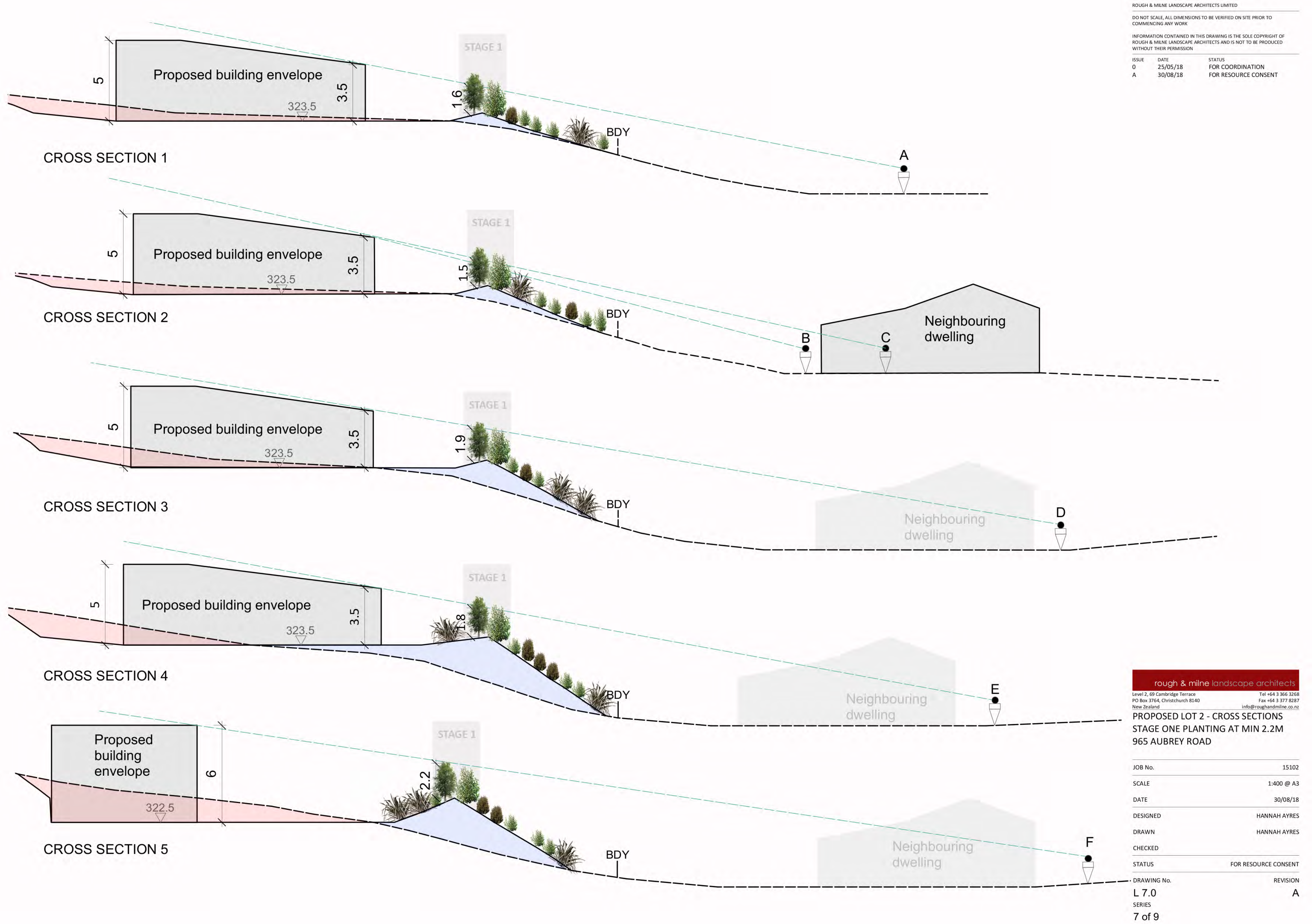
CROSS SECTION 1

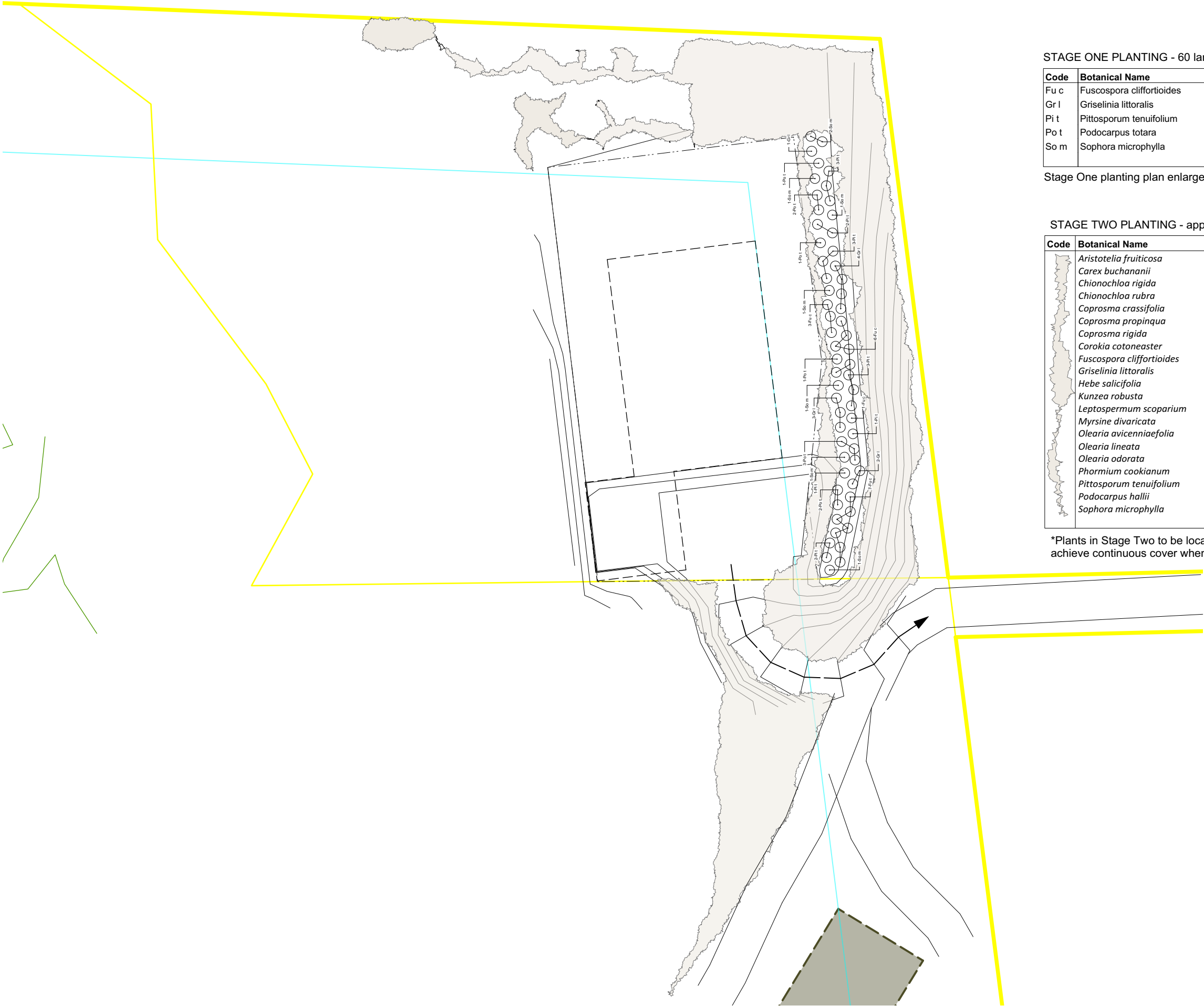
CROSS SECTION 2

CROSS SECTION 3

CROSS SECTION 4

CROSS SECTION 5





STAGE ONE PLANTING - 60 large grade native shrubs / trees

Code	Botanical Name	Common Name	Grade	Spacing	Quantity
Fu c	Fuscospora cliffortioides	Mountain beech	2.0 m	1500	17
Gr l	Griselinia littoralis	kapuka/broadleaf	1.8 m	1500	10
Pi t	Pittosporum tenuifolium	kohuhu	1.8 m	1500	15
Po t	Podocarpus totara	Totara	1.8 m	1500	10
So m	Sophora microphylla	kowhai	1.8 m	1500	8
					60

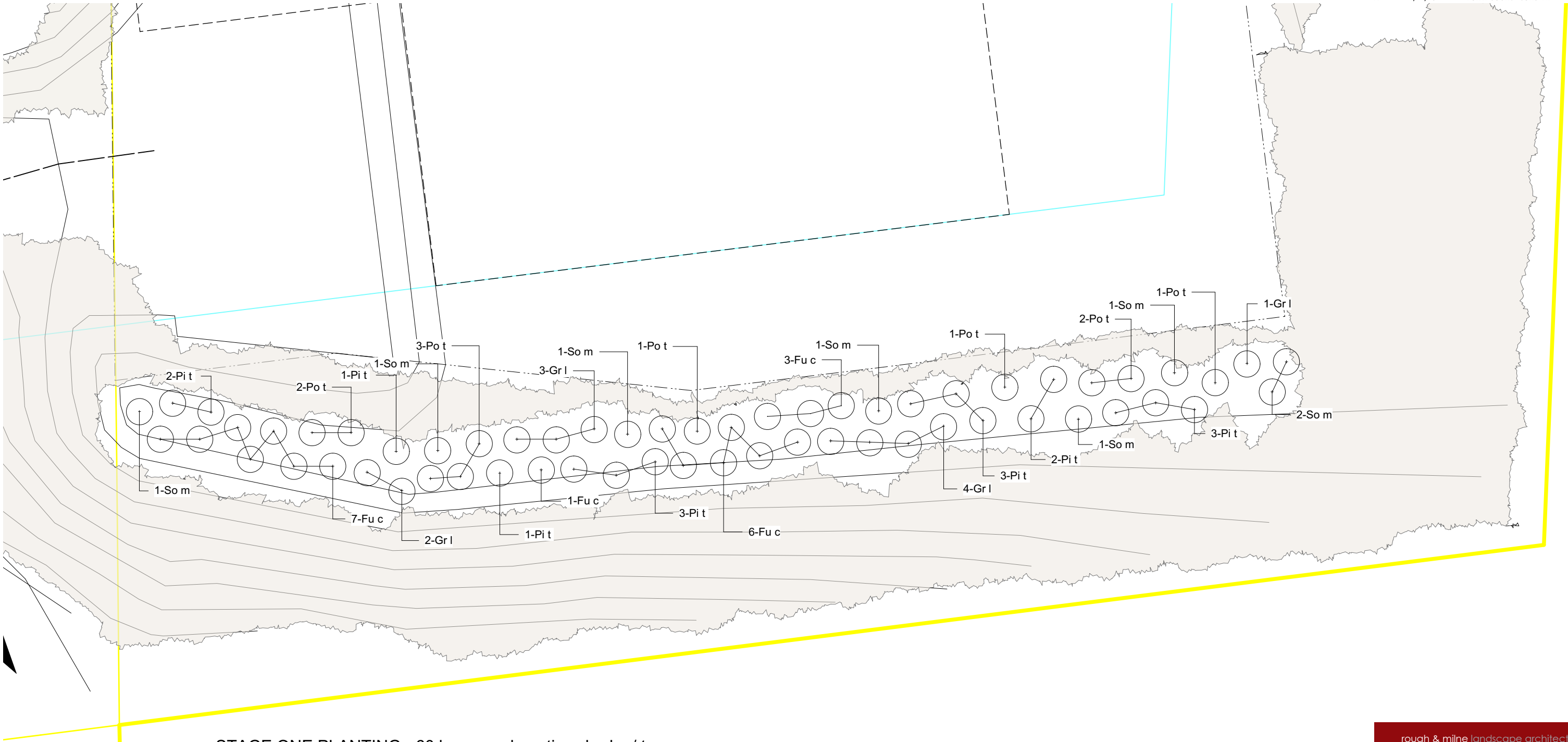
Stage One planting plan enlargement on L9.0

STAGE TWO PLANTING - approx 900m² native revegetation\*

Code	Botanical Name	Common Name	Grade	Spacing	% of mix
	<i>Aristotelia fruticosa</i>	Wineberry	2L	1500	2%
	<i>Carex buchananii</i>	Carex buchananii	DRT	800	5%
	<i>Chionochloa rigida</i>	Snow tussock	DRT	1000	5%
	<i>Chionochloa rubra</i>	Red tussock	DRT	1000	5%
	<i>Coprosma crassifolia</i>	Coprosma	2L	1500	5%
	<i>Coprosma propinqua</i>	Coprosma	2L	1500	10%
	<i>Coprosma rigida</i>	Coprosma	2L	1500	5%
	<i>Corokia cotoneaster</i>	Corokia	2L	1500	2.5%
	<i>Fuscospora cliffortioides</i>	Mountain beech	2L	3000	5%
	<i>Griselinia littoralis</i>	Kapuka / broadleaf	2L	2000	5%
	<i>Hebe salicifolia</i>	Hebe	2L	1500	5%
	<i>Kunzea robusta</i>	Kanuka	2L	1500	7.5%
	<i>Leptospermum scoparium</i>	Manuka	2L	1500	10%
	<i>Myrsine divaricata</i>	Myrsine	2L	2000	2%
	<i>Olearia avicenniaefolia</i>	Olearia	2L	2000	2%
	<i>Olearia lineata</i>	Olearia	2L	2000	2.5%
	<i>Olearia odorata</i>	Olearia	2L	2000	2%
	<i>Phormium cookianum</i>	Mountain flax	2L	1500	2.5%
	<i>Pittosporum tenuifolium</i>	Pittosporum	2L	2000	7.5%
	<i>Podocarpus hallii</i>	Halls totara	2L	2000	2.5%
	<i>Sophora microphylla</i>	Kowhai	2L	2000	7.5%

\*Plants in Stage Two to be locally seed sourced where possible and spaced to achieve continuous cover when mature





STAGE ONE PLANTING - 60 large grade native shrubs / trees

Code	Botanical Name	Common Name	Grade	Spacing	Quantity
Fu c	Fuscospora cliffortioides	Mountain beech	2.0 m	1500	17
Gr l	Griselinia littoralis	kapuka/broadleaf	1.8 m	1500	10
Pi t	Pittosporum tenuifolium	kohuhu	1.8 m	1500	15
Po t	Podocarpus totara	Totara	1.8 m	1500	10
So m	Sophora microphylla	kowhai	1.8 m	1500	8
					60

Note: Grades specified are minimum height at time of planting. Plant numbers may vary slightly between species (still totalling 60 plants) depending on availability of large grade plant stock.

rough & milne landscape architects

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info@roughandmilne.co.nz

PROPOSED LOT 2 - PLANTING PLAN

965 AUBREY ROAD

ALBERT TOWN

JOB No.

15102

SCALE

1:400 @ A3

DATE

14/11/18

DESIGNED

HANNAH AYRES

DRAWN

ANGIE NELSON

CHECKED

HANNAH AYRES

STATUS

FOR RESOURCE CONSENT

DRAWING No.

REVISION

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SERIES

9 of 9

# **ANNEXURE 2 – SECTION 42A REPORT**

**FILE REF: RM180604**

**TO** Katrina Ellis, Team Leader Resource Consents  
**FROM** Erin Stagg, Senior Planner  
**SUBJECT** Report on a limited notified consent application.

**SUMMARY**

**Applicant:** Scott Mazey Family Trust

**Location:** 965 Aubrey Road, Wanaka

**Proposal:** Application pursuant to Section 88 of the Resource Management Act (RMA) to undertake a 2 lot subdivision and establish two building platforms, one on each lot. Consent is also sought to establish buildings in the form of fire fighting water tanks outside of the building platforms, and to clear indigenous vegetation in a Significant Natural Area.

**Legal Description:** Lot 5 Deposited Plan 406222 held in Record of Title 421821

**Operative Plan Zoning:** Rural General

**Proposed Plan Zoning:** Rural

**Limited Notification Date:** 18 December 2018

**Closing Date for Submissions:** 20 November 2018

**Submissions:** 1

- 1 submissions have been received in opposition to the application:
  - John, Kate and Hamish Brimble
- 0 submissions have been received in support of the application:
- 0 have been received neither in support or opposition to the application:
- 0 of the submissions received were late submissions.

*\* the submitter wishes to speak at the hearing*

## **RECOMMENDATION**

That subject to new or additional evidence being presented at the Hearing, the application be GRANTED pursuant to Section 104 of the Resource Management Act 1991 (the RMA) for the following reasons:

1. It is considered that the adverse effects of the activity will be no more than minor for the following reasons:
  - The adverse effects of the proposal on the character and quality of the Outstanding Natural Feature have been sufficiently minimised and mitigated through the proposed landscaping.
  - The adverse effects of the proposed removal of indigenous vegetation will have a no more than minor effect on the ongoing health and protection of the significant natural area.
  - The sites will be sufficiently services, have provision for access and earthworks will be managed such that effects are avoided.
  - The subdivision design is suitable, and
  - Risk to natural hazards will be suitably avoided and mitigated
2. The proposal is consistent with the relevant objectives and policies of the District Plans for the following reasons:
  - The proposal is considered to be consistent with the District Wide, Rural, Transport and Subdivision objectives and policies of the Operative District Plan.
  - The proposal is considered to be consistent with the Strategic Directions, Landscape, Rural, and Earthworks objectives and policies of Stages 1 and 2 of the Proposed District Plan.
3. The proposal does promote the overall purpose of the RMA.

## 1. INTRODUCTION

My name is Erin Stagg. I am a Senior Resource Consents Planner with Queenstown Lakes District Council. I have been employed in this role since 2017. Prior to this, I worked as a Resource Consent Planner for the QLDC from 2014, and as a Policy Planner for the Dunedin City Council for 1 year prior to that.

I hold the qualifications of a Bachelor of Arts from Wellesley College, Massachusetts USA and a Masters of Planning from the University of Otago. 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.

## 2. PROPOSAL AND SITE DESCRIPTION

A copy of the application and accompanying assessment of effects and supporting reports can be found in the "Application" section of the Agenda.

I refer the Commission to the report entitled, 'Assessment of Effects on the Environment 2-Lot Subdivision and Two Building Platforms 965 Aubrey Road, Wanaka', prepared by Jo Fyfe (hereon referred to as "the applicant's AEE").

The applicant has provided a detailed description of the proposal and the site and locality in Sections 2- of the applicant's AEE. This description is considered accurate and is adopted for the purpose of this report.

## 3. SUBMISSIONS

### 3.1 SUBMISSIONS

A copy of submissions received can be found in the "Submission" section of the Agenda and are summarised below for the decision maker's benefit.

Name	Location of Submitters' Property	Summary of Submission	Relief Sought
John, Kate and Hamish Brimble	961 Aubrey Road (Property to the east of the application site)	<ul style="list-style-type: none"><li>• The site is located within an Outstanding Natural Feature (ONF) and a Significant Natural Area (SNA);</li><li>• Concerned approval of this development will set a precedent;</li><li>• The proposal is inconsistent with the PDP</li><li>• No exceptional circumstances have been established;</li><li>• The applicants have not articulated any benefit of developing this site;</li></ul>	That consent be refused





Figure 1 : Application site outlined in blue with submitter's property indicated by the red diamond

#### 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)
Simon and Joanne Guest	963 Aubrey Road
Carin and Terence Hetherington	30 Rockhaven
Anthony and Heather Wellman and Claude Guy	32 Rockhaven
Lucy Waters	71 Kanuka Rise



Figure 2: Subject site (outlined in blue) in relation to properties that have provided written approval, which are marked with a blue diamond



## 5. PLANNING FRAMEWORK

### 5.1 THE DISTRICT PLAN

#### OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General.

The purpose of the Rural General Zone is to manage activities so that they can be carried out in a way that protects natural and pastoral character, sustains the life supporting capacity of soil and vegetation, maintains acceptable amenity for residents and visitors to the zone, and ensures a wide range of outdoor recreational opportunities.

The relevant provisions of the Plan that require consideration can be found in Parts 5, 14 and 15 of the Operative District Plan (ODP).

Resource consent is required for the following reasons:

#### Subdivision

- A **controlled** activity resource consent pursuant to Rule 15.2.21.1 for earthworks associated with the subdivision activity. Council's control is restricted to this matter.

#### Land Use

- A **restricted discretionary** activity resource consent pursuant to Rule 5.3.3.3(xi) as the proposal breaches Site Standard 5.3.5.1(x) in relation to the clearance of vegetation. It is proposed to remove 1,750m<sup>2</sup> of vegetation in an area vegetated entirely by indigenous vegetation. Council's discretion is restricted to this matter.
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i) for the construction of any new building not located within a Residential Building Platform. It is proposed to erect water tanks not located within the proposed building platforms.

Overall, the proposed development is a **discretionary** activity under the ODP.

#### PROPOSED DISTRICT PLAN

Council notified the Proposed District Plan on 26 August 2015, and decisions on submissions were notified on 5 May 2018. The application site is zoned Rural. The purpose of this zone is to *'enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity'*.

The proposed activity requires resource consent for the following reasons:

#### Subdivision

- A **discretionary** activity resource consent pursuant to Rule 27.5.11 for the proposed subdivision in the Rural Zone.
- A **discretionary** activity resource consent pursuant to Rule 27.5.15 for the proposed subdivision within a Significant Natural Area.

## Land Use

- A **restricted discretionary** activity resource consent pursuant to Rule 21.5.1, which requires buildings to be setback 15m from internal boundaries. It is proposed to identify a RBP that would enable the construction of a dwelling up to the boundary with the site. Council's discretion is restricted to:
  - Rural amenity and landscape character; and
  - Privacy, outlook and amenity from adjoining properties
- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the proposed identification of residential building platforms. It is proposed to identify two building platforms.
- A **discretionary** activity resource consent pursuant to Rule 21.4.11 for the construction of a building not provided for by any other rule. It is proposed to erect water tanks outside of the proposed building platforms.
- A **discretionary** activity resource consent pursuant to Rule 33.5.3 for the proposed earthworks within the Significant Natural Area.
- A **discretionary** activity resource consent pursuant to Rule 33.5.4 for the proposed clearance of indigenous vegetation within the Significant Natural Area. It is proposed to clear up to 1,750m<sup>2</sup> of vegetation.

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

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

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

## **5.3 ACTIVITY STATUS**

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

## **5.4 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.

Following assessment under Section 104, the application must be considered under Section 104B of the RMA. In addition, a consent authority may refuse subdivision in certain circumstances as directed by Section 106.

The application may also be assessed with respect to the purpose of the RMA, which is to promote the sustainable management of natural and physical resources. Section 7.5 of this report outlines Part 2 of the RMA in more detail.

Sections 108 and 221 allow conditions to be imposed on a resource consent.

## 6. INTERNAL REPORTS

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

- Landscape Peer Review prepared by Ms Kris MacPherson, Consultant Landscape Architect (Appendix 2)
- Engineering Report prepared by Ms Lyn Overton, Land Development Engineer (Appendix 5)

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

## 7. ASSESSMENT

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

- (i) Landscape Classification
- (ii) Effects on the Environment
- (iii) Relevant Plan Provisions
- (iv) Other Matters

### 7.1 LANDSCAPE CLASSIFICATION

The applicant's Landscape Architect, Ms Kathryn Ward of Vivian Espie, has identified that application site is located within an Outstanding Natural Feature (ONF) (attached as Appendix 1). Council's Consultant Landscape Architect, Ms MacPherson has reviewed Ms Ward assessment and concurs that the hill house would be located within an ONF and the farm manager's accommodation within an ONL.

### 7.2 EFFECTS ON THE ENVIRONMENT

#### 7.2.1 The Permitted Baseline and Existing Environment

##### *7.2.1.1 Permitted Baseline*

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

In this case it is considered that the permitted baseline is of limited assistance given the scale and scope of the activity as proposed, however some activities that would fall within the permitted baseline in the Rural General zone are listed below:

- Farming activities;
- Viticulture activities;
- Horticulture activities;

It is noted that noise, dust, and odours are anticipated as resulting from the farming activities above. Further it is noted that the indigenous revegetation of the site is a permitted activity.

##### *7.2.1.2 Existing Environment*

The existing environment includes the existing farm cottage, which is located at the base of the hill and is currently unoccupied and in a state of disrepair. The existing environment also includes the existing farm shed, which is located within the Buchanan Rise Road reserve.

#### 7.2.2 Actual and Potential Effects on the Environment

This assessment of actual and potential effects on the environment is guided by assessment matters provided in the Operative and Proposed District Plans where appropriate. Part 5 of the ODP includes a range of assessment matters that set out both the process for and matters to be considered for development within the Rural General Zone. Chapter 21 of the PDP also includes relevant assessment matters. The list of relevant District Plan assessment matters is attached in full as Appendix 6.

I consider the proposal raises the following actual and potential effects on the environment, with regard but not limited to, the assessment matters as set out above:

- Landscape (7.2.2.1)
- Rural Character (7.2.2.2)
- Indigenous Vegetation Clearance (7.2.2.3)
- Access (7.2.2.4)
- Servicing (7.2.2.5)
- Earthworks (7.2.2.6)
- Subdivision (7.2.2.7)
- Natural Hazards (7.2.2.8)
- Positive Effects (7.2.2.9)

#### *7.2.2.1 Landscape*

J, K and H Brimble have submitted that the proposed development is inappropriate in this instance, as it is not exceptional and will have an impact on the ONF. The submissions points raised have been considered when writing the following assessment of effects.

##### *Openness of the Landscape*

Ms Ward is of the opinion that the proposed development will not be located within a broadly visible expanse of open landscape as the site is visually displayed but covered in dense vegetation. Ms Ward considers that there will be no change to the existing patterns of openness on the existing ONF. While Ms Ward acknowledges that the proposed dwelling on Lot 2 would result in a reduction in naturalness, Ms Ward is of the opinion that this effect would be limited to the lower slopes and any effect would be slight.

Ms MacPherson, however, raised concerns with the size of the proposed building platform on Lot 1, which would enable a much larger dwelling to be constructed and, in her opinion, have a moderate effect on the landscape. In response to Ms MacPherson's concerns, that applicant has updated the proposal and reduced the size of the building platform from 920m<sup>2</sup> to 713m<sup>2</sup>, as well as reduced the size of the associated curtilage area. Ms MacPherson is now satisfied that adverse effects on openness are low.

Overall, given the above, I consider that adverse effects on openness are no more than minor and appropriate.

##### *Visibility of Development*

Ms Ward considers that the proposal would be visible from neighbouring properties, users of Aubrey Road and Albert Town – Lake Hawea Road, and residents of Albert Town. However Ms Ward is of the opinion that the proposal will not be visually prominent. Ms Ward considers that the proposal will be no more visible than the existing situation.

Ms MacPherson disagreed with Ms Ward, and considered that the size of the building platform was such that any future building would be moderately more visible than the existing buildings. However the application has been updated; the size of the building platforms on both Lots 1 and 2 have been reduced and additional controls have been proposed for any future eastern façade. Ms MacPherson is now satisfied that any visual effects from the proposal would be moderate-low.

Ms MacPherson does consider that there would be temporary adverse visual effects during the removal of the pine trees and construction of the earth bund. However, I note that these activities can be undertaken as of right, and therefore any adverse effects associated with these works would be no greater than what can occur on the site as of right.

Overall, I consider adverse visual effects to be no more than minor and appropriate.

### *Visual Coherence and Integrity of the Landscape*

No structure within the proposed platforms will break the line and form of the landscape. Ms Ward considers that the landscaping, new access and earthworks will not affect the naturalness of the ONF. The road is existing. The new boundary lines follow the topographical contours of the site. As such Ms Ward considers that the new boundary will not give rise to artificial or unnatural lines in the natural form of the landscape.

Ms MacPherson raised concerns with the rock roll bund and the unnatural lines in the landscape that might result from its construction. However the applicant's geotechnical experts have subsequently confirmed that rock roll bund would not be required and now no bund is now proposed. Ms MacPherson is satisfied the proposal will not result in unnatural landforms within the landscape.

Overall, I consider adverse effects on the visual coherence and integrity of the landscape to be no more than minor and appropriate.

### *Cumulative Effects*

Ms Ward notes that the little Mt Iron side of the ONF is occupied by prominent built form. Ms Ward is of the opinion that this development has compromised the visual coherence and naturalness of the landscape. Ms Ward does not consider that the proposed RBP on Lot 1 would lead to further degradation of the ONF. The proposed RBP will result in an additional instance of human occupation, however Ms Ward considers that the landform in this location has a high ability to absorb development. Ms Ward considers that the proposal is close to, but does not represent, the site's threshold for absorbing further change. Ms Ward considers that the proposal will increase the level of domestication within the landscape, but the site has the ability to absorb the development. Ms Ward is of the opinion that the proposal will not result in an inappropriate level of degradation of the landscape.

Ms MacPherson is of the opinion that Ms Ward has underestimated the cumulative effects of the RBP on proposed Lot 1 and that these effects would be moderate. However, as discussed above, the applicant has amended the application to reduce both the size of the platform and the curtilage area. Ms MacPherson now considers that, subject to conditions controlling colour and the extent of glazing along the eastern elevation, cumulative effects would be moderate-low.

Overall, given the above, I consider the adverse cumulative effects of the proposed development to be no more than minor and appropriate in extent.

### *Landscape Quality and Character*

Mr Ben Espie, (the applicant's landscape planner who completed the landscape addendum in Ms Ward's stead), considers that the proposal will have a positive effect in relation to the site's natural character. Mr Espie considers that the most important attributes of the landscape will be maintained and enhanced, and that the quality and character of the landscape will not be degraded.

Ms MacPherson has not commented on these matters.

I consider adverse effects on landscape quality and character to be no more than minor and appropriate.

### *Density and Design of Development*

Ms Espie considers that the platform on Lot 1 will enable the replacement of a dwelling, while the RBP on Lot 2 will be configured so as to aggregate development adjacent to the Large Lot Residential Zone. Further Lot 2 is well hidden from any views. Mr Espie considers that the proposal no result in inappropriate adverse effects in relation to design and density.

Ms MacPherson has not commented on these matters.

Overall, I consider adverse effects in relation to the design and density of development will be no more than minor and appropriate.

### *Positive Effects*

Ms Ward considers that the retention of native vegetation, planting of additional native vegetation, removal of the pine trees will have positive effects on the landscape character. Ms MacPherson agrees that these factors will have positive effects on the natural character of the landform.

Overall, I consider the proposal will have minor positive effects.

### *Summary*

J, K and H Brimble's submission stated that the proposed development is inappropriate in this instance, as it is not exceptional and will have an impact on the ONF.

The Brimble submission raised concerns that would be highly applicable for a number of developments on an ONF. However, in this case, based on expert landscape evidence, I consider that the landscape effects in relation to the proposal are no more than minor and appropriate. Any impact on the ONF has been adequately avoided or minimised.

An assessment in relation to whether or not the proposal is exceptional can be found in Section 7.3 below.

#### *7.2.2.2 Rural Character*

The proposal relates to the creation of an additional rural residential sized allotment to the east of the property. However it is noted that the subject site has a natural rather than pastoral character and could not be easily used for productive purposes. The proposed additional allotment would be located in the lower portion of the site, only slightly elevated above the terrace. Further, the surrounding sites are of a similar rural residential character and use.

Overall, given the above factors, I consider that any effect on rural character would be less than minor.

#### *7.2.2.3 Indigenous Vegetation Clearance*

J, K and H Brimble have submitted that the proposed development is inappropriate in this instance, as it is located within a Significant Natural Area (SNA).

The application includes a proposal to clear kanuka within an area identified as a SNA in order to accommodate the two proposed building platforms. The applicant has provided an ecological assessment prepared by Mr. Neill Simpson (Attached as Appendix 3).

Mr Simpson notes that the proposed RBP and curtilage area extends primarily into areas of kanuka that have already been cleared. Mr Simpson considers that the proposal would not result in a change in the integrity to the SNA.

In relation to the proposed Lot 2, Mr Simpson notes that nature conservation values of this portion of the site are already compromised by the presence of Douglas Firs. Mr Simpson considers that removal of the fir trees and the planting of native species will provide a greater seed source for the woodland, which would assist in the long term retention of the SNA.

Council's Consultant Ecologist, Ms Melissa Jager, has reviewed the assessment prepared by Mr Simpson (attached as Appendix 4) and has adopted the conclusions drawn by Mr Simpson. Ms Jager has recommended some changes to the conditions volunteered by the applicant, and has recommended the inclusion of a weed management plan. Overall, Ms Jager considers the proposed removal of indigenous vegetation appropriate in this instance. Mr Jager's assessment is adopted and effects in relation to the removal of indigenous vegetation are considered to be no more than minor.

Overall, I consider adverse effects in relation to removal of indigenous vegetation to be no more than minor and appropriate.

#### *7.2.2.4 Access*

Access to Lot 1 is proposed along the existing access. A new access is proposed to be formed to Lot 2 from the bottom of the existing formed access.

Ms Overton has reviewed the proposal in relation to access. Ms Overton is satisfied the existing Right of Way (ROW) complies with Council Standards and is suitable to service up to six units. Ms Overton notes that the proposed platform on Lot 2 is elevated above the ROW. As such, should the decision maker be of mind to grant consent, Ms Overton has recommended conditions in relation to the formation of the access and design of the ROW.

Overall, I consider adverse effects in relation to access to be less than minor and appropriate.

#### *7.2.2.5 Servicing*

Ms Overton has assessed the application in relation to servicing. Ms Overton notes that the existing dwelling is serviced with electricity, water and telecommunications. Stormwater and wastewater are disposed of on site. Ms Overton is satisfied that the existing water connection is sufficient to service the new proposed Lot 2 for potable water and firefighting. In relation to fire fighting for Lot 1, it is proposed to install 4 water tanks but the access is too steep for fire appliances. Further Fire and Emergency New Zealand (FENZ) has indicated that they would not attend fires on Mt Iron. As a result the applicant is going to design a self-sufficient firefighting system. Ms Overton is satisfied that this can be achieved and has recommended that conditions be imposed to ensure FENZ has certified the proposed design.

In relation to wastewater, Ms Overton has identified that reticulated services are available. However an additional easement would be required to Aubrey Road, as well as a pumping station. If the applicant determines these works to be cost prohibitive, Ms Overton is satisfied that wastewater can also be disposed of to ground on Lot 1. Lot 2 may require an alternative disposal area. Should the Decision Maker be of mind to grant consent, Ms Overton has recommended conditions in relation to the disposal of wastewater.

Ms Overton is satisfied that onsite stormwater disposal is feasible.

Letters have been provided from the telecommunications and electricity providers that both lots can be suitably serviced with electricity and telecommunications. Ms Overton has recommended conditions in relation to these matters.

Overall, I consider adverse effects in relation to servicing to be less than minor.

#### *7.2.2.6 Earthworks*

Earthworks are proposed to create the building platform on the proposed Lot 2, and to form a landscaping bund in front of the proposed dwelling. Ms Overton is satisfied that the proposed earthworks will be formed to self-supporting gradients. Ms Overton also notes that fill will be placed within the buildable area of the platform, and indicates that this fill will need to be certified. Ms Overton has recommended conditions in relation to these matters.

The earthworks will create a screening bund, to be planted with native vegetation, which will ensure that any future dwelling would be difficult to see from the property located at 961 Aubrey Road. While these works will be temporarily highly visible, they would be permitted by the plan and, upon completion, will be revegetated with a mix of native vegetation.

Overall, I consider adverse effects from earthworks will be less than minor.

#### *7.2.2.7 Subdivision*

The proposed subdivision will result in two allotments, one that is 4.8ha and one that is 0.4ha.

Both landscape architects are in agreement that the boundary of the new subdivision follows the line and form of the landscape.

The application site is not used for productive farming purposes and would be difficult to use for productive purposes. Therefore, while the proposed lot size is not necessarily consistent with the intended lot size for the zone, I consider the lot sizes proposed appropriate in this instance.

Ms Overton has assessed the proposed subdivision in relation to engineering matters and determined that the proposed development can be adequately serviced. Ms Overton has recommended conditions that can be imposed should consent be granted can ensure the services are adequately designed in order to avoid or mitigate any adverse effects on the environment.

Overall, I consider any adverse effects in relation to subdivision to be less than minor.

#### *7.2.2.8 Natural Hazards*

Council's hazard maps show the application site is subject to risk from liquefaction and landslide. The applicant has provided a geotechnical report prepared by GeoSolve Ltd. The report provides recommendations in respect of geotechnical parameters, foundation design, stormwater soakage and rock fall mitigation. The report confirms that development on both lots is feasible but that there is a rockfall hazard from the rock bluff to the west of Lot 2. Initially it was proposed to erect a rock roll bund between the platform and the bluff. However it is now proposed to remediate the rockfall risk by scaling and rock bolting.

Ms Overton has read and accepted the report. Should the Decision Maker be of mind to grant consent, Ms Overton has recommended a number of conditions to minimise risks from natural hazards. I consider these conditions to be suitable to impose.

Overall, I consider any adverse effects from natural hazards to be less than minor.

#### *7.2.2.9 Positive Effects*

The proposed development will enable the application to provide for their economic well being.

The proposed development will ensure the removal of the pine trees adjacent to the SNA, and includes the controlling of pest species into the future so as not to undermine the integrity of the SNA.

Overall, I consider any potential positive effects to be minor.

#### *7.2.2.10 Summary*

Overall, given the above assessment, I consider any adverse effects from the proposed development to be no more than minor and acceptable.

### **7.3 THE DISTRICT PLAN – ASSESSMENT MATTERS AND OBJECTIVES AND POLICIES**

#### **7.3.1 District Plan Objectives and Policies**

The full details of the relevant objectives and policies of the Operative District Plan and Proposed District Plan are found in Appendix 7. Discussion of these is provided below.

#### **Operative District Plan**

##### *Section 4 - District Wide Matters – Nature Conservation*

Objective 4.1.4.1 seeks to protect and enhance indigenous ecosystem functioning, and to protect outstanding natural features and landscapes.



Policy 1.1- 1.4 seek to encourage the long-term and ongoing protection of indigenous ecosystems and geological features. The proposal does involve the removal of indigenous vegetation from within a Significant Natural Area (SNA). However the level of removal is minimal and the removal of the pine trees in combination with ongoing pest management will ensure the ongoing maintenance of the indigenous ecosystem. It is not proposed to change the geological features. I consider the proposal consistent with these policies.

Policy 1.7 seeks to avoid any adverse effects of activities on natural character and indigenous ecosystems by ensuring ongoing protection of indigenous ecosystems. The proposal will have long term benefits to the indigenous ecosystem as a result of the removal of pine trees and ongoing pest management. However there will be some slight adverse effect from the removal of some of the Kanuka. Therefore I consider the proposal consistent with this policy.

Policy 1.11 seeks to encourage the protection of areas of significant indigenous vegetation. I consider the proposal consistent with this Policy.

Overall, I consider the proposed development to be consistent with Objective 4.1.4.1.

#### *Section 4 - District Wide Matters – Landscapes*

Objective 4.2.5 seeks to ensure subdivision and development is undertaken in a manner which remedies, avoids or mitigates adverse effects on landscape and visual amenity values.

Policy 1 seeks to avoid, remedy or mitigate the adverse effects of development in those landscapes that are vulnerable to degradation, encourage development in areas that can absorb change, and to ensure the development harmonises with local topography and ecosystems. The landscape in this location is vulnerable to degradation, however adverse effects have been sufficiently mitigated and minimised. The landscape can absorb the development as proposed development, and the development has been designed to harmonise with topography and the surrounding indigenous vegetation. Therefore I consider the proposal consistent with this Policy.

Policy 5 seeks to avoid subdivision and development on and in the vicinity of distinctive landforms, unless the subdivision is done in a way that ensure adverse effects are no more than minor. It further seeks to ensure that buildings and associated servicing do not have a more than minor impact on the ONF, to avoid cumulative deterioration of the ONF, protect views from public places, and protecting and enhancing the naturalness of the landscape. Adverse effects have been determined to be no more than minor and the naturalness of the landscape will be protected. I consider the proposal consistent with this Policy.

Policy 8 seeks to avoid cumulative degradation by ensuring the development does not result in the over domestication of the landscape and to encourage comprehensive and sympathetic development in rural areas. The proposal will not result in the cumulative degradation of the landform and is sympathetic to the ONF. I consider the proposal consistent with this Policy.

Policy 15 seeks to maintain the visual coherence of the landscape to protect natural character by maintaining natural ecosystems on ONFS. I consider the proposal consistent with this policy.

Given the above, I consider the proposal consistent with Objective 4.2.5.

Overall, I consider the proposed development to be consistent with the intent of the objectives and policies of Part 4 of the ODP.

#### *Section 5 – Rural General*

Objective 1 of Part 5 seeks to protect the character and landscape values of the rural area.

Policy 1.3 seeks to ensure that land with potential value for rural production is not compromised by inappropriate development. The application site is note productive agricultural land and therefore this policy is not directly applicable to the application.

Policy 1.4 seeks to 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. The proposed development is not based on rural resources, but will not impact the rural character of the area. I consider the proposal consistent with this Policy.

Policy 1.6 seeks to avoid, remedy or mitigate adverse effects of development on landscape values. Landscape values of the proposal have been sufficiently mitigated and minimised. I consider the proposal consistent with this Policy.

Policy 1.7 seeks to preserve the visual coherence of the landscape by ensuring all structure are located where the landscape can absorb development. Any structures associated with Lot 2 can be absorbed by the landscape. The building platform on Lot 1 offers less absorption, but will encircle an existing dwelling. I consider the proposal meets the intent of Policy 1.7.

Policy 1.8 seeks to ensure structures are not located on prominent slopes, skylines, ridges or hills. Lot 2 is not located on a prominent slope or ridgeline. Lot 1 is located on the prominent slope of Mt Iron, but the RBP will encircle the existing dwelling. I consider the proposal to be consistent with this Policy.

Overall, I consider the proposal is consistent with Objective 1.

Objective 3 seeks to avoid, remedy or mitigate adverse effects of activities on rural amenity.

Policy 3.2 seeks to provide for a wide range of rural land uses without increasing the potential for loss of rural amenity values. The proposal relates to rural living, but will not have adverse effects on rural amenity. I consider the proposal will be consistent with Policy 3.2.

Effects on rural amenity have been sufficiently avoided or minimised and I consider the proposal consistent with Objective 3.

#### *Section 15 – Subdivision*

The objectives and policies of the subdivision chapter seek to ensure that subdivisions are appropriately serviced and that the cost of servicing is met by the developer. The servicing of the proposed development has been assessed and is considered to be adequate.

In addition, Objective 5 and the associated policies seek to maintain and enhance amenity. Policy 5.2 seeks to ensure the rural subdivision will not lead to a pattern of land uses that will adversely affect landscape, visual, cultural and other amenity values. The subdivision will not change the land use patterns on the site and it has been determined that the proposed development will not have inappropriate effects on the landscape or visual values.

Overall it is considered that the proposed development is therefore consistent with the objectives and policies of Part 15 of the Operative District Plan.

#### *Section 22 – Earthworks*

The objectives and policies of Section 22 seek to provide for earthworks associated with development provided the adverse effects from these earthworks on the environment are minimised, mitigated or remedied. Of particular relevance, Objective 2 seeks to avoid, remedy or mitigate adverse effects of earthworks on landscapes. The proposed earthworks are sympathetic with the existing landform and will enable the proposed dwelling to fit into the landscape. I consider the proposed earthworks to be consistent with the intent of these objectives and policies.

#### *Summary – Operative District Plan*

Given the assessment I above, I consider the proposed development to be consistent with the intent of the objectives and policies of the Operative District Plan.

## **Proposed District Plan – Stage 1 – Decisions Version**

### *Chapter 3 Strategic Directions*

Strategic Objective 3.2.5 seeks to retain the District's distinctive landscapes by protecting them from the adverse effects of development that are more than minor. Policy 3.2.5.1 seeks to protect natural character of Outstanding Natural Features from the adverse effects of development that are more than minor. The proposal will not result in adverse effects that are more than minor. I consider the proposal consistent with this Objective and its associated policies.

Policy 3.3.18 seeks to protect SNAs from significant adverse effects and to enhance indigenous biodiversity outcomes. Although indigenous vegetation is proposed to be removed, the extent of removal is fairly limited and will be undertaken alongside the removal of wilding pine trees. I consider that the removal of the pines and the ongoing pest control will ensure adverse effects are avoided and potentially lead to the enhancement of the SNA. I consider the proposal consistent with this policy.

Policy 3.3.24 seeks to ensure that cumulative effects of development for rural living does not result in the alteration of the rural character to the point where the area is no longer rural in character. The area to the east and north of the application site is characterised by large lot urban development rather than rural development. The slopes of Mt Iron around the application site are rural in character but the proposed subdivision will not change the character of the area to one that is less rural. I consider the proposal consistent with this Policy.

Policy 3.3.30 seeks to avoid adverse effects on the landscape, visual amenity values and natural character of the District's ONFs that are more than minor or not temporary. I consider that any more than minor adverse effects have been avoided and the proposal is consistent with this Policy.

Overall, I consider the proposed development to be in accordance with the intent of the objectives and policies of the Strategic Directions Chapter.

### *Chapter 3 Landscapes*

Policy 6.3.4 seeks to avoid urban development in rural zones. The proposed development is not urban and nature and there I consider the proposal to be in accordance with the intent of Policy 6.3.4.

Policy 6.3.8 seeks to avoid indigenous vegetation clearance where it would significantly degrade the visual character of the District's landscapes. The proposed vegetation clearance will not degrade the visual character of Little Mt Iron. I consider the proposed development meets the intent of this policy.

Policy 6.3.9 seeks to encourage development to promote indigenous biodiversity protection and regeneration. The proposed development will promote the retention of Kanuka around the site, as well as native planting associated with Lot 2. I consider the proposal is consistent with this Policy.

Policy 6.3.12 seeks to recognise that subdivision and development is inappropriate in almost all locations in ONFs, meaning successful applications will be exceptional cases where the feature can absorb the change and buildings will be reasonably difficult to see. J, K and H Brimble had submitted that this is not an exception case. However, I consider this to be an exceptional case as the feature is located adjacent to the Large Lot residential zone and the new allotment will be at the base of the ONF adjacent to this zone. Further, the building platform on the other allotment is proposed around an existing dwelling located within the ONF. The landscape has been shown to be able to absorb the development. Any future dwelling on Lot 1 would be of a similar visibility to the dwelling currently in this location. Any future dwelling on the Proposed Lot 2 would be difficult, if not impossible to see from any public place. It would also be difficult to see from 961 Aubrey Road. I consider that the proposed development is therefore consistent with this Policy and meets its intent.

Policy 6.3.16 seeks to maintain the open landscape character of ONFs where it is open at present. The character of Mt Iron is not open at present but rather heavily vegetated with Kanuka. Therefore this policy is not directly relevant to the subject application.

Given the above assessment, I consider the proposal to be consistent with the Policies of Chapter 6 of the PDP.

#### *Chapter 21 Rural*

Objective 21.2.1 seeks to provide for a range of land uses while protecting, maintain and enhancing landscape, ecosystem, nature conservation and rural amenity values.

Policy 21.2.1.6 seeks to avoid adverse cumulative impacts on ecosystem services and nature conservation values. It is considered that any adverse effects on the ecosystem and native conservation values will be slight and will not have a cumulative impact on this particular SNA. I consider the proposal consistent with this application.

Policy 21.2.1.8 directs decision makers to have regard to fire risk from vegetation. In this instance there is a high risk of fire from the existing vegetation on Lot 1. However, the dwelling is existing and the applicant has gone to lengths to attempt to reduce the risk. The fire risk on Lot 2 is much lower and is acceptable. I consider that although there is a high risk of fire that would be exacerbated by the vegetation, the application will improve the existing situation and therefore the proposal is consistent with this Policy.

The landscape, ecosystem, nature conservation and rural amenity values of the site will be maintained by the proposed development. I consider the proposed development is consistent with Objective 21.2.1.

Overall, I consider the proposed development to be consistent with the objectives and policies of the Rural Chapter.

#### *Chapter 27 Subdivision*

The objectives and policies of the subdivision chapter seek to provide for high quality environments for people to live and work in. They also seek to ensure infrastructure and services are provided to new subdivision. The proposed subdivision will create a public car park and a public easement and will therefore enhance accessibility to the lake. Further, the proposed subdivision has been sufficiently serviced. Therefore, I consider the proposed development to be consistent with these objectives and policies.

#### *Chapter 33 Indigenous Vegetation*

Objective 33.2.1 seeks to ensure that indigenous biodiversity is protected, maintained and enhanced.

Policy 33.2.1.5 directs that the clearance of indigenous vegetation be undertaken in a manner that ensures the District's indigenous biodiversity is protected, maintained or enhanced. The clearance will be undertaken in a manner that will ensure the ongoing protection of the vegetation in the SNA. I consider the proposal consistent with this Policy.

I consider that the proposed development is consistent with this Objective and the associated policies.

Objective 33.2.2 seeks to ensure that SNAs are protected, maintained and enhanced.

Policy 33.2.2.1 seeks to avoid the clearance of indigenous vegetation within SNAs that would reduce indigenous biodiversity values. The proposed clearance of indigenous vegetation will not affect indigenous biodiversity values. I consider that the proposal meets the intent of this Policy.

Policy 33.2.2.2 direct decision makers to allow the clearance of indigenous vegetation within SNAs only in exceptional circumstances and ensure that the clearance is undertaken in a manner that retains the values of the SNA. J, K and H Brimble have submitted that this is not an exceptional circumstance. I consider that the removal of kanuka from Lot 1 is exceptional circumstance as it pertains to the removal around an existing house. The values of the SNA will be retained. I do not consider that the removal associated with Lot 2 is an exceptional circumstance. However, the values of the SNA, and the SNA will be retained, protected and enhanced. Therefore I consider the proposal to be inconsistent with, but not contrary to this Policy.

Overall, given that I consider that the removal of indigenous vegetation on Lot 2 is not an exceptional circumstance, I consider the proposal inconsistent with Objective 33.2.2 and its associated policies.

Given that the indigenous biodiversity values of the site will be maintained and potentially enhanced, although the proposal is not exceptional, overall I consider the proposal meets the intent of the objectives and policies of Chapter 33.

#### *Summary – Proposed District Plan Stage 1*

Given the assessment I above, I consider the proposed development to be consistent with the intent of the objectives and policies of the Operative District Plan.

#### **Proposed District Plan – Stage 2 – Notified Version**

##### *Chapter 25 Earthworks*

The objectives and policies of Chapter 25 seek to ensure that adverse effects from earthworks are minimised and that landscape values are maintained. The proposed earthworks will not affect the landscape values of the ONF and all other effects have been minimised. Therefore I consider that the proposed development is consistent with the intent of these objectives and policies.

#### **Weighting between Operative District Plan and Proposed District Plan (Stage 1 Decisions Version 2018 and Stage 2 Notified Version)**

In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the ODP and PDP, no weighting assessment is required.

#### **7.3.2 Otago Regional Policy Statement**

The objectives and policies contained within the Operative Otago Regional Policy Statement (ORPS) are also relevant to the proposal. The full details of the relevant objectives and policies are found in Appendix 8. In addition it is appropriate to consider the Regional Policy Statement review. The proposed changes to the RPS were notified on the 23 May 2015 and Council issued its decision on 1 October 2016. The proposed RPS became partially operative on 14 January 2019.

Relevant objectives of the operative Regional Policy Statement include 5.4.3, which seeks to protect Otago's ONFs and ONLs from inappropriate development. The proposed development is considered appropriate and will ensure the ongoing protection of the ONF. Objectives 10.4.1, 10.4.2, and 10.4.3 seeks to protect Otago's biota and indigenous vegetation. While the proposal includes the removal of some indigenous vegetation from an SNA, the level of removal is slight and the removal of the pines will ensure the ongoing maintenance of the existing indigenous vegetation. For these reasons I consider the proposal consistent with the 1998 RPS.

In relation to the proposed Regional Policy Statement, Objective 3.1 seeks to recognise, maintain and enhance Otago's natural resources and ecosystems, including landscapes. Policy 3.1.9 seeks to manage biodiversity in order to maintain or enhance ecosystem health and areas of predominantly indigenous vegetation. The health of the ecosystem will be maintained, and the majority of significant natural area will be retained and protected.

Policy 3.1.13 seeks to encourage and support activities that contribute to the regeneration of indigenous species and improve access to lakes. Objective 3.2 seeks to identify, protect and enhance Otago's highly valued natural resources, including ONFs. Adverse effects on the ONF have been determined to be no more than minor and therefore it is my opinion that the ONF will continue to be protected.

The proposal will maintain the quality of the landscape and will both result in indigenous revegetation and controlling pest species. The proposal will avoid significant adverse effects on the ONF and the SNA. Overall, I consider that the proposed development is consistent with objectives and policies of the both the 1998 and 2019 Regional Policy Statements.

### 7.3.3 OTHER MATTERS

#### 7.3.3.1 Subdivision (s106 RMA)

Section 106 of the RMA states that a consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. In this case suitable legal and physical access has been proposed for each lot. Whilst the one lot could be at risk from inundation from flooding, sufficient mitigation measures have been proposed. Therefore consent can be granted subject to conditions relating to access and natural hazards.

#### 7.3.3.2 Precedent

J, K and H Brimble have submitted that the proposed subdivision will set a precedent for further development on the ONF and within the SNA. It is noted that every application must be assessed on its merits, and the test for development within an ONF is high. As is discussed above, I consider this applicant meets the test of exceptional. In relation to the removal of indigenous vegetation, it is noted that the removal of the vegetation is relatively small in scale, and will be accompanied by the removal of the existing pine trees and ongoing pest management. Overall, I consider that this will lead to the long term retention of the SNA, and reduction to its vulnerability to pest species. Further, indigenous vegetation will be replanted along the eastern boundary of Lot 2.

In relation to the development in the ONF, the building platform on Lot 1 will go around an existing dwelling. Eventually the dwelling in this platform will be replaced, and the proposed design controls will ensure any future dwelling is no more visible, and has no greater effects, on the ONF than the existing dwelling. The platform on Lot 2 is located at the base of the landform, adjacent to the Large Lot Residential Zone and associated land use. Therefore the proposed lot and associated dwelling will fit into the existing context of development on the ONF. For these reasons I consider the proposal to be exceptional and not set a precedent for further development in this location.

### 7.5 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

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

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

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

The proposal will appropriately avoid, remedy or mitigate adverse effects on rural character, landscape and visual amenity and cumulative effects.

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

- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

The proposal will appropriately avoid, remedy or mitigate adverse visual and landscape effects on the outstanding natural feature. The proposal will not adversely affect the character and landscape values relating to the ONF.

Further, although some indigenous vegetation in an SNA will be removed, the proposed ongoing pest management and removal of pine trees will ensure the ongoing protection of the SNA.

Under Part 2 of the RMA, regard must be had to the relevant matters of Section 7 – Other Matters, including:

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*
- (f) *the maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon*
- (i) *the effects of climate change*
- (j) *the benefits to be derived from the use and development of renewable energy*

As discussed throughout this report, it is considered that the development proposed is appropriate in this setting 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 maintains the sought character, landscape and visual amenity values. As such, I consider the proposal promotes sustainable management of the landscape resource.

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

## 8. RECOMMENDATION

- An application has been received to undertake a two lot subdivision, establish two building platforms, and remove indigenous vegetation.
- In summary, it is considered that the potential effects on the landscape and the significant natural area have been adequately avoided, minimised or mitigated and the proposed development is considered appropriate.
- Considered as a whole, the proposal is consistent with the relevant objectives and policies of the Operative District Plan and Proposed District Plan. Therefore I recommend consent be granted.
- Draft conditions (Appendix 8) have been provided to assist the Commission should the Commission be of a mind to grant consent. These conditions relate to the matters where adverse effects of the proposal as it stands are considered no more than minor.

Report prepared by

Reviewed by




Erin Stagg  
**SENIOR PLANNER**

Katrina Ellis  
**TEAM LEADER RESOURCE CONSENTS**

<b>Attachments:</b>	Appendix 1	Landscape Architect's Report
	Appendix 2	Landscape Peer Review
	Appendix 3	Ecological Assessment
	Appendix 4	Ecological Peer Review
	Appendix 5	Engineering Report
	Appendix 6	QLDC Assessment Matters
	Appendix 7	QLDC ODP and PDP Objectives and Policies

Appendix 8	Otago Regional Policy Statement Objectives and Policies
Appendix 9	Draft Conditions

**Report Dated:** 12 February 2019



## **APPENDIX 1 - LANDSCAPE ARCHITECT'S REPORT**

# **vivian+espie**

**resource management and landscape planning**

**S MAZEY PROPOSAL**

Aubrey Road, Albert Town

**Landscape & Visual Effects Assessment Report**

Kathryn Ward Report - Landscape Planner - 13th April 2018

## **APPENDICES**

- 1. Queenstown Lakes District Plan Assessment Matters Relating to Outstanding Natural Features**
- 2. Landscape Masterplan and Scheme Plans**
- 3. Viewpoint Location Map**
- 4. Photographs**

## INTRODUCTION

- 1 This report identifies and evaluates the landscape and visual effects likely to arise from a proposal to subdivide existing Lot 5 406222 (the site), which is approximately 5.27ha in area into two proposed lots with associated building platforms, located along the western side of Aubrey Road in Albert Town, Wanaka.
- 2 The methodology for this assessment has been guided by the landscape related Objectives, Policies and Assessment Matters of the Operative Queenstown Lakes District Plan (the ODP), by the Guidelines for Landscape and Visual Impact Assessment produced by the UK's Landscape Institute and Institute of Environmental Management and Assessment<sup>1</sup>, and by the New Zealand Institute of Landscape Architects "Landscape Assessment and Sustainable Management" Practice Note<sup>2</sup>.
- 3 The ODP is currently under review and a Proposed District Plan (the PDP) has been notified and subject to submissions and further submissions. Hearings are currently ongoing. Limited weight can therefore be given to the provisions within the PDP. In my assessment, I have given some consideration to the provisions of the PDP but have taken more guidance from the ODP.

## DESCRIPTION OF THE PROPOSAL

- 4 The details and layout of the proposed activities are set out in the resource consent application and its various appendices including a number of plans. I will not repeat that information here, other than to make the following summary points that are relevant to an assessment of landscape issues. This summary description is best read in conjunction with the relevant plans:
  - The site is to be subdivided into two lots.
  - Building platforms are proposed to be located within Lots 1 and 2:
    - Lot 1 is to be 48700m<sup>2</sup> in area and is proposed to include a 920m<sup>2</sup> building platform that surrounds the site's existing dwelling. It is proposed that this building platform provides for new built form up to a maximum footprint size of 400m<sup>2</sup>.
    - Lot 2 is to be subdivided from the wider lot and is 4010m<sup>2</sup> in area. It is proposed to include a building platform of 530m<sup>2</sup>, and is located to the east of the proposed building platform on Lot 1.

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<sup>1</sup> Landscape Institute and Institute of Environmental Management and Assessment; 2013; 'Guidelines for Landscape and Visual Impact Assessment – 3<sup>rd</sup> Edition'; Routledge, Oxford.

<sup>2</sup> New Zealand Institute of Landscape Architects Education Foundation; 2010; Best Practice Note 10.1 'Landscape Assessment and Sustainable Management'.

- Curtilage areas are proposed within Lots 1 and 2 as can be seen on the proposed plans attached to my report as Appendix 2. All domestic outdoor living activities shall be confined within the identified curtilage area such as lawns, amenity gardens, car-parking, paving, decking, outdoor furniture, play equipment, vegetable patch and the like.
- It is proposed to limit the height of a future building on Lot 1 to a maximum height of 4.5m above a fixed relative level in order to reduce visibility of a future building.
- It is proposed to limit the height of a future building on Lot 2 to a maximum height of 6m above a fixed relative level.
- Earthworks will include the formation of the access-way to Lot 2 and regrading of levels connecting proposed Lot 2 to the main vehicular track as indicated on the Landscape Masterplan in Appendix 2.
- Landscaping is proposed in the form of retaining existing vegetation, proposed stands of native shrub vegetation, as shown on the Landscape Scheme Plans attached as Appendix 2. A small amount of existing kanuka and larger area of pine trees are to be removed in the immediate vicinity of proposed Lot 2 to allow for the building platform and to create vehicular access. Otherwise all existing native vegetation on site is to be retained. The proposed native vegetation is configured to replant and replace the aforementioned native kanuka and to screen built form from the surrounding neighbouring properties, as well as to enhance the natural patterns of the site and its surrounds.
- It is proposed that a Vegetation Management Plan is submitted to the QLDC for approval with the objective of retaining all native vegetation on the site outside of the proposed curtilage areas and sets out a strategy for ongoing animal and pest control so as to maximise the health of the native vegetation and natural character of the site. An ecological assessment forms part of the application documents.

5 In relation to the mitigation of potential effects of the proposal, primary mitigation measures involve locating the Lot 2 building platform in an area of the site that is less visible from surrounding public places and locating the Lot 1 building platform so as to effectively allow extending or rebuilding the existing dwelling; secondary mitigation measures include:

- i. Replacing existing native and removing exotic vegetation to improve the Significant Natural Area and overall natural character and to further screen the proposed Lot 2 building platform from surrounding dwellings and public places.
- ii. The proposed building design controls are such that exterior cladding and roofing materials of future buildings will be of dark and recessive colours in the range of natural browns, greys and

greens so as to reduce the potential prominence of future built form when seen from public places.

## LANDSCAPE CHARACTER

### Existing Landscape Character

- 6 The Upper Clutha area is a glaciated landscape, carved out by glaciers which retreated and advanced a number of times during the Paleolithic Period. The earlier glaciations carved U-shape valleys from the Southern Alps all the way to Cromwell, while later glaciations terminated at Wanaka, depositing moraine (glacial debris), alluvial outwash and lake deposits that Wanaka is built on. When the glaciers retreated, the steep sides of the valleys which were buttressed by the glaciers were eroded away by landslides and streams exposing the steep, rough, often rocky mountain sides that surround the Upper Clutha Valley. Eroded material was deposited at the base of the mountainsides forming alluvial fans that spread onto the valley floor. The expansive valley floors of the basin were left as relatively smoother and flatter landscapes (to be later carved by rivers into terraces) and the deepest parts of the basin became lakes and rivers.
- 7 Wanaka is a small, picturesque town on the southern shores of Lake Wanaka, close to the outlet of the Clutha River as it begins its journey to the east coast through the Upper Clutha Valley. Wanaka is surrounded by mountains and is the gateway to Mount Aspiring National Park. Albert Town is a sub-settlement of Wanaka located close to the Clutha and Hawea River confluence not far from the outlet of Lake Wanaka. The majority of Wanaka's flat and elevated urban areas are built upon glacial deposits on the valley floor on the southern shores of Lake Wanaka. Albert Town is more specifically nestled upon a huge alluvial terrace, flattened by the path of the once much larger Clutha River. Separating the two settlement areas is Mount Iron and Little Mount Iron, a classic roche moutonee landform made of hard schist rock that the glaciers failed to completely carve away over time.
- 8 The subject site is a 5.27ha Rural General zoned property located on the eastern facing slopes of Little Mount Iron. Access to the property is via a long and linear driveway off Aubrey Road. The property has a predominantly steep topography with some flatter terraced areas in the lower half of the property. It is situated on the side of a typical roche moutonee landform which has been carved into its present shape by historic glaciers and subsequent erosion. There are numerous rocky bluffs on the property, large boulders and schist deposits that have eroded off the mountainside and areas where schist bedrock is exposed, particularly near the ridgeline.
- 9 There is currently a 90m<sup>2</sup> dwelling on the property, situated on an elevated terrace approximately a third of the way up Little Mount Iron, above the most prominent rocky bluff (the location of the proposed Lot 1

building platform). The house, which was constructed in 1987, is thought to be one of the first dwellings on Little Mount Iron. The house site affords far reaching views across the Upper Clutha Basin and includes a steeply pitched, bright green roof which is visible from public vantage points around Albert Town and distant rural areas beyond.

- 10 Apart from a plantation of established radiata pines on the lowest, eastern-most boundary and a bare area at the top ridge, the property is densely vegetated with kanuka scrub and woodland of varying size and age. It is understood that the kanuka vegetation is currently in a healthy condition and there are a number of naturalised native shrub species (mainly matagouri, coprosma, meuhlenbeckia and wineberry) that are established in the undergrowth. As a result, a large majority of the property (excluding the pine plantation) has been identified in the PDP as being a Significant Natural Area. It is important to acknowledge however, that there is a significant presence of invasive species that have infested the woodland and are likely pose a long term threat to the health of the ecosystem. Invasive species mainly include radiata pine, Douglas fir, briar rose and broom which are self-seeding prolifically across the property.
- 11 The property is currently zoned Rural General in the ODP, and is neighboured on three sides by land zoned Rural Residential subject to the ODP, and Large Lot Residential subject to the PDP.
- 12 The ODP does not include landscape categorisation boundaries in the vicinity of Mount Iron and Little Mount Iron; although a number of past resource consent processes identify the roche moutonee of these two hills as an Outstanding Natural Feature (ONF). I agree with that categorisation. The PDP planning maps identify all of the landform of Mount Iron and Little Mount Iron that is zoned Rural General as being within the ONF, except for the subject site itself; it is identified as being outside the ONF.
- 13 I have read a report entitled "*Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*" prepared by Marion Read of Read Landscapes, dated 1<sup>st</sup> April 2014, which was prepared as part of the preparation of the PDP. Figure 10 of that report shows the Mount Iron area and, like the PDP planning maps, this figure excludes the subject site from the ONF. By contrast, the text of the report states that "*I consider that the boundary [of the ONF] should follow the Rural General Zone boundary except for around its southern flanks*"<sup>3</sup>. Consequently, I consider that the PDP's exclusion of the subject site from the ONF is a mistake and the site is appropriately part of the ONF.

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<sup>3</sup> Marion Read; *Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*; dated 1<sup>st</sup> April 2014; paragraph 3.5.2.

<sup>4</sup> New Zealand Institute of Landscape Architects Education Foundation; 2010; Best Practice Note 10.1 'Landscape Assessment and Sustainable Management', page 8.

## Effects of the activities on Landscape Character

14 Landscape character effects are: <sup>4</sup>

*"... the effects of change and development on landscape as a resource. The concern here is with how the proposal will affect the elements that make up the landscape, the aesthetic and perceptual aspects of the landscape and its distinctive character."*

15 When describing effects, I will use the following hierarchy of adjectives:

- Negligible;
- Very Low;
- Low;
- Moderate;
- High;
- Very High;
- Extreme<sup>5</sup>

16 Landscape effects are the effects that an activity may have on the landscape as a resource in its own right. I have considered these effects with reference to the relevant assessment matters of the District Plan. Appendix 1 to this report is a table in which I give comments in relation to all of the assessment matters. In this section of my report, I give an overview commentary on landscape character effects.

17 There will be no change to the existing natural patterns and openness of Lot 1, as such that the proposed building platform is a replacement of the existing dwelling, and includes a curtilage area as is present in the existing situation. The envisaged proposed dwelling footprint is indicated on Appendix 2, with an overall vision to replace the existing one bedroom dwelling with a lower profile, more practical sized dwelling. The existing house is well contained on an existing terrace clearing of dense kanuka woodland. The proposals seek to improve the Significant Natural Area beyond the curtilage area, therefore emphasis on this Lot is to remove exotic weed species and replant naturally regenerating native shrubs and trees aligned to improve the area. The resource consent application proposes to limit any future building to 400m<sup>2</sup>, therefore, I consider there will be no reduction in openness across the upper part of the

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<sup>5</sup> Landscape Institute and Institute of Environmental Management and Assessment *Guidelines for Landscape and Visual Impact Assessment* (3<sup>rd</sup> ed, Routledge, Oxford, 2013) at paragraph 5.1 and Glossary.



site and will be in keeping with natural patterns. The existing Lot 1 is confined by topography and vegetation and I consider that in this location there will be positive landscape character effects resulting from the proposal.

- 18 The proposed Lot 2 building platform is located adjacent to an already domesticated part of Aubrey Road with properties categorised as Large Lot Residential (pursuant to the PDP) and in-keeping with human occupation patterns. The proposed building platform will result in an additional instance of human occupation, associated domestic activities and an increase in native vegetation within the site. Future built form on proposed Lot 2, including future dwelling, outdoor living areas and access-ways will bring about a slight reduction to the current unoccupied naturalised space of the site and its immediate surrounds. I consider that the reduction of naturalness will be limited to the lower part of the site where exotic vegetation and some native kanuka currently are located, however native vegetation will be replanted as indicated on Appendix 2. The remaining currently vegetated parts of the site will remain in their current state; therefore I envisage there will be a slight degree of reduction in the natural patterns in this part of the site.
- 19 The proposed subdivision layout and design will provide for a modified building platform on proposed Lot 1 where there is an existing rural living dwelling and lot including building platform on proposed Lot 2 that are in keeping with the character of Little Mount Iron area in terms of size and density. With reference to the Masterplan page of Appendix 2, proposed Lot 2 and its building platform tie in logically and seamlessly with the existing settlement pattern of the PDP's Large Lot Residential Zone. The Lot 2 building platform in combination with the existing shed will create an appropriate edge to this zone as it meets the ONF and SNA. The proposed Lot 2 is also confined by vegetation and bordered by neighbouring properties. I consider a slight degree of character change in this location given the site will be domestically occupied, however this will be limited to the site and its immediate vicinity. The landscape character of the wider area surrounding will be affected to a negligible degree; it will remain as a vast, rugged ONF landscape with the addition of a small, discrete rural living area contained within it.
- 20 Overall, future built form will result in an additional instance of domestic activities within the lower part of the site and a slight increase to the overall level of domestication within the Little Mount Iron area. I consider the site's landscape characteristics provide the site the ability to absorb the level of domestication that will result from the proposal. The wider context of the Little Mount Iron area includes a number of neighbouring rural living and large lot residential properties which have been comprehensively developed in a way that considers spatial cohesion and logic; this is evident on the Masterplan of Appendix 2. In practical terms, the site is the last remaining area that provides the ability to appropriately absorb further development. I consider that the proposed development will be close to, but will not meet a threshold in relation to the vicinity's ability to absorb further change.

- 21 In summary, the proposed development will minimally alter the landscape character of the site itself. The site will add an additional instance of human occupation at the lowest part of the site, immediately adjacent to residential zoning. The proposal will also provide for the replacement of the site's existing dwelling. I deem that the proposed development will appropriately tie in with the landscape character of the surrounding vicinity as shown on Appendix 3 and the Masterplan of Appendix 2. I also consider that the proposed development will have negligible landscape character effects on the broader landscape outside of the immediate Little Mount Iron locality.
- 22 The site itself will become a slightly less natural part of an ONF. However, the site is contained and immediately adjacent to existing development and the effect of built form will be balanced by the protected and managed native vegetation. In addition to this, the removal of spreading pine species and exotic weeds will provide a positive effect to the Significant Natural Area and Outstanding Natural Feature. Overall, I consider the broader patterns of the ONF will be affected to a negligible degree.

## **VIEWS AND VISUAL AMENITY**

### **Existing views and visual amenity**

- 23 The areas from which the proposed activities are potentially visible (zone of theoretical visibility, ZTV) include nearby public roads, public places and neighbouring properties.
- 24 Observers within the ZTV that are potentially affected by the proposal (visual receptors) include:
- Owners and occupiers of neighbouring private property.
  - Users of Aubrey Road.
  - Residents of Albert Town.
  - Users of Albert Town - Lake Hawea Road.
  - Users of other public places.

### **Effects of the activities on views and visual amenity**

- 25 Visual effects are the effects that an activity may have on specific views and on the general visual amenity experienced by people. Again, Appendix 1 sets out a full assessment of the proposal in relation to the relevant assessment matters. In this part of my report I summarise the findings of that assessment that relate to visual effects.

- 26 Paragraph 24 sets out the observers that gain potential views of the proposed development that may be affected by the proposal. I discuss the visual effects brought about by the proposal in relation to potential observers below.

Owners and occupiers of neighbouring private property

- 27 Occupiers of private land within close proximity have been consulted during the design phase of the proposed development. The purpose of the consultation was to encourage neighbours to have input into a development they would feel comfortable residing next to. Affected Party Approval was sought and has been obtained from all neighbouring properties and forms part of the resource consent application.

Users of Aubrey Road

- 28 Aubrey Road runs parallel and to the foot of Mount Iron and Little Mount Iron, connecting nearby properties to the Clutha River and Albert Town. Aubrey Road is highly used by local people on a day to day basis and by tourists travelling throughout the region. When travelling northbound toward the property, the landform allows for limited views of the upper part of the roof of the existing dwelling, with tree vegetation screening visibility as indicated on Appendix 4, Viewpoint Location 1. The property itself is broadly visible but the existing dwelling is only visible very intermittently for a stretch of Aubrey Road approximately 1km long.
- 29 The existing dwelling's high pitched roof apex is visible when travelling southbound along Aubrey Road due to its bright green roofing material, as can be seen on Viewpoint Location 2. From this location, the viewer can observe the top of the roof and chimney, as well as adjacent neighbouring properties located further uphill on Little Mount Iron to the north of the subject site.
- 30 It is important to note that the height restriction, exterior cladding and roofing materials restrictions that will be applied to the proposed building platforms require that a future dwelling on Lot 1 will be less conspicuous in the landscape than the existing dwelling on Lot 1. The lower building height and burgeoning vegetation provide very good visual mitigation. Proposed Lot 2 is not visible from this location and is screened by tree vegetation and topography.
- 31 Overall, I consider the visibility of proposed development on Lot 1 will be less visible and will have a less than slight degree of visual effects on a user of Aubrey Road; a dark recessive roofline will mitigate the potential visual prominence of its built form. The proposed building platform on Lot 2 will have negligible degree of visual effect from this location, as it is screened by trees located on properties located in the foreground, therefore visibility will be as such that there will be one more instance of human activity with associated traffic and busyness.

Residents of Albert Town

- 32 With reference to Appendix 3, residents of Albert Town can obtain some visibility of the existing dwelling roof intermittently depending upon the viewer's specific location. In rough terms, visibility is available from much of the part of Albert Town that lies east of Lagoon Avenue. When travelling along Lagoon Avenue, views of the site's existing dwelling are available but are often obscured regularly by street trees, domestic garden vegetation and fence lines. This is depicted on Viewpoint Location 3 photograph which is taken from the junction of Lagoon Avenue and Hunt Place.
- 33 As mentioned above, the proposed height restriction and exterior cladding and roofing material conditions will make a future dwelling on Lot 1 difficult to discern in the wider landscape view. I consider that when visible, the proposed development will not appear out of character with the surrounding development. It will replace an existing dwelling and is less prominent than elevated neighbouring dwellings to the north. As indicated on Viewpoint Location 3, a proposed dwelling on Lot 2 is not visible from this viewpoint.
- 34 Therefore, I consider proposed building platforms on Lot 1 will have a negligible degree of visual effect from this location, the composition of views will essentially not change and there will be no visual effects associated with a building platform on proposed Lot 2.

*Users of Albert Town - Lake Hawea Road*

- 35 Views of the subject site and existing dwelling on Lot 1 can be viewed discontinuously when travelling northbound towards the bridge, for a stretch of road approximately 1.5km long. The view is broken up by landform, properties and topography at a distance of approximately 1.5km. The existing vegetation within the site provides visual screening of the majority of both proposed building platforms and future dwellings. I consider that a future dwelling on the proposed Lot 1 building platform will not be prominent in the landscape, if visible at all, due to recessive exterior cladding and materials and lower roof height. The proposed Lot 2 building platform is not visible from this location due to the topography of the wider area. In addition to this, the subject site is not distinguishable from the wider context of Mount Iron and Little Mount Iron; I consider that buildings on neighbouring properties are significantly more visible than the proposed activities. Views will change very minimally from the existing situation.
- 36 In the vicinity of the intersection of Albert Town - Lake Hawea Road and Kingston Street, residents and road users can detect the existing dwelling's roof (through binoculars) at a distance of 1.5km as indicated on Viewpoint Location 4. In some light conditions the existing dwelling is likely to be visible with the naked eye but would still be very visually recessive. It is important to note that there are a number of vacant lots at this location which may be able to obtain a minimal view of the existing dwelling on Lot 1, but will find a proposed dwelling less noticeable due to the material conditions imposed in the application.
- 37 For southbound travelers, the stretch of Albert Town – Lake Hawea Road between Dublin Bay and the Clutha Bridge, allows some intermittent visibility to the proposed Lot 1 building platform. Road users will

be able to obtain views of Little Mount Iron from Viewpoint Location 6 at a distance of approximately 3km from the subject site, although a view of future dwellings on the proposed building platforms will be very difficult to discern.

- 38 Therefore, I consider that a proposed dwelling on Lot 1 will be an improvement to the existing visibility of the existing dwelling, and proposed Lot 2 building platform is not visible from this location due to topography and screening of existing vegetation on site which is protected by this application. I consider that the proposed development will have a negligible degree of visual effects on users and residents of Albert Town - Lake Hawea Road.

#### Users of other public places

- 39 Views of proposed Lots 1 and 2 are difficult to ascertain from public land adjacent to the Clutha River and Wanaka Rodeo. But the site itself is visible from this location, at a distance of approximately 2.5km away, a viewer will be able to attain a minimal view of the proposed dwelling on proposed Lot 1, albeit very difficult to see. A future dwelling on proposed Lot 2 will not be visible from this location due to tree screening.
- 40 The proposed development will visually tie in with the existing patterns of development within Little Mount Iron area. When experienced from the track (including the Newcastle Track on the east side of the Clutha), I consider that the proposal will not appear discordant with its immediate surrounds. I consider the visibility of built form resulting from the proposed development will have a negligible degree of visual effect on users of public places in the vicinity, highlighted on Appendix 3, Viewpoint Location 5.
- 41 In summary, Lot 1 will replace an existing dwelling with another future dwelling with design controls than will mean it is lower in height and visually recessive in the broad landscape setting. There will be some visibility from some locations, however this will not alter or degrade the composition of existing views of Mount Iron or Little Mount Iron. The proposed building platform on Lot 2 is only visible to neighbouring properties who have submitted Affected Party Approvals as part of the resource application.

## CONCLUSIONS

- 42 It is proposed to subdivide the site into two lots. The proposed Lot 1 includes the replacement of the existing dwelling with a building platform and conditions that will result in a future dwelling that is considerably more recessive by exterior materials and height in the wider Little Mount Iron landscape setting than the existing building. The Significant Natural Area and associated vegetation will remain as per the existing situation with slight adjustment on Lot 1 but will have a Vegetation Management Plan associated with it, and the associated curtilage area will be similar. Access to the existing Lot 1 dwelling will remain as per the existing circumstances. The proposed Lot 2 building platform is located adjacent to

the consented barn at the foot of Little Mount Iron and includes a revegetation plan to mitigate and further improve the Significant Natural Area and to incorporate the Lot 2 curtilage area into the pattern of neighbouring development.

- 43 The proposed development will provide for additional native vegetation being implemented within the site. I consider the protection of native species within the Significant Natural Area and eradication of exotic weeds will bring about positive landscape character effects to a moderate degree.
- 44 In relation to landscape character, the proposed development will result in an additional instance of rural living development associated with neighbouring rural living properties adjacent to the lowest part of the subject site. The addition of the proposed building platform on Lot 2 is in keeping with adjacent settlement patterns. The confined nature of the site will limit landscape character effects to the site and the immediate vicinity in relation to proposed Lot 1, the proposal will not change land use and will provide for the replacement of the existing dwelling so as to allow more practical family living. I consider the landscape character of the site and its immediate surrounds provide the ability to absorb the level of domestication resulting from the proposal.
- 45 In relation to visual effects:
- Intermittent visibility of the upper parts of a future Lot 1 dwelling may be gained from Aubrey Road, Lagoon Avenue and Albert Town – Lake Hawea Road as well as a number of adjacent residential areas. When experienced from these locations a future dwelling will not appear out of character with the current situation and the site's immediate surrounds.
  - Visibility of the Lot 2 building platform is not possible from any location as stated in the above report, due to the topography of the site and considerable vegetative screening on the lot itself. Neighbouring properties have given Affected Party Approvals.
  - Regarding views and visual amenity overall, I consider that, visual access to the proposed development will be particularly limited; and the changes enabled by the proposal will be reasonably difficult to see from all locations. Finished development will not appear out of character with its setting and will not significantly degrade the visual amenity provided by the broader landscape.
- 46 Overall, I consider that the proposed development, although being located on a site that is sensitive in landscape terms, has been very carefully designed in such a way that the landscape appreciation of the site and its vicinity will not be degraded. The effects of the proposal sit well with the relevant assessment matters and the proposal will maintain the important qualities of an Outstanding Natural Feature and Significant Natural Area.

**Kathryn Ward, vivian+espie, 13th April 20182**

# **vivian+espie**

**resource management and landscape planning**

**S MAZEY PROPOSAL**

Aubrey Road, Albert Town

**Appendix 1: Assessment Matters**

Kathryn Ward Report - Landscape Planner - 13th April 2018

## APPENDIX 1: QUEENSTOWN LAKES DISTRICT PLAN ASSESSMENT MATTERS RELATING TO OUTSTANDING NATURAL FEATURES

HEADING	ASSESSMENT MATTER		FINDINGS
<b>(a) Effects on openness of landscape</b>	In considering whether the proposed development will maintain the openness of those outstanding natural landscapes and features which have an open character at present when viewed from public roads and other public places, the following matters shall be taken into account:	(i) whether the subject land is within a broadly visible expanse of open landscape when viewed from any public road or public place;	The Mount Iron and Little Mount Iron area is situated on complex topography of uphill topography and alluvial/glacial outwash formed by glacial and moraine deposits associated with the wider Wanaka area. The outwash plain on which Albert Town sits is west facing and in recent decades has been incrementally developed to contain a number of dwellings, of which one of the earliest is located on proposed Lot 1. Little Mount Iron includes large stands of native vegetation designated as a Significant Natural Area on an Outstanding Natural Feature. The large stands of native vegetation enclose the site when experienced from public roads in the vicinity, making only the upper part of the bright green roof of the existing dwelling visible, in this sense, the site is visually displayed but appears as being covered in dense vegetation.
		(ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;	The proposed development will result in two building platforms, their associated activities and an increase in native vegetation being located within the site. Visibility of these proposed activities is discussed below. The proposed activities will bring no change to the open space values of the site and its surrounds when experienced from the surrounding landscape; current openness will not be reduced.
		(iii) whether the site is defined by natural elements such as topography and/or vegetation which may contain and mitigate any adverse effects associated with the development.	<p>The topography within the site descends east, formed by a number of escarpments that run through the site. The site is adjacent to Aubrey Road, accessed via a long linear driveway. The topography within the site and its considerable vegetation will contain and mitigate potential adverse effects associated with the proposed development.</p> <p>Large stands of dense and mature native vegetation are located around the perimeter and within the central areas of the site. Proposed native vegetation will further enclose the area around proposed Lot 2, when experienced adjacent to neighbouring properties. The proposed vegetation will contain and mitigate potential adverse effects associated with Lot 2 and will replace the removal of exotic species.</p>



<b>(b) Visibility of Development</b>	In considering the potential visibility of the proposed development and whether the adverse visual effects are minor, the Council shall be satisfied that:	(i) the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places 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;	I have included a section in the main body of this report which clearly describes the surrounding public places that the proposed development is potentially visible from. Observers that are potentially affected include: <ul style="list-style-type: none"> <li>• Owners and occupiers of neighbouring private property</li> <li>• Users of Aubrey Road</li> <li>• Residents of Albert Town</li> <li>• Users of Albert Town – Lake Hawea Road</li> <li>• Users of other public places</li> </ul>
		(ii) the proposed development will not be visually prominent such that it dominates or detracts from public or private views otherwise characterised by natural landscapes;	As discussed in the main body of the report, the proposed development will not be visually prominent such that it dominates or detracts from public or private views that are characterised by natural landscapes. I consider the proposed development has been designed to tie in with the surrounding Little Mount Iron area. The finished development will be no more conspicuous than the existing situation.
		(iii) the proposal can be appropriately screened or hidden from view by any proposed form of artificial screening, being limited to earthworks and/or new planting which is appropriate in the landscape, in accordance with Policy 4.2.5.11 (b).	The existing and proposed vegetation provides significant screening of the site and the proposed development when experienced from Aubrey Road, Lagoon Avenue, and Albert Town – Lake Hawea Road. I consider that the proposed vegetation will appropriately tie in with the existing vegetation patterns, improving the Significant Natural Area and mitigating development associated with proposed Lot 2. Existing vegetation that will be maintained and managed provides visual screening for vegetation associated with Lot 1.
		(iv) any artificial screening or other mitigation will detract from those existing natural patterns and processes within the site and surrounding landscape or otherwise adversely affect the natural landscape character;	I do not consider that the proposed mitigation measures will detract from the existing natural patterns and processes within the site and surrounding landscape. The proposed Vegetation Management Plan will bolster natural vegetation patterns.

		and	
		(v) the proposed development is not likely to adversely affect the appreciation of landscape values of the wider landscape (not just the immediate landscape).	As discussed, the proposed building platforms will be screened from the majority of the surrounding public places, with minimal distant views of built form being gained. When experienced from more distant areas, the additional built form will not be seen in close proximity. The replacement of built form associated with Lot 1 will be softened by existing vegetation and will be significantly more recessive than the existing dwelling. I consider that the proposed development will be compatible with the immediately surrounding built form and will not adversely affect the appreciation of the wider landscape, including the ONF as a whole, the surrounding mountains and the Clutha River, when experienced from the surrounding public places.
		(vi) the proposal does not reduce neighbours' amenities significantly.	The proposed development has been designed as to minimise the potential effects on neighbours' amenity. Occupiers of neighbouring private land within close proximity to the proposed development were consulted in the design phase of the proposed development and have submitted Affected Party Approvals as part of the associated resource consent application. Overall, I do not consider that the proposal will reduce neighbours amenity.
<b>(c) Visual coherence and integrity of landscape</b>	In considering whether the proposed development will adversely affect the visual coherence and integrity of the landscape and whether these effects are minor, the Council must be satisfied that:	(i) structures will not be located where they will break the line and form of any ridges, hills and any prominent slopes;	The proposed building platforms have been situated as to allow the existing and proposed vegetation to form immediate back drops so future built form does not break the line and form of any ridges, hill and prominent slope.
		(ii) any proposed roads, earthworks and landscaping will not affect the naturalness of the landscape;	The proposed vegetation is to be of the same species within the site and the surrounding Significant Natural Area. Earthworks are minimal and will bench the proposed Lot 2 building platform and create the access track where spreading pines are currently located as indicated on Appendix 2. I consider that these earthworks will have a slight degree of effect on the naturalness of the landscape. Conversely, the proposed native vegetation (and the protection of existing native vegetation) will have a moderate positive effect on naturalness.

		(iii) any proposed new boundaries will not give rise to artificial or unnatural lines or otherwise adversely (such as planting and fence lines) affect the natural form of the landscape.	The proposed boundary lines, for the most part, follow vegetative patterns within the site and replicate the patterns of the immediately adjacent Rural Residential Zone. All proposed and existing vegetation is to be maintained in perpetuity. Therefore, I do not consider that the proposed boundary lines will give rise to artificial or unnatural lines or adversely affect the natural form of the landscape.
<b>(d)Nature Conservation Values</b>	In considering whether the proposed development will adversely affect nature conservation values and whether these effects are minor with respect to any ecological systems and other nature conservation values, the Council must be satisfied that:	(i) the area affected by the development proposed in the application does not contain any indigenous, ecosystems including indigenous vegetation, wildlife habitats and wetlands or geological or geomorphological feature of significant value;	The subject site is classified as a Significant Natural Area due to its variety of indigenous vegetation as stated in the report. This vegetation forms a native ecosystem that I consider is of significant local value.
		(ii) the development proposed will have any adverse effects that are more than minor on these indigenous ecosystems and/or geological or geomorphological feature of significant value;	<p>The proposed dwelling associated with Lot 1 is located where the current dwelling is situated and the proposed curtilage areas are as existing. The proposed building platform on Lot 2 is located within the Significant Natural Area and will include removal of a minimal amount of indigenous vegetation and an area of exotic vegetation. As indicated in Appendix 2, it is proposed to replant the area surrounding the proposed building platform with indigenous vegetation to improve the Significant Natural Area and mitigate the proposed built form. I understand that an ecological assessment forms part of the proposal.</p> <p>As indicated on Appendix 2, the building platform on Lot 1 has been designed to have minimal effect on the native vegetation planting and the subsequent ecosystems that maybe regenerating within the site.</p> <p>The proposed development on Lot 2 will have a slight adverse effect on the small amount of indigenous vegetation in the affected area. However this effect will not provide any threat to the wider Significant Natural Area. Appendix 2 indicates areas of the site that will be replanted with indigenous vegetation.</p> <p>The removal of exotic vegetation will have a moderate positive effect on this part of the Significant Natural Area and will stop the spreading of pines in this location and wider</p>

			Little Mount Iron area. The proposed Vegetation Management Plan will assist in the ongoing maintenance of vegetation and natural character.
		(iii) the development proposed will avoid the establishment of introduced vegetation that have a high potential to spread and naturalise (such as wilding pines or other noxious species).	The proposed development will not result in the introduction of wilding pines or noxious weed species that have a high potential to spread and will remove exotic species as indicated on Appendix 2.
<b>(e)Cumulative effects of development on the landscape</b>	In considering the potential adverse cumulative effects of the proposed development on the natural landscape with particular regard to any adverse effects on the wider values of the outstanding natural landscape or feature will be no more than minor, taking into account:	(i) whether and to what extent existing and potential development (i.e. existing resource consent or zoning) may already have compromised the visual coherence and naturalness of the landscape;	The Little Mount Iron Rural Residential Zone located to the north west of the site consists of a number of lots, with prominent built form and human occupation. This development has resulted in a reduction to the naturalness of the landscape within which it sits. Vegetation creates separation, privacy and visual softening when experienced from each of the individual properties and from the surrounding public places. I consider that nearby development has occurred over time in a way that has reduced its potential effects on the visual coherence and naturalness of the landscape. Notwithstanding this, if we consider the situation that would have existed prior to human occupation to Little Mount Iron, the existing development has compromised the naturalness and visual coherence of the landscape.
		(ii) where development has occurred, whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature such that the existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;	I do not consider that the proposed building platform on Lot 1 will amount to further degradation of the surrounding landscape as it is proposed to replace a prominent dwelling with a future dwelling that is more visibly recessive than the current situation.  The proposed building platform on Lot 2 will be an additional instance of human occupation. I consider the site's topography and vegetation has a high ability to absorb a certain level of built form and associated domestic activities. This part of the site is adjacent to large lot residential properties and the proposed development is located to complement these patterns. I consider that the existing development is close to, but does not represent a threshold with respect to the site's ability to absorb further change.

		(iii) whether, and to what extent the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;	The proposed development will result in two building platforms, associated access-way to Lot 2 and future outdoor activities being located within the site. These proposed new elements are human elements, not elements that contribute to natural character.
		(iv) whether these elements in (iii) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;	<p>Visibility of the proposed development has been discussed above. I consider that the proposed development will not visually compromise the natural character of the surrounding landscape.</p> <p>As discussed above, the proposed development has been designed to minimise disturbance of the native vegetation, to enhance the Significant Natural Area and remove exotic spreading species. I consider that the proposed development will not exacerbate existing or potential adverse effects on the ecological character of the landscape.</p>
		(v) where development has occurred or there is potential for development to occur (i.e. existing resource consent or zoning), whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature.	The proposed development will increase the number of future dwellings with an additional instance of human occupation. As mentioned, the site itself has a high ability to absorb change. I consider that the proposed development will increase the level of domestication within the Little Mount Iron vicinity; however this increase in domestication will be appropriately absorbed into the site and its surrounds. I do not consider that the proposal will appear out of place, nor will it result in an inappropriate level of degradation to the natural values of the site or its surrounds.
<b>(f) Positive Effects</b>	In considering whether there are any positive effects in relation to remedying or mitigating the continuing adverse effects of past inappropriate subdivision and/or development, the following matters shall be taken into account:	(i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (f) above which has been compromised by past subdivision and/or development;	The proposed development will provide for additional native vegetation being implemented within the site. It will also provide a Vegetation Management Plan which provides certainty that the existing native vegetation within the site will be maintained in perpetuity and pests are controlled.
		(ii) whether the proposed activity provides	Practically, native vegetation within the site is proposed to be retained with exception of

		for the retention and/or reestablishment of native vegetation and their appropriate management, particularly where native revegetation has been cleared or otherwise compromised as a result of past subdivision and/or development;	the indigenous vegetation located where proposed Lot 2 is located. Some particularly small areas of existing vegetation will need to be removed to allow for the future dwelling. Replacement of native shrub species that tie in with the existing native plant species are also proposed as indicated on Appendix 2. The proposed Vegetation Management Plan will ensure appropriate management into the future.
		(iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape, particularly where open space has been compromised by past subdivision and/or development;	It is intended that remainder of the site is to be kept free of built form and is to be maintained in its vegetated state. The existing ONF and SNA categorisations ensure this.
		(iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential adverse effects (i.e. structures or development anticipated by existing resource consents)	It is proposed to replant and improve the Significant Natural Area where indigenous shrub species are proposed to be removed as per Appendix 2. I consider that this will mitigate the development associated with Lot 2, and will include the removal of wilding pine species that will threaten the wider Significant Natural Area. Additionally, the proposed Vegetation Management Plan will assist with the ongoing management of plant and animal pests.

## **ADDENDUM LANDSCAPE AND VISUAL EFFECTS MEMO**

RM180604 – SCOTT MAZEY – SUBDIVISION PROPOSAL - AUBREY ROAD – ALBERT TOWN

**Ben Espie (Landscape Planner)**

**vivian+espie**

**11<sup>th</sup> September 2018**

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### **INTRODUCTION**

- 1 This memo relates to resource consent application RM180604 to subdivide Lot 5DP406222 into two lots and identify a building platform on each.
- 2 Kathryn Ward of vivian+espie prepared a Landscape and Visual Effects Assessment Report (the Ward Report) that accompanied the resource consent application. I supervised the preparation of the Ward Report and reviewed it. I agree with and adopt its findings.
- 3 Notwithstanding the above, there are two matters that the Ward Report does not address:
  - Consideration of the Rural Zone assessment matters from the Proposed District Plan;
  - Effects on occupiers of Lot 3 DP406222 (the Brimble property) which immediately adjoins the subject site.

### **PROPOSED DISTRICT PLAN ASSESSMENT MATERS**

- 4 Assessment matters relating to landscape issues are found in Section 21.21 of the Proposed District Plan (PDP). The Ward Report (which was prepared in early April 2018) states that hearings regarding the PDP are ongoing and that limited weight can be placed on its provisions. While this is still the case, I understand that the PDP process is now at a stage where consideration of the Section 21.21 assessment matters will be of assistance to the Council in assessing the application. I therefore include assessment comments on all of the relevant PDP assessment matters in Appendix 1 to this memo.
- 5 Consideration of the PDP assessment matters does not change any of the conclusions of the Ward Report (which I adopt), rather, it reinforces them. In an overall assessment (including consideration of the PDP assessment matters as per Appendix 1), I agree that *“the proposed*

*development, although being located on a site that is sensitive in landscape terms, has been very carefully designed in such a way that the landscape appreciation of the site and its vicinity will not be degraded. The effects of the proposal sit well with the relevant assessment matters and the proposal will maintain the important qualities of an Outstanding Natural Feature and Significant Natural Area”<sup>1</sup>.*

## **EFFECTS ON OCCUPIERS OF THE BRIMBLE PROPERTY**

6 At paragraph 27, the Ward Report states that affected party approvals have been received from all neighbouring properties. I now understand that this is not the case in relation to the Brimble property and I have been asked to consider effects of the proposed activities as experienced from that property.

7 A package of additional information has been supplied by the applicant. This includes an amended set of plans and drawings showing sightline cross sections in relation to the Brimble property, an amended Lot 2 building envelope and more detailed planting information in relation to proposed Lot 2. This part of this memo should be read in conjunction with the amended set of plans and drawings. Additionally, a condition of resource consent is proposed that states:

*No building shall occur on Lot 2 until the plants within ‘Stage One’ of the Landscape Plan have all achieved a minimum height of 2.2m as shown on the Landscape Plan by Rough and Milne referenced ‘Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town’, dated 31/08/2018.*

*Advice Note: the proposed Stage 1 planting as shown on this planting plan at a height of 2.2m is designed to achieve a density to fully screen a future building within the envelope of the Lot 2 building platform as viewed from viewpoint positions A to F as shown on the Landscape Plan by Rough and Milne referenced ‘Proposed Lot 2- Cross Sections Stage One Planting at Min 2.2m, 965 Aubrey Road, Albert Town’, dated 31/08/2018.*

8 Landscape character effects are discussed in full in the Ward Report, in Appendix 1 of this memo and in paragraph 5 above. Landscape character effects are effects on the patterns and elements of the landscape that give it its character, rather than effects on specific people or groups of people. The potential effects of the proposal on the Brimble property are visual effects rather than landscape character effects.

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<sup>1</sup> The Ward Report, paragraph 46.



- 9 I have no expertise in relation to noise. In relation to the Brimble property, my considerations are limited to views and visual amenity.

Existing views and visual amenity

- 10 The Brimble property is shown on the Proposed Master Plan that forms part of the additional application information. It sits back from Aubrey Road and is accessed via a shared leg-in. It is 4187m<sup>2</sup> in area and contains a dwelling of approximately 150m<sup>2</sup> in footprint towards its western boundary. Between the dwelling and the property's western boundary is a utility and vegetable garden area, some remnant kanuka and some high pines. Approximately the western half of the Brimble property takes the form of an open lawn/garden area, while the eastern half is occupied by a large woodlot of mature pines.
- 11 With reference to the Proposed Master Plan, it can be seen that the Brimble property is part of the extensive strip of ODP RRZ properties that line the western side of Aubrey Road. These properties are generally around 4000m<sup>2</sup> in area. The type of visual amenity that is gained in a RRZ area of this sort is generally a large-lot suburban form of amenity. The trappings of residential living are prominent (houses, accessory buildings, driveways, fences, vehicles, domestic gardens, etc) but lots are of a generous size giving considerable greenspace. RRZ areas of this sort often become considerably treed as residents seek privacy and shelter.
- 12 Views and visual amenity within the Brimble property are illustrated by the photographs that form Appendix 2 to this memo. Views are generally relatively enclosed by surrounding trees but a more open view is available to the north, albeit that the large Wellman dwelling and accessory building is prominent in this view (Photograph 6).
- 13 Views to the east from the Brimble dwelling/garden area are dominated by the mature pines on the eastern part of the property. Views to the south are also largely enclosed by trees. The views to the west, into the subject site, are illustrated by Photographs 1 to 5. The tall pines immediately inside the subject site's boundary dominate these western views and obscure the landform of Little Mount Iron.
- 14 Overall the Brimble property experiences a pleasant form of visual amenity, typical of a RRZ area. However, treed enclosure is a strong feature and nearby dwellings are sometimes prominent.

Effects on views and visual amenity

- 15 Under the proposed situation, the view to the west from the Brimble property will change. The change is best illustrated by pages 6 to 9 of the Rough and Milne landscape plans that form part of the additional information. Earthworks will raise and slightly steepen the bank that sits between the Brimble property and the proposed Lot 2 building platform. The mature pines in this area will be removed. Dense mixed native vegetation will cover the banked area to the immediate west of the Brimble property, including higher-growing species at the top of the bank. These higher species are 60 in number and take the form of two staggered rows with a spacing of 1.5 metres. Large plant grades will be used at the time of planting and the plants will be required to reach a minimum height of 2.2 metres before a building may be erected within the proposed Lot 2 building platform, the eastern façade of which may be a maximum of 3.5 metres high.
- 16 The sightline cross sections shown on page 7 of the Rough and Milne landscape plans indicate the visual screening effect of the proposed vegetation in relation to the proposed Lot 2 building platform. Looking also at page 8 of the Rough and Milne plans, the immediate foreground to the west from the Brimble property will comprise of the dense sweep of mixed native vegetation. Looking at Photographs 1 to 5 of Appendix 2, this planting will appear as a vegetated bank that rises towards the west. While dense, it will be much lower than the existing pines and hence more sky and more of Little Mount Iron will be seen to the west from the Brimble property (although ultimately some mountain beech and Hall's totara will begin to rise into the skyline).
- 17 Compared to the existing situation, the foreground to the west of the Brimble property will be less enclosing and will be considerably varied in terms of colour, texture and form. It will also impart an obviously native character.
- 18 The details of planting and the proposed condition of consent set out in paragraph 5 above are such that from Viewpoints A to F (as shown on pages 6 and 7 of the Rough and Milne landscape plans), no built form that results from the proposed activities will be visible. This will be the case for approximately the western half of the Brimble property. The scene that is seen to the west will be vegetated and devoid of any apparent built form. In relation to observers within this western half of the Brimble property, I consider that the proposed activities will bring no adverse effects on views and visual amenity. The reduction of treed enclosure and the increase in vegetative variety and natural character are likely to improve visual amenity.

- 19 As an observer enters the eastern half of the Brimble property, a very small sliver of the uppermost part of the proposed Lot 2 building envelope is likely to become visible above the proposed vegetation, assuming a building is built as soon as the proposed condition allows it and assuming that it uses the easternmost part of the proposed Lot 2 building platform. Once an observer reaches the eastern boundary of the Brimble property (which is currently covered in pines), they may be able to gain some visibility of the roof of a building within the Lot 2 building platform. Again, this will reduce as proposed vegetation continues to grow. As discussed, an observer within the Brimble property currently sees a number of existing prominent dwellings.
- 20 Following on from the above, the proposal may mean that, in the short term, an observer within the eastern half of the Brimble property visually experiences more built form than currently. This will increase a sense of human occupation and modification in terms of the composition of views and the resultant amenity. Human occupation will be evident to some degree (at least in the short term) to the west of the Brimble property, as well as to the south, east and north as it currently is.
- 21 I consider that given:
- the maximum amount of built form that will be visible from this eastern half of the Brimble property will be very small;
  - visibility of this built form will reduce and disappear as the proposed planting continues to grow;
  - views will be less enclosed than they currently are; more of Little Mount Iron and the skyline will be apparent; and
  - an area of varied native vegetation with associated variety of colour and texture will form the foreground to the west,
- any adverse effect on the views and visual amenity that are experienced from the eastern half of the Brimble property will be of a very low degree at most. Very largely, visual amenity experienced from this part of the property will remain as it is currently.

## CONCLUSIONS

- 22 I agree with and adopt the findings of the ward report.

- 23 Consideration of the PDP assessment matters reinforces, rather than alters, those findings.
- 24 In relation to effects on views and visual amenity as experienced from the Brimble property, I consider that there will be no adverse effects as experienced from the western half of the property. As experienced from the eastern half of the property, I consider that there may be some adverse effect in the short term, although this will be of a very low degree at most.

**Ben Espie**

**vivian+espie**

**11<sup>th</sup> September 2018**

**APPENDIX 1: QUEENSTOWN LAKES PROPOSED DISTRICT PLAN ASSESSMENT MATTERS 21.21.1 RELATING TO OUTSTANDING NATURAL FEATURES AND OUTSTANDING NATURAL LANDSCAPES**

HEADING	ASSESSMENT MATTER	ASSESSED EFFECTS
21.21.1.1	In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond the boundary of the site the subject of application.	This is acknowledged and was taken into account by the Ward Report as these provisions are carried over from the ODP.
21.21.1.2	<p>Existing vegetation that:</p> <ul style="list-style-type: none"> <li>a) was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,</li> <li>b) obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered: <ul style="list-style-type: none"> <li>i. 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</li> <li>ii. as part of the permitted baseline.</li> </ul> </li> </ul>	This is acknowledged and was taken into account by the Ward Report as these provisions are carried over from the ODP.

<p><b>21.21.1.3</b></p> <p><b>Effects on landscape quality and character</b></p>	<p><b>In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:</b></p>	<p>a) physical attributes:</p> <ul style="list-style-type: none"> <li>i. geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;</li> <li>ii. vegetation (exotic and indigenous);</li> <li>iii. the presence of waterbodies including lakes, rivers, streams, wetlands.</li> </ul>	<p>No waterbodies are relevant.</p> <p>The proposed Lot 1 building platform takes account of the site's existing dwelling and curtilage and will not affect existing vegetation. The proposed Lot 2 building platform is located partially within the Significant Natural Area (SNA) and will include removal of a small area of indigenous vegetation and a considerable area of pines. As indicated on the relevant plans, it is proposed to replant the vicinity of the Lot 2 building platform with indigenous vegetation to improve the SNA and mitigate potential effects of future built form. The requirement for a Vegetation Management Plan for the site forms part of the proposal. These factors will bring positive effects in relation to the site's natural vegetative character.</p> <p>The formative processes and geomorphology of Mount Iron and Little Mount Iron are important to the ONF status of these landforms. The proposed Lot 2 building platform will bring some alteration to landform via earthworks. These earthworks will be on a very peripheral part of the ONF in a location that is currently covered in unmanaged pines. I do not consider that there is a significant effect in relation to geomorphology when the ecological positives of the proposed revegetation work are taken into account in this location.</p>
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		<p>b) visual attributes:</p> <ul style="list-style-type: none"> <li>i. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;</li> <li>ii. aesthetic values including memorability and naturalness;</li> <li>iii. transient values including values at certain times of the day or year;</li> <li>iv. human influence and management – settlements, land management patterns, buildings, roads.</li> </ul>	<p>As is set out in the Ward Report and its appendices, Mount Iron and Little Mount Iron together form an ONF that is legible, expressive of its formative processes, relatively highly natural, is memorable and aesthetically remarkable and demonstrative of transient values associated with varying light, weather and atmospheric conditions. However, the ONF (particularly the part of it made up of Little Mount Iron) has been very affected by human settlement, subdivision, building and occupation around its periphery. This is most notable in the form of the ODP RRZ that immediately adjoins the subject site to the east, north and west.</p> <p>The landform of the part of the ONF that is within the site will be very minimally affected. The vegetative cover will be improved through overall management, pine removal and revegetation planting. I therefore consider that the most important visual attributes will be maintained and enhanced. A new dwelling will be enabled in the same location as the existing dwelling and curtilage area. Additionally, a new dwelling will be enabled in the lowest corner of the site, immediately adjacent to the developed pattern of the ODP RRZ in a location that is very well hidden.</p> <p>In an overall sense, I consider that the visual attributes of the ONF will be maintained.</p>
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		<p>c) Appreciation and cultural attributes:</p> <ul style="list-style-type: none"> <li>i. Whether the elements identified in (a) and (b) are shared and recognised;</li> <li>ii. Cultural and spiritual values for tangata whenua;</li> <li>iii. Historical and heritage associations. The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi</li> </ul>	<p>I consider that the physical and visual attributes of Mount Iron and Little Mount Iron are shared and recognised by the community in general and this is reflected by the ONF status afforded to it.</p> <p>I have no knowledge of tangata whenua cultural and spiritual values or other heritage values associated with the site.</p>
		<p>d) In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the proposed development accords with or degrades landscape quality and character, and to what degree.</p>	<p>Pursuant to the comments above and to those of the Ward Report, I consider that the proposed activities will very largely accord with existing landscape quality and character and will not degrade it. The proposal will provide for the replacement of the site's existing dwelling and will add a new dwelling in the lowest part of the site, immediately adjacent to suburban development. Additionally, the management of the site's considerable native vegetation will be improved and assured.</p>
		<p>e) any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.</p>	<p>The proposed boundary line follows the landform of the bottom of a steep escarpment and otherwise seeks that the new lot will accord with the pattern of surrounding lots in terms of size. Existing dense vegetation on both sides of the boundary line is to be maintained and therefore I consider that will be very difficult to notice and will not give rise to artificial or unnatural lines.</p>



<p><b>21.21.1.4</b></p> <p><b>Effects on visual amenity</b></p>	<p><b>In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity, values the Council shall be satisfied that:</b></p>	<p>a) the extent to which the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places. 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, cycling, equestrian and other means of access;</p>	<p>The Ward Report sets out a detailed assessment of the visibility of the proposed activities. The proposed activities will be reasonably difficult to see. In most cases, the Lot 2 building platform is entirely hidden and the Lot 1 building platform will enable built form that is often less visible than the existing built form that will be replaced.</p>
		<p>b) the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;</p>	<p>Following on from the above and from the conclusions of the Ward Report, I consider that the proposed activities cannot be described as visually prominent. The finished development will be no more conspicuous than the existing situation.</p> <p>Adjacent neighbours have given written approval to the proposal, with the exception of the owners/occupiers of Lot 3 DP406222 (the Brimble property). Visual effects on this property are discussed in detail in the body of this memo. The proposed Lot 1 building platform will not be visible from the Brimble property and the proposed Lot 2 building platform will be very significantly screened. I consider that there will be no adverse effect as experienced from the western half of the Brimble property and a very low degree of effect (at most) as experienced from the eastern half of the property.</p>
		<p>c) the proposal will be appropriately screened or hidden from view by elements that are in keeping with the character of the landscape;</p>	<p>The elements that will screen built development will be existing natural landform and topography as well as existing native vegetation cover with some additional new native revegetation. These elements are entirely in keeping with existing landscape character.</p>

		d) the proposed development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);	When seen from a distance, the relevant part of Mount Iron / Little Mount Iron is partially covered in rural living development that has been enabled by ODP zoning. Built form that is proposed to be enabled in the location of the existing dwelling will be more visually recessive than the existing. Development enabled on Lot 2 will be very well hidden. I consider that the visual amenity values of the overall ONF landscape will not be degraded.
		e) structures will not be located where they will break the line and form of any ridges, hills and slopes;	In all views vegetation and landform will form a backdrop to built form.
		f) any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity of the landscape.	Proposed vegetation is to be of a species mix to complement existing vegetation within the site and the surrounding SNA. Earthworks are minimal and will bench the proposed Lot 2 building platform and create the access driveway in the location of current pine cover. These earthworks will have a slight degree of effect on the naturalness of landform but will be very peripheral to the feature. Conversely, the proposed native vegetation (and the protection/management of existing native vegetation) will have a moderate positive effect on naturalness.
<b>21.21.1.5</b> <b>Design and density of Development</b>	<b>In considering the appropriateness of the design and density of the proposed development, whether and to what extent:</b>	a) opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);	The Lot 1 building platform will enable the replacement of the existing dwelling and will use the existing driveway. The proposed Lot 2 building platform has been configured so as to aggregate with the development pattern of the immediately adjacent ODP RRZ and will use the existing access right-of-way and formed driveway. The open space component of the site (generally the SNA) will remain in its current state, although with improved management.

		b) there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;	Again, the Lot 1 building platform will enable replacement of the site's existing dwelling and the Lot 2 building platform has been placed so as to be contiguous with the existing development pattern of the lower land. It is in the least sensitive part of the site.
		c) development, including access, is located within the parts of the site where it would be least visible from public and private locations;	This is certainly the case. Existing driveway alignment has been used as much as is possible. The Lot 1 platform will enable rebuilding and the Lot 2 platform is in a well-hidden location.
		d) development, including access, is located in the parts of the site where it has the least impact on landscape character.	Again, this is the case and has been a major driver of the development design. The important landscape character of the ONF and the SNA will remain very much intact.
<b>21.21.1.6</b>  <b>Cumulative effects of subdivision and development on the landscape</b>	<b>Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may already have degraded:</b>	a) the landscape quality or character; or,	The ODP RRZ and development that has resulted from it have altered the landscape character of the northern parts of Little Mount Iron, as has been discussed. The character of the ODP RRZ parts of Little Mount Iron is considerably less natural than the character of the rest of the landform. Therefore, in the context of an ONF, this character change has been a degradation.
		b) the visual amenity values of the landscape.	The landscape character change resultant from the ODP RRZ discussed above has lead to a visual amenity change. The northern part of Little Mount Iron has a less sublime appearance than it otherwise would. It does not sit as an unsullied whole rising from the surrounding flats.
		The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character, or visual amenity values.	As has been discussed, the proposed situation will very largely maintain existing landscape quality, character and visual amenity. New built elements will be very inconspicuous, will accord with existing patterns and will bolster natural vegetative character.



**QUEENSTOWN LAKES PROPOSED DISTRICT PLAN ASSESMENT MATTERS 21.21.3 RELATING TO OTHER FACTORS AND POSITIVE EFFECTS, APPLICABLE IN ALL THE LANDSCAPE CATEGORIES (ONF, ONL AND RCL)**

HEADING	ASSESSMENT MATTER		ASSESSED EFFECTS
21.21.3.1	In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.		While specific building designs have not been included in the application, the proposed building platforms have been configured as three-dimensional envelopes with particular design controls associated with them. I consider that the physical outcomes enabled by these platforms is certain and has allowed for a full assessment. I do not see that specific building designs would assist in this instance.
21.21.3.2	Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.		The proposed activity is a subdivision and proposes to enable residential activity.
21.21.3.3	In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the	a) whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;	I understand that no covenants or similar legal devices are proposed. It is intended that the parts of the site that are outside the two identified curtilage areas will remain in their current state and that the proposed Vegetation Management Plan along with the SNA and ONF status will ensure suitable management.

	<b>Council shall take the following matters into account:</b>	b) whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;	The existing ONF and SNA status provides considerable protection to the site. The current proposal also adds the requirement to prepare a Vegetation Management Plan for the site. I consider that this is an extra layer of protection in that it will set requirements in relation to the management of plant and animal pests and the fostering of the existing ecosystem over time.
		c) any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;	No public access measures are proposed as part of the application and I cannot see how they could be.
		d) any opportunities to retire marginal farming land and revert it to indigenous vegetation;	No farming currently takes place on the site. It is very largely covered in native-dominated vegetation that will be maintained and managed.
		e) where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;	No specific compensation measures form part of the proposal. The proposal involves some positive measures as has been discussed.
		f) whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.	The proposal will assist in retaining the lands in a non-farming use that promotes native vegetation and natural character, particularly through identifying curtilage areas within which domestic activities must be contained, removing existing pines, planting areas in a mix of site-specific natives and requiring a Vegetation Management Plan.



**Photograph 1:** from a point near the northeast corner of the Brimble dwelling towards the subject site.



**Photograph 2:** from the eastern side of the Brimble's lawn towards the subject site.

## APPENDIX 2: PHOTOGRAPHS

All photographs in this appendix were taken on the 20<sup>th</sup> of June 2018 with a fixed focal length of 50mm. The photographs are intended to illustrate point made in the memo and do not necessarily include the entire human field of view as taken in by the eye.





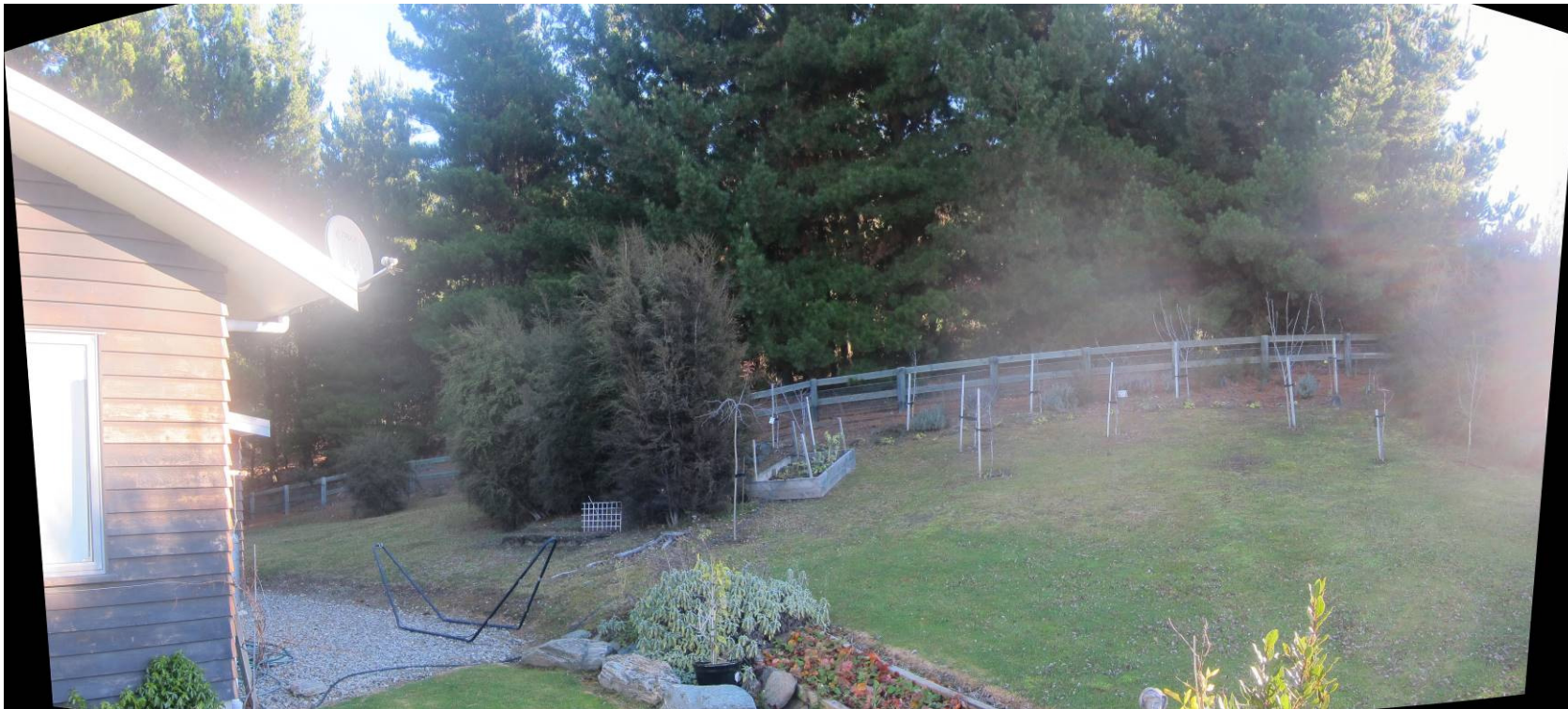
**Photograph 3:** from a point to the west of the Brimble dwelling looking north along the boundary with the subject site.



**Photograph 4:** from a point to the west of the Brimble dwelling looking west to the subject site.

## APPENDIX 2: PHOTOGRAPHS





**Photograph 5:** from a point near the northeast corner of the Brimble dwelling looking west to the subject site.



**Photograph 6:** from the Brimble driveway looking north.

## APPENDIX 2: PHOTOGRAPHS

## **APPENDIX 2 - LANDSCAPE PEER REVIEW**

# Memo

**FILE REF:** RM180604 - Scott Mazey

**TO:** E. Stagg – Senior Planner, Queenstown Lakes District Council

**FROM:** Kris MacPherson – Registered NZILA Landscape Architect

**DATE:** 21 May 2018

**SUBJECT:** Landscape assessment review

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## INTRODUCTION

1. An application has been received for resource consent to subdivide Lot 5 Deposited Plan 406222 (5.27ha) into two lots with proposed building platforms and curtilages. Lot 1 is proposed to contain an existing house and ancillary buildings on 4.8ha. Lot 2 is proposed to be 4.01ha.
2. The site is roughly rectangular and is located up the eastern flank of Little Mount Iron. Little Mount Iron is a secondary summit of the important roche moutonnee: Mt Iron. Mt Iron is acknowledged as an Outstanding Natural Feature (ONF) by all parties involved in this application and assessed as such.
3. The site is zoned Rural General under the Operative Queenstown Lakes District Plan (QLDC) District Plan and Rural in the Proposed Queenstown Lakes District Plan (PDP) with a Significant Natural Area (SNA) Overlay on Mt Iron. Its omission as an ONF in the PDP is considered an error.
4. This application is discretionary overall under the ODP because of the proposal to subdivide, establish building platforms and install firefighting & domestic water tanks. The clearance of native vegetation is a restricted discretionary activity.
5. On proposed Lot 1, a building platform is nominated and a curtilage area that allows for some native vegetation clearance is proposed. The existing building is to be demolished and a new dwelling constructed. The existing vegetable garden and shed are proposed to remain and will sit in the curtilage area.
6. Also a swimming pool and separate garage building are may be erected within the proposed building platform in the future. Access to Lot 1 will continue to be via the existing, steep, rough access track.
7. Above the building platform on Lot 1, in an existing clearing, a cluster of water tanks are proposed to be part buried and access to these will be via an existing track. These are usually about 3m in height and can be buried approximately 500mmm into the receiving ground.

8. Lot 2 is located lower on the site below a major rock outcrop. Existing pine trees and native vegetation will be cleared to make way for the curtilage space and building platform. Over half the building platform and the about ⅓ of the curtilage proposed are located in the SNA and will require vegetation clearance. A short access drive is proposed off the existing one to get to the site.
9. The north west segment of Lot 2's curtilage area proposes the clearance of vegetation with the SNA and the rural zone boundary setback. Along the length of the the northern Lot 2 boundary 5m depth of planting is proposed to be planted and to the west a greater depth of native planting is proposed.
10. No specific planting plans or vegetation management plans have yet been submitted.
11. Above Lot 2 a rock-roll prevention bund is required to the west of the building curtilage but no details of this are provided at this stage.
12. The proposal for the building platforms is accompanied by volunteered constraints on building colour and materials.
13. This memo provides a review of landscape and visual effects assessment of the activity as described in applicant's report; written by Ms K. Ward from Vivian & Espie Ltd (dated April 2018) and other supplied documentation.
14. This review evaluates the adequacy of the submitted assessment and specifically addresses the following aspects:
  - i. Whether the assessment methodology is appropriate and robust;
  - ii. Whether the analysis and classification of the landscape context of the site is robust and corresponds to the landscape attributes and values;
  - iii. Whether any key issues or considerations have been missed in the assessment;
  - iv. Whether the assessment has correctly interpreted the nature and magnitude of visual and landscape effects;
  - v. Whether the conclusions of the assessment are credible and justifiable;

## ASSESSMENT REVIEW

15. *Assessment Methodology* - the assessment methodology provided is adequate for the proposal. Ms Ward's process is clear and logical.
16. *Analysis and Classification of the Landscape context of the site* - the application site and context are concisely and well described. I agree with her analysis of the local landscape and her classification of the site.
17. Although I support Ms Ward's discussion regarding the mis-classification of Mt Iron and her evaluation of it as an ONF; I disagree with her convention throughout the report of separating Mt Iron from Little Mt Iron.
18. Little Mt Iron is a portion of this ONF. The feature as a whole is an homogeneous, distinctive feature comprising of rock outcrops and cohesive vegetation patterning. There is general

agreement between most professionals involved in this project that Mt Iron is an ONF. I consider that the impacts on the entire ONF rather than only one portion of it should be assessed.

19. On the eastern side of Mt Iron (our focus for this report) there is a patch of housing on the lower, northern flanks only. This patch fragments as it progresses south. I agree with Ms Ward that the landscape character deterioration of the lower slopes of Mt Iron is a direct consequence of the dwellings scattered throughout this area.
20. I agree with her point that the existing building on the subject is intrusive and compromises the natural character of Mt Iron. The culmination of this ONF character deterioration is this last house before the cohesive, naturalness of the ONF is completely cohesive. I consider a more detailed description of the site's context would underscore the sensitivities.
21. From a landscape context aspect there is a considerable vertical gap between the proposed Lot 1 building platform and existing buildings below. The dramatic stone outcrops break up the vegetation swathes in a fashion reflective of the rest of the roche moutonnee ONF. Visually, above the proposed platform, there is a continuous natural landscape that appears integral with the rest of the natural feature.
22. The buildings apparent on the slopes to the north of the subject site are scattered across a band around the slope. The intensity of development reduces as it approaches the proposed building platform. In other words the subject site is in a sensitive location that has more in common, as far as landscape values and visual coherence go, with the ONF than with the developed nature of the slopes to the north. Apart from the existing building which is the anomaly.
23. I confirm the visual catchment of the proposal is correctly defined.

*Key Issues and Considerations that have been missed -*

24. Lot 1 curtilage, building platform and envelope require some additional analysis. The building platform is 45m long and 933m<sup>2</sup> in total. This is tending towards the rural general zone maximum of 1000m<sup>2</sup> on a sensitive location on an ONF.
25. The proposal allows for 400m<sup>2</sup> of buildings to be constructed on the site, twice the size of the existing house including a separate garage, swimming pool as well as the existing shed. No plans for the dwelling have been submitted.
26. The conditions proposed by the applicant's planner describe the building envelope as having a height of 4.5m max from a base of 361.01masl. Both the AEE and the LVA propose that this will result in a lower building than the existing.
27. This base level is at the *highest* point of ground levels on this sloping building platform. It is the level of the rear of the existing house on site. So at *lowest* point of the building envelope - the most publicly visible eastern facade - the height above ground will be 7.5masl. Looking at the existing house on the site one can estimate this to be at least ¾ up the existing A frame roof.
28. Proposals for Lot 2 are generally clearly described and considered in the assessment. No comment is made regarding the close proximity to the proposed lot boundary of the building platform. This is worthy of comment because of its potential effects on the character of the intensity of buildings within the rural zone.
29. The north west segment of Lot 2's curtilage area proposes the clearance of vegetation within the SNA and the rural zone setback. Along the length of the the northern Lot 2 boundary 5m depth of planting is proposed to remain. To the east pine plantation is to be removed and native vegetation planting in its place.

30. A point of concern on Lot 2 is the lack of description or assessment of the rock-roll bund and its effects as an element on the site. As no description of its scale and materiality - or its impact of the SNA are provided in the applicant's AEE, this is understandable. But as a landscape element it must be analysed before the proposals effects can be fully assessed.
31. This element could make boundary lines evident on the site and introduce an unnatural element into the landscape - both of which are concerns in the ODP visual coherence assessment matters. I believe given the sensitivities of this site this cannot be ignored and goes to the heart of this Lot's viability. I have been unable to assess this element as there is no information provided.

*The interpretation of the nature and magnitude of visual and landscape effects;*

32. I differ from Ms Ward's analysis of some of the effects of the proposals on Lot 1. The analysis I give in paragraphs 18- 22 underscores the issues.
33. Readers are reassured that the new buildings will be lower, flatter and coloured in sympathetic colours and materials. Also that it will be better than what is there now. In my (and Ms Ward's) estimation the existing house is one of the most detracting and imposing interventions on the slopes of Mount Iron.
34. Ms Ward considers that visual and landscape effects will be negligible because additional planting will gradually hide the building. She does comment on the lovely views that are afforded from the site and one can assume that these will not be sacrificed by the occupiers and therefore the building must remain in view. I consider that given the size of the building platform and curtilage combined with the vegetation clearance this will register on the slopes of the mountain as a moderate adverse effect on the ONF's landscape character and the perceived naturalness of the ONF as a whole. Especially for those viewing audiences using Aubrey Rd.
35. The existing house has a footprint of approximately 225m<sup>2</sup> whilst the proposed platform is 933m<sup>2</sup>. This is about 4 times the size. The envelope itself must be assessed and consideration to the aforementioned ancillary buildings should have been included as well. When combined I assess the impacts are more adverse than Ms Ward.
36. I also consider that the cumulative effects of this part of the proposed development have been underestimated.
37. The applicant proposes a building platform of 4 times the size of the current dwelling and indicates future buildings that are about twice the size. The proposal of additional ancillary buildings within the building platform means that one can not only consider the potentiality of a dwelling on the building platform. There is the potential for the future cluster of buildings at the proposed maximum height to appear large and bulky when viewed from the east on Aubrey Rd despite being more recessively coloured.
38. Ms Ward concedes that existing development on the ONF has compromised its naturalness and visual coherence values. I differ in her assessment that the proposed development will be an improvement on the current situation and therefore is acceptable.
39. I consider that the Lot 1 proposal is sited amidst and adjacent the natural composition of the ONF, and therefore there are greater sensitivity issues than if located amidst the existing patch of dwellings to the north. this is reflected in the PDP:

21.7.2.3 Effects on landscape quality and character:

The following shall be taken into account:

- a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;

40. In addition to the proposed building envelope; the proposed curtilage to the building also is sloping down toward Aubrey Rd. It drops over 8m over its 40m width. The proposal covers this area with a sketch building of 400m<sup>2</sup>, located in the southern 1/3 of the 2100m<sup>2</sup> curtilage area. This exposes a large clear patch in the landscape for the additional buildings proposed. For this reason I consider the curtilage for the lot does not support the outcomes of the ODP:
- 5a(iv) The need to avoid further cumulative deterioration of the outstanding natural features;
  - (v) The importance of protecting the naturalness and enhancing the amenity values of views from public places and public roads;
  - (vi) The essential importance in this area of protecting and enhancing the naturalness of the landscape.
41. I consider the scale of this proposal great enough to incur moderate adverse cumulative effects of the ONL. Especially given the subject site's location on the feature.
42. I concur with Ms Ward's assessment of the proposals for Lot 2 and the landscape's capacity to absorb this part of the proposal without compromising the character of the area and her assessment of the effects of the proposal mostly align with my own.
43. I support the pine plantation removal and the proposed ongoing management of wildlings and native plantings. I agree these are positive effects in restoring the natural character of the ONF. However I do not think that this mitigates the removal of the native bush in the SNA which provides a visual buffer between neighbours and a continuation of the native vegetation patterning. That area was contiguous with the swathe of vegetation up the flanks of the SNA. What is proposed is a separate stand of native vegetation and a permanent reduction of the major swathe of indigenous vegetation on the ONF. This is a permanent minor adverse negative effect on the coherence of the vegetation patterning and the visual coherence of the landscape.
44. The lack of assessment of the rock-roll bund is too great an omission to consider the assessment of landscape effects for Lot 2 complete.
45. Also I do not agree with that the extent of the curtilage on Lot 2 to the north is acceptable. I believe that from a landscape point of view the depth of vegetation in this area not great enough to provide for visual coherence or to provide viable visual or vegetative buffer mitigation. Generally 10m depth is considered a viable vegetation depth to withstand weed encroachment and weather when establishing native vegetation stands and I recommend this depth to mitigation the SNA indigenous vegetation removal.

#### *The Conclusions of the Assessment*

46. I agree with Ms Ward that the proposal to create Lot 2 at the base of the site is acceptable. It is within the capacity of the landscape to absorb and could upgrade the ecological values of the area. I defer to the ecologist's reports regarding the ecological impacts. It will not impose on the public's views in the area and will only affect neighbours to a minor degree.
47. The sensitivity of the landscape is reflected in the SNA overlay for the area. A reduction in the extent of the curtilage boundary to the north will mitigate both of these matters. I recommend a 5m retraction of the proposed curtilage boundary to the north creating a 10m depth of planting in this area.
48. The lack of comment regarding the rock-roll bund required at the rear of the lot negatively impacts the conclusions reached regarding Lot 2. I consider it important enough that discretion for this proposal should be withheld until design of this element is received and assessed by Council.



49. I don't concur with Ms Ward that the proposed curtilage and building platform on Lot 1 are improvements to the landscape character. I contend they are *changes* to the character. I do agree that the existing house is painted in an unsympathetic roof colour and is high enough to be an imposition on the ONF.
50. I consider a reduction in the extent of the Lot 1 building platform is important on such a sensitive site to limit the extent of built form from not only the future house, but also the ancillary buildings and tanks mentioned. The building platform should be reduced in extent to the north by 14m so that it is no greater than 23 x 31 m<sup>2</sup>. This will mitigate against raising landscape and visual adverse effects to an unacceptable level.
51. The curtilage should also be reduced such that it is flush with the northern end of the reduced building platform, and also reduced to the west slopes above the building platform. Only allowance for the existing potager garden and modest access to it should be made. This will reduce the risk of visual impacts from activities and openness on the slopes behind the building platform. To the east, I recommend the curtilage is reduced to 6m maximum from the building platform so that visibility of buildings on the site is not increased by vegetation clearance.
52. The reduction in the size of the Lot 1 curtilage (and consequential reduction of amenity planting and open space activity on the site) is also intended to mitigate the risks to the SNA areas adjoining the site. Amenity planting is a risk to the ONF's coherent character and the adjoining SNA. The high landscape character and cohesive values of the ONF (of which the site is a part) will also be protected to an acceptable degree by this reduction.
53. No assessment or conclusions are made regarding the accessway. This is understandable as no changes are proposed. I consider the accessway a future risk; it is steep and narrow. It is not paved. Consideration for future construction processes for buildings and swimming pool may see the accessway prove impassable. I recommend that Council engineers assess its viability for these activities so that future incremental visual and landscape impacts on this site are avoided by allowing discretion for this application.
54. Although restrictive, I consider these constraints to manage development on this sensitive ONF are justifiable given the site's location upon the roche moutonnee.

## RECOMMENDATIONS

Should consent be granted I recommend that the proposed conditions are amended to include the following:

1. Lot 1 - no roof terraces or activity thereon are permitted on buildings on Lot 1 in order that additional adverse effects from extraneous elements and activities on perceived naturalness and to visual coherence of the ONF are controlled;
2. Lot 1 - may not have terraces, decks or patios more than 200mm above the building platform level in order that additional adverse effects from extraneous elements and activities on perceived naturalness and to visual coherence of the ONF are controlled;
3. Lot 1 - the curtilage is reduced to the north, east and west to reduce adverse impacts on the landscape integrity, perceived naturalness and visual amenity of the ONF. I recommend the curtilage is aligned with the northern end of the recommended building platform. To the north-west, I recommend the curtilage boundary is reduced by 8m. To the west, I recommend allowance for the existing potager garden and modest access to it only. To the east, I recommend the curtilage is reduced to 6m maximum from the building platform so that visibility of buildings on the site is not increased by vegetation clearance.



4. Lot 1 - the building platform is reduced in extent to the north by 14m so that it is no greater than 23 x 31 m<sup>2</sup> to reduce adverse impacts on landscape integrity and visual amenity of the ONF;
5. Tanks - that these tanks and outflow pipes are painted dark recessive colours selected from the list in the proposed conditions;
6. Lot 1 - No widening or gradient changes to the access drive are permitted that require the removal of native vegetation or the creation of batters over 300mm or retaining walls over 500mm are permitted;
7. Lot 2 - the northern curtilage boundary is relocated another 5m minimum into the site and native vegetation planting proposals are extended to 10m depth in this area;
8. That a planting and vegetation maintenance and management plan is submitted to Council for approval prior to consent being granted.

Prior to consent being granted I recommend the following:

9. That Council engineers review this proposal and its future construction viability using the existing accessway.
10. Lot 2 - A complete design of the rock-roll bund at the rear of Lot 2 is completed and submitted for review prior to discretion for this portion of the proposal being granted.

Kris MacPherson

*BLA*

*Registered NZILA Landscape Architect*

**Reviewed by:**



Helen Mellsop

*BLA, BHB, Dip Hort (Distinction)*

*Registered NZILA Landscape Architect*

# Landscape Commentary to Applicant Response

**FILE REF:** RM180604 - Scott Mazey

**TO:** E. Stagg – Senior Planner, Queenstown Lakes District Council

**FROM:** Kris MacPherson – Registered NZILA Landscape Architect

**DATE:** 25 September 2018

**SUBJECT:** Landscape Commentary to Applicant Response

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## INTRODUCTION

1. Subsequent to Queenstown Lakes District Council's (QLDC) review of the Resource Consent application to subdivide Lot 5 Deposited Plan 406222 (5.27ha) into two lots with proposed building platforms and curtilages, the applicant has responded with changes to their proposal design.
2. This commentary reviews the applicant's amendments as received September 2018. It assesses the degree to which these amendments to the proposal change the rating of landscape and visual adverse effects.

## AMENDMENT REVIEW

3. Changes to the application which pertain to landscape matters are reviewed per Lot. In terms of the PDP and ODP, the rules and breaches are very similar and breaches will therefore be discussed as topics as they relate to both.

### **Lot 1 Amendment Description**

4. The amended proposal has a reduced building platform shape and size from 920 -713m<sup>2</sup>. This is 20% less but the maximum building footprint of 400m<sup>2</sup> remains. Also the amended maximum building height of 4.0m above 361.05masl constitutes a reduction in height of 500mm - tagged to this is a condition that a building facade of 30m be allowed along the eastern elevation.
5. The curtilage around the building platform is also reduced. No mention of the previously proposed garage and swimming pool are now made on the application drawings but, within the application, ancillary buildings are noted as potential elements.
6. There remains a breach to the rules pertaining to the indigenous vegetation clearance in a Significant Natural Area (SNA) and Outstanding Natural Feature (ONF). This has been reduced by reducing the curtilage area around the building platform especially to the north and east.
7. Also the water tanks remain in the same location and as such are outside the proposed building platform. Thereby continuing the breach the rule.

## Lot 1 Commentary

8. Reduction of building platform and envelope - I consider that the reduction in building envelope height only important to the rating of adverse effects when combined with two other considerations.
9. Firstly, the degree to which the building is potentially visible on the ONF and the cumulative effects of this. I consider that the 7m high eastern or front face of the building will potentially have the upper half exposed to view. At 30m long this facade is about 3 times as long as the base of the A-frame building currently on the site. If completely glazed this facade could be a highly reflective surface at times during the day and a bright intervention during the evening.
10. The adverse effects on the experience of viewers of the ONF would be moderately adverse. It would clash with the natural elements adjacent in the view and the values of the area.
11. For this reason I consider the colour palette and materials selected for the building should be present on this facade for  $\frac{1}{3}$  on its length and that any chimney constructed is painted in the proposed palette of colours. This will reduce their visibility and reflectivity in this sensitive environment.
12. Secondly the reduction of vegetation clearance affects the landscape patterns and the visibility of any potential building within the proposed building platform: I consider that the reduction of curtilage areas to the north and east will be effective in reducing the previous rated adverse effects.
13. However, the almost 30m long proposed curtilage area to the west of the building platform includes breaches to the SNA vegetation clearance rules. The steep rising nature of the land here means that from the rear of the building platform, the land rises approx 6.5m or 2.5m above the highest point of the roof of the potential buildings. Any activities occurring in this area may be exposed above the building. Also the buildings will not be provided with a vegetated backdrop which would assist effective embedment of the building of this scale into the landscape. The pattern of an indigenous natural vegetation backdrop would be most effective.
14. When combined with the on-going proposal to remove vegetation to the east of the existing shed; to the south of the building platform - between the shed and the driveway - I assess the adverse effects rating as moderate-low. It is important to remember that the subject site is the last private lot before the ONF reserve boundary. As such it is located at the very outer limit of development.
15. This is the edge of the building platform and curtilage where the uninterrupted, natural fabric of vegetation which cloaks the ONF commences in earnest. It is these values of a whole element - an homogeneous, distinctive feature comprising of rock outcrops and cohesive vegetation patterning - which has generated Mt Iron's status as an ONF. The landscape values and visual coherence of the ONF continue to be reduced by the extent of the vegetation removal proposals in this sensitive location.
16. By exposing the shed to views from the east and removing the vegetation between the shed and the building platform, the current 'hidden' nature of the shed will be lost; a gap will be created and there will be a reduction in the effective embedment of the buildings on the site. I consider the cumulative effect of these two areas of SNA vegetation removal. I consider the area to the south the most important to protect.
17. In my opinion, the rating of moderate adverse visual effects for those on Aubrey Rd will be reduced to moderate-low by the amendments to the proposal on Lot 1. This could be further reduced to an acceptable level by the additional controls to the colours and materials on the proposed 30m long eastern wall and any chimney structures. Also the protection of the SNA vegetation between the existing shed and driveway.

## **Lot 2 Amendment Description**

18. The building platform size has been reduced from 530 to 400m<sup>2</sup> - 25% less. The dwelling and garage are to be entirely within the proposed building envelope shown on the Rough and Milne Plan L 5.0, Rev.A, dated 31/08/2018. The amended building height of 6.0m above 324.0 masl is now proposed.
19. The rock roll protection measure has been removed from the proposal and instead rock bolting is proposed. This is explained in the proposal and I it to have no adverse landscape or visual effects given the scale, colour and location.
20. The curtilage area has been reduced, the amount of native vegetation removal within the SNA is reduced and the amount of proposed native planting has increased. The setback from the northern boundary to the building platform has been increased.
21. Conditions to the landscape treatment around Lot 2 incorporate the construction of an earth bund and a two staged planting programme which proposes that planting on the bund mature to 2.2m high prior to construction commencement. Then additional planting is to be undertaken after construction is completed.
22. No APA was gained from the neighbouring property at #961 Aubrey Rd so the effects of the proposal are summarized in the landscape assessment addendum by Mr B. Espie.

## **Lot 2 commentary**

23. I have read the Addendum to the Landscape Assessment and find myself largely in agreement with Mr Espie's assessment of effects on the neighbours at #961.
24. The only point on which I would differ is that I consider that there will be temporary visual and landscape adverse effects for those on #961 during the pine tree removal, earthworks and the construction of the earth bund. These will be moderate and will last about 4 months in my estimation. Management of dust will be important until mulch covers the bund. Long term, I consider there may well be positive visual effects from the proximity of the native vegetation.
25. I concur that seeking privacy and a treed environment are part of the outcomes sought in this zone. The bund will be effective at mitigating against a sense of awareness of activity on Lot 2 for those on #961. I consider the combination of vegetation, the bund and the now 10m setback of the building platform from the shared boundary will reduce adverse effects of the proposal to very low on this property and the users of it.
26. There remain breaches to the internal boundary setbacks and the increases to the amounts earthworks volumes which constitute a breach.
27. I support the creation of a 10m minimum vegetated buffer to the north of the building platform as an effective landscape element and as a visual buffer to neighbouring properties.
28. I don't consider the earthworks breach will have long term adverse landscape effects.
29. The breach to the internal setback rules is acceptable in my assessment. The continuation of the earth bund and the planting across the lots' boundary will provide an increase in the coherence of landscape patterning in this location, long term.

30. Newly exposed gaps in the existing vegetation are remedied effectively through the proposed planting programme. This will maintain and enhance the existing landscape patterning. The south facade of the building will be embedded into the landscape effectively and activities on the site will be screened by the 'toe' of the bund and the vegetation upon it.

## **RECOMMENDATIONS**

Should consent be granted I recommend that:

1. All conditions and plans provided by the applicant in the amended proposal are incorporated into the conditions to consent;
2. In addition, and relating to Lot 1, I recommend that only 2% of the 30m long eastern wall of the potential building on the building platform be allowed to be glazed to reduce visual impacts and reflectivity;
3. That any chimneys erected are painted in the colour palette proposed for the Lot 1 building platform to reduce visual impacts and reflectivity;
4. That the vegetation in the SNA to the south of the proposed Lot 1 building platform, between the existing shed and the driveway is protected and removed from the extent of vegetation allowed for removal on the Lot 1.

Kris MacPherson

*BLA*

*Registered NZILA Landscape Architect*

### **APPENDIX 3 - ECOLOGICAL ASSESSMENT**

**ECOLOGICAL ASSESSMENT OF THE  
PROPOSED SUBDIVISION  
965 AUBREY ROAD  
WANAKA**



Little Mt. Iron, 965 Aubrey Road

**March 2018**

# ECOLOGICAL ASSESSMENT of the PROPOSED SUBDIVISION - 965 AUBREY ROAD, WANAKA

## INTRODUCTION

A proposed subdivision at 965 Aubrey Road, Albert Town on land classified as Rural General on the slopes of Little Mount Iron is also on part of land zoned as a Significant Natural Area (SNA).

Two lots are proposed with the larger Lot 1 taking in existing buildings on the lower third of the subdivision and Lot 2, in the lower north corner of the property that adjoins existing residential properties on two sides, being much smaller.

Conservation Consultancy Limited has been asked to:-

- assess the effects of any vegetation removal required to allow the proposed further development
- discuss the exotic tree growth in relation to the native plant cover and its potential effects on the SNA
- Suggest native species that are local to the area to plant in the area as mitigation for any plant removal required as part of this subdivision.

## EXISTING VEGETATION

Seen from below, Little Mount Iron in the vicinity of section 965 Aubrey Road appears to be a kanuka (*Kunzea robusta*) dominated, rocky hill slope with occasional pine trees (mainly *Pinus radiata*). Rocky bluffs and open land is also visible. The lower slopes contain denser areas of pine trees particularly on the proposed Lot 2. Douglas fir (*Pseudotsuga menziesii*) is also present as are a number of other woody weeds including broom (*Cytisus scoparius*), sweet brier (*Rosa rubiginosa*) and Cotoneaster (*Cotoneaster glaucophyllus*). Bracken is occasionally present in patches on open ground and on road banks grows tutu (*Coriaria sarmentosa*). A road rises to the existing residence and a 4WD track winds higher up the property behind. A few small natives herbs and grasses can be found in more open areas and include *Dichondra repens*, *Cyathodes fraserii*, *Acaena novae-zelandiae*, *Euchiton audax*, *Rytidosperma buchananii* and *Elymus solandri*.

Walking into the low kanuka forest reveals open areas of grassland and mossy ground often with much lichen, but also bare ground and a number of other native shrubs including matagouri (*Discaria toumatou*), *Coprosma crassifolia*, *Coprosma propinqua*, and porcupine shrub (*Melicytus alpinus*) as well as both native and introduced grasses and herbs. Two small ferns, the rock fern *Cheilanthes humilis* and the necklace fern *Asplenium flabellifolium* can be found on rocky sites.

This kanuka woodland would have been classified as an SNA due to the gradual reduction of the once extensive kanuka woodlands of the upper Clutha Basin



through increasing development and increasing population pressures. So the remaining areas of intact kanuka woodland become increasingly valuable.

## PREHUMAN VEGETATION

It is generally agreed that forest and woodland covered the range slopes up to the lower limits of the alpine zone of Central Otago, but that tall forest did not uniformly cover the driest floors of inland basins (Walker et al. 2002). In the Clutha Basin models predict that a kanuka-kowhai (*Sophora microphylla*) woodland existed with manuka (*Leptospermum scoparium*) with subcanopy species such as matagouri, *Coprosma crassifolia*, *Coprosma propinqua*, *Olearia odorata*, *Olearia lineata*, *Melicope simplex*, *Corokia cotoneaster*, *Aristotelia fruticosa*, *Carmichaelia petriei* and *Olearia avicenniifolia*. Halls totara (*Podocarpus laetus*) and cabbage tree or Ti kouka (*Cordyline australis*) may have been present in small numbers. The vines *Muehlenbeckia complexa*, *Muehlenbeckia australis*, *Rubus schmidelioides* and *Clematis marata* were probably present with a number of smaller shrubs, herbs, grasses, ferns, lichens and mosses.

Remnants of this woodland remain on Little Mount Iron.



Remnant Kanuka woodland on Little Mount Iron threatened by increasing conifer spread. Aubrey road in the foreground, residence on Lot 1 in the centre.

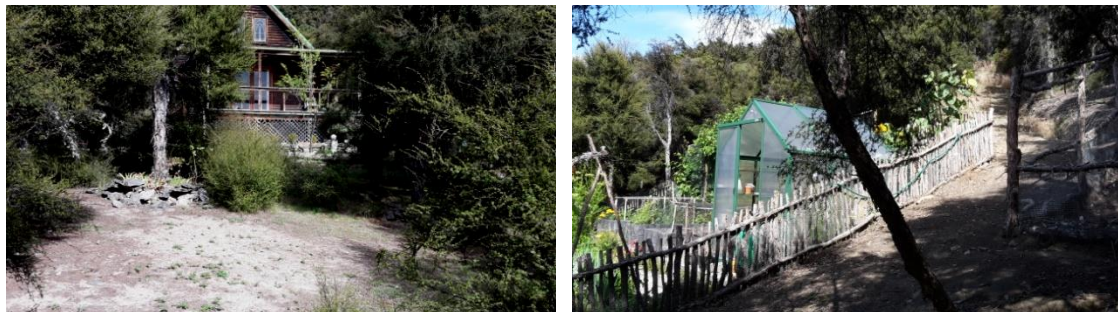
## POTENTIAL EFFECTS OF THE PROPOSED VEGETATION REMOVAL

### Lot 1

Lot 1 contains an existing residence with several small buildings, vegetable garden, outdoor space and parking areas around it. A number of kanuka occur within this mainly cleared area. It has tiny areas of the proposed curtilage area extending into the SNA but these areas are already mainly clear of vegetation.



North side of the existing residence, view uphill.



Frontal view at left and vegetable garden behind the residence.

Behind the vegetable garden is a weedy 4WD track winding up hill that will give access to the proposed tank farm (and beyond). Some kanuka may need to be removed here to contain the tanks that will be partly buried. Patches of bracken fern grow along this access way. There could be conifers encroaching onto the top of Lot 1 and these should be removed to preserve as much as possible the integrity of the kanuka woodland.



## Lot 2

The Lot 2 building platform and curtilage area will extend into the SNA. Lot 2 occupies a relatively flat area at the foot of Little Mount Iron with existing residences with lawns and gardens in front (east side) and on its north boundary. A low slope on the east side is predominantly covered with tall conifers (mainly radiata pine). An old fence crosses open ground above with open kanuka woodland beyond. A large bluff runs along the west boundary separating Lot 2 from the higher ground beyond.



View of Lot 2 from the top of the bluff. Kanuka woodland with eastern fringe of radiata pine and more at the left with tall Douglas fir foot of the bluff on the right.

Lot 2 is at the foot of the slope and also it is hidden from most views by the mature conifers in front. Removal of kanuka from this site will have no visual effect on the SNA, but it will reduce the area of kanuka woodland that is part of the reason for the SNA designation.

However, if the existing and spreading conifers, especially Douglas fir, that already compromise this corner of the SNA are not removed then the kanuka woodland will disappear completely in time.

**In summary** it is considered that the proposals for **Lot 1** will have little effect on the SNA provided that as much of the existing kanuka as possible is retained. From below the present residence is hardly visible and the kanuka appears intact with cleared areas not visible. Other already developed properties have been able to retain kanuka even in lawn areas and this assists in retaining the visual appearance of the kanuka woodland. The further planting of suitable native plants around and into the curtilage area and the lower 4WD track above is likely to enhance the SNA providing increased diversity of the whole biota – plants, insects and birds.

The kanuka in **Lot 2** will be lost in the long term if conifer removal does not take place. The proposed curtilage area will only remove a small part of the existing kanuka woodland and would also need to remove the conifers from in front (east). Removal of all conifers should be a requirement of allowing this subdivision. Encouraging natural regeneration of the

kanuka woodland around the curtilage area together with further planting of suitable native species to provide a greater seed source and diversity for the woodland would assist in the long term sustainability of the SNA.

## PLANT LIST

Native plant species suitable for planting into the kanuka woodland and around and within the curtilage areas are listed below. These are all plants that are believed to be part of the original Kanuka-Kowhai woodland that once covered much of the surrounding area.

The overall appearance of the existing kanuka woodland is a relatively homogenous olive green and this appearance should be retained as much as possible. Listed plants such as Ti kouka (cabbage tree), kapuka (broadleaf) and koromiko (Hebe ) that have contrasting texture and/or colour need to be used carefully and preferably grouped, several of the same species together.

Only native plants from this species list should be planted outside the curtilage areas. It is a very dry area and water will be important in the initial establishment of new plants although most of the plants listed do not require permanent irrigation.

Aristotelia fruticosa	mountain wineberry
Carmichaelia petriei	native broom
Cordyline australis	ti kouka, cabbage tree
Coprosma crassifolia	
Coprosma propinqua	
Coprosma rigida	
Corokia cotoneaster	korokia
Discaria toumatou	matagouri
Griselinia littoralis	kapuka, broadleaf
Hebe salicifolia	koromiko
Kunzea robusta	kanuka
Leptospermum scoparium	manuka
Melicytus alpinus	porcupine shrub
Melicope simplex	poataniwha
Myrsine divaricata	weeping mapou
Olearia avicenniifolia	grey-leaved tree daisy
Olearia lineata	weeping tree daisy
Olearia odorata	scented tree daisy
Podocarpus laetus	Hall's totara, mountain totara
Sophora microphylla	kowhai

## REFERENCES:

Walker S.; Lee W. G.; Rogers G.M. 2002: Woody Biomes of Central Otago, New Zealand: their present and past distribution and future restoration needs. *Landcare Research Contract Report: LC0102/084*

#### **APPENDIX 4 - ECOLOGICAL PEER REVIEW**



17 May 2018

Queenstown Lakes District Council  
By email to: erin.stagg@qldc.govt.nz

Attention: Erin

**RE: Review of Ecological Report Prepared for Vegetation  
Clearance in an SNA on Mt Iron**

Queenstown Lakes District Council (QLDC) have contracted e3Scientific Limited to undertake a review of the ecological report submitted with RM180604, which has been prepared to support a two lot subdivision at 965 Aubrey Road, Wanaka. This review relates specifically to the proposed mitigation plantings and the ecological report "Ecological Assessment of the Proposed Subdivision 965 Aubrey Road Wanaka March 2018" prepared by Conservation Consultancy Limited.

The vegetation that is proposed to be removed forms part of the Significant Natural Area (SNA) identified as Mt Iron SNA H, which is kanuka woodland. The report prepared by Conservation Consultancy Ltd (CCL) has assessed the effects of any vegetation removal required to allow the proposed development; discussed the potential effects of exotic tree growth on the SNA and suggested suitable native species for mitigation planting. In e3Scientific's opinion, this report does not adequately address the criteria outlined in the Ecological Impact Assessment EIANZ guidelines for use in New Zealand: terrestrial and freshwater ecosystems, however, with amendments the recommendations provided in this report are considered acceptable to mitigate the proposed effect on the SNA.

The proposed clearance of 971 m<sup>2</sup> of kanuka within the SNA is the equivalent of nearly 100 years of permitted clearance. However, as stated in the CCL report, without the control of the wilding conifer species, the kanuka woodland will disappear in the long term. The proposed planting area and species will provide

a greater seed source and diversity for the kanuka woodland and will assist with the long-term sustainability of the SNA.

The mitigation measures proposed by CCL and the applicant are as follows:

1. Planting 980 m<sup>2</sup> of appropriate indigenous vegetation as identified by Mr Simpson, and as shown on the Landscape Plans.
2. Eradication of more than 870 m<sup>2</sup> of wilding pines across the entire site, and commitment to maintain suppression of these, and other pest species.
3. Encouragement of passive regeneration of kanuka on the upper slopes, including weed management.
4. On-going rabbit management to ensure successful revegetation.

e3Scientific recommends that the above mitigation is amended to include the following.

1. Planting of 980 m<sup>2</sup> of indigenous vegetation, as shown on the landscape plans. Plants are to be eco sourced, planted at a density of 1 m centres, planted with a weed mat and a protective shelter.
2. Plant species are to be selected from the list provided in the CCL report. *Note: at present the species list on the landscape plans and that provided in the CCL report do not match.*
3. All mitigation planting is to be completed and signed off by a suitably qualified professional prior to the title being issued for Lot 2.
4. A minimum plant coverage of 50 % is to be achieved within 5 years of the plantings occurring, with 80-100 % coverage occurring after 8 – 10 years.
5. Maintenance and weeding of the plantings is to occur at a minimum twice yearly (autumn and spring) for the first five years after planting.
6. The consent holder shall remove and manage all wilding conifer and pest species from within the original site boundary prior to the title being issued for Lot 2. All wilding species are to be removed and managed in perpetuity.
7. A weed management plan is to be established to enable the passive regeneration of native vegetation within both Lot 1 and Lot 2.
8. The consent holder shall carry out ongoing rabbit control to aid the survival of the plants as well as enabling natural regeneration of kanuka.

The mitigation planting and removal of the wilding species should be included as conditions of the subdivision consent, therefore ensuring that these works are completed and signed off before the applicant can apply for their certificate of titles.

Please feel free to contact us should you require any further information or wish to discuss these recommendations in more detail.

Prepared By:



Melissa Jager  
Project Ecologist

Reviewed By:



Glenn Davis  
Managing Director



## **APPENDIX 5 - ENGINEERING REPORT**

Hi Erin,

I have reviewed the application to undertake a two lot subdivision at 965 Aubrey Road, Wanaka. The legal description for the site is Lot 5 DP 406222. Access to the site is via a right of way from Aubrey Road. The right of way has a 6m legal width with a 3m wide carriageway. I am satisfied that this right of way complies with Council standards and is appropriate to serve 1 to 6 residential units. A right of way will be created over Lot 1 to provide access to Lot 2. An appropriate condition is recommended to ensure that the full design of right of way 'C' is provided for engineering review.

I am satisfied that there is ample area within Lot 1 to meet parking requirements.

As the Lot 2 building platform is elevated above the right of way I recommend an appropriate condition to ensure that a basic access is provided to the building platform within Lot 2, this shall include the provision of a vehicle crossing.

Council's hazards maps indicate that the site is subject to liquefaction risk LIC 1 (Low to nil) and that there is a landslide area located to the southwest on the side of Mount Iron. A geotechnical report has been undertaken by GeoSolve Ltd titled '*Geotechnical Report, 965 Aubrey Road, Wanaka*' (dated April 2018, GeoSolve Ref: 180150). The report provides several recommendations in respect to geotechnical parameters, foundation design and stormwater soakage and rock fall mitigation and confirms the development within the lots is feasible but identifies a rock roll hazard from the schist bluff located west of the proposed Lot 2 building platform. At the time the report was written a preliminary assessment had been undertaken of the rock roll/fall risk. Since the report was written GeoSolve has confirmed (email dated 13 June 2018):

*"As discussed we have undertaken an initial inspection and we are satisfied that we can remediate the rockfall risk by scaling and rock bolting. The rock bolting can be completed with hand drills."*

I accept the report and recommend that the earthworks are undertaken in accordance with the report. I also recommend that PS1 and PS4 producer statements are provided for the rock bolting. Appropriate conditions are recommended in this respect.

The existing dwelling is serviced with electricity, water and telecommunications connections. Stormwater and wastewater are currently being disposed of within the site without issue. Condition a) on operative part 3 of consent notice 7875350.2 states:

*"Services to the existing dwelling on Lot 5 were not assessed in terms of council's standards as part of the subdivision consent RM070656. Adequate servicing of the allotment and existing dwelling shall be the responsibility of the owner. Any further development may require services to be upgraded."*

Survey consultants, Southern Land have provided an assessment of services in a report titled '*Mazey Subdivision Infrastructure Report, Lot 5 DP 406222, Wanaka*' (dated 16 April 2018, Job ref: R4182). The report confirms that the existing dwelling was provided a water connection from the existing 100mm water main within the right of way at the time of the underlying subdivision and confirms there is capacity to service the new lot. There is also a fire hydrant located on this main and this is within 110m of the proposed building platform on Lot 2. I am satisfied that the firefighting requirements for Lot 2 can be met.

In respect to firefighting for the existing dwelling on Lot 1, the applicants are intending to install four water tanks above the site to provide an independent flooded water source for firefighting purposes as the access is too steep for fire appliances to negotiate. The surface of the access is currently gravel with a 9m radius bend mid-way. While the access could be upgraded to provide access for a firefighting appliance it would most likely be cost prohibitive. I am also aware that the Fire and Emergency New Zealand (FENZ) officers have informed residents on Little Mount Iron that they would not be attending any fires on the hill due to safety concerns for firefighting personnel and that it is in the homeowners best interests to provide an alternative firefighting solution. The applicants have stated:

*"Given the gradient of the site, a firefighting truck cannot access the site up to the building platform on Lot 1. Therefore the applicant will be designing a self-sufficient firefighting system, in accordance with the rural firefighting provisions. This involves the tank farm at an elevation (as shown) for gravity fed pressure to feed into an automated irrigation sprinkler system mounted on the roof of the dwelling, designed to form a wall of water for more than one hour. Some sprinklers may also be placed strategically around the dwelling within the landscape. The tanks will be filled with town supply from Aubrey Road, as is the current situation, however with the location of the proposed tank farm, a pump to get the water up to this level will be required. Details of this system are being designed by a fire*

*engineer and are offered as a condition of consent to be provided to QLDC for approval at the time a dwelling is proposed on this upper building platform. The final details ie. Automatic or manual trip system will be ultimately cost permitting."*

I am satisfied that an alternative system can be achieved to ensure the site is protected and recommend appropriate conditions to ensure that written approval is provided by FENZ, and that the final design is installed for the existing residential unit and upgraded at the time a future residential unit is constructed.

Council's Wastewater reticulation is available to connect to within Aubrey Road. However, in the event that the applicants decide to connect to this system they would need to secure an easement over the right of way for the right to drain sewage. As discussed in the Infrastructure report a pumping connection would also be required due to ground level constraints. The report also states that should a pumping connection be cost prohibitive then wastewater will be disposed of on-site. The 'Site and Soil assessment' (dated 4/07/2018) submitted by GeoSolve indicates that the underlying soils within Lot 2 are Category 1 soils and therefore suitable for on-site disposal.

In respect to Lot 1, a 'Site and Soil Assessment' has not been provided as the existing residential unit is currently disposing wastewater without issue within the site. However, based on the permeability test undertaken for stormwater disposal an alternative disposal area may be required at the time a future residential unit is constructed or they may have to connect to the Council reticulation within Aubrey Road. An appropriate consent notice condition is recommended in respect to either installing a sewer pumping connection or installing an onsite wastewater system within the site at the time a residential unit is constructed within Lots 1 and 2.

Based on the test pit log provided in the GeoSolve Ltd report I am satisfied that there are no issues on-site that would preclude stormwater disposal to ground with Lot 2. However the report identifies issues with permeability within the ground surrounding the existing residential unit within Lot 1. I am satisfied that stormwater disposal may be made on the lower areas of Lot 1 as indicated by the permeability tests undertaken within proposed Lot 2. Therefore, I recommend a consent notice condition to ensure that any future stormwater systems are designed to Council standards.

Letters have been provided from utility providers Aurora and Chorus confirming that an electricity and telecommunications connection can be extended to the lots. Appropriate conditions are recommended to ensure that the lots are provided independent electricity and telecommunications connections.

The applicants are intending to undertake approximately 1,376m<sup>3</sup> of earthworks within proposed Lot 2 to create a level construction area for a future building. Approximately 851m<sup>3</sup> of cut and 525m<sup>3</sup> of fill will be undertaken within proposed Lot 2. The maximum height of both cut and fill will be approximately 2.5m. I am satisfied that the earthworks will be formed at self-supporting gradients.

The earthworks plan indicates that earthworks will be undertaken within the buildable area of the site and therefore, need to be certified. I am satisfied that the earthworks are feasible and recommend appropriate conditions to ensure that they are undertaken in accordance with Council's standards.

## **RECOMMENDED CONDITIONS**

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

### **SUBDIVISION CONDITIONS**

#### ***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 May 2018 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>

***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 Manager of Resource Management Engineering 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 work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 8m into the site. Wooden planks or similar shall be provided to protect the kerb from damage caused by construction traffic movements, in accordance with '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council.

The construction traffic crossing shall be removed/upgraded in accordance with Condition **6b)** on completion of works.

4. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and '*A Guide to Earthworks in the Queenstown Lakes District*' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated April 2018, GeoSolve Ref: 180150) and who shall supervise the rock bolting, excavation and fill procedure, and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
6. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition **(1)**, to detail the following requirements:
  - a) The provision of a water supply to Lots 1 and 2 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a sealed vehicle crossing that shall be constructed to Lot 2 to Council's standards. Provision shall be made to continue any roadside drainage.
  - c) The provision for a basic access formation to the building platform within Lots 2. The basic formation shall ensure that vehicle break over angles shall comply with Appendix 7 of the District Plan and the maximum gradient of the access shall not exceed 1(V):6(H).
  - d) The provision of stormwater management and secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 1 and 2, and no increase in run-off onto land beyond the site from the pre-development situation.

- e) The formation of right of way 'C' in accordance with Figure E9 of QLDC Land Development and Subdivision Code of Practice to Council's standards. Provision shall be made for stormwater disposal.
- f) The provision of a PS1 producer statement for the rock bolting on the schist bluff above Lot 2.

***To be monitored throughout earthworks***

- 7. The earthworks, rock bolting and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated April 2018, GeoSolve Ref: 180150).
- 8. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
- 9. No earthworks, temporary or permanent, are to breach the boundaries of the site.

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

- 10. 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***

- 11. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The completion and implementation of all certified works detailed in Condition (6) above.
  - d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 1 and 2, and evidence of supply shall be provided to Council's Subdivision Inspector.
  - e) The provision of certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
  - g) The provision of a PS4 producer statement for the rock bolting on the schist bluff above Lot 2.
  - f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
  - g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- h) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- j) The firefighting water supply for the existing residential unit within Lot 1 shall be designed by a suitably qualified Fire Engineer and upgraded to comply with *Appendix B - Alternative Firefighting Water Sources, SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* prior to subdivision completion. The consent holder shall demonstrate approval has been obtained for the alternative solution from the Fire and Emergency New Zealand Fire Risk Management Officer.

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

12. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.

- a) All future buildings shall be contained within the Building Platform as shown as Covenant Area **X** as shown on Land Transfer Plan **XXXXXX**.
- b) At the time a building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
  - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
  - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
- c) At the time a residential unit is erected within Lots 1 and 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by GeoSolve Ltd, dated 4/07/2018 and . The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

Or

The lot owner for the time being shall connect to Council's wastewater reticulation via a low pressure pumping connection. All necessary easements will need to be obtained and approval shall be obtained for the connection prior to being made. The costs of the connections shall be borne by the consent holder.

- d) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. Written approval from Fire and Emergency New Zealand Fire Risk Management Officer shall be obtained for the alternative solution and the system shall be installed prior to the occupation of the building.

13. In the event that the Engineering Acceptance issued under Condition **(6)** contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on

the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

*[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].*

**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.

**LAND USE CONDITIONS**

**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 May 2018 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>

***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 Manager of Resource Management Engineering 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 work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 8m into the site. Wooden planks or similar shall be provided to protect the kerb from damage caused by construction traffic movements, in accordance with 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council.

The construction traffic crossing shall be removed/upgraded in accordance with Condition **6b)** on completion of works.

4. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
5. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional



as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated April 2018, GeoSolve Ref: 180150) and who shall supervise the rock bolting, excavation and fill procedure, and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

6. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
  - a) The provision of a water supply to the building platforms in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a sealed vehicle crossing that shall be constructed to Lot 2 to Council's standards. Provision shall be made to continue any roadside drainage.
  - c) The provision for a basic access formation to the building platform within Lot 2. The basic formation shall ensure that vehicle break over angles shall comply with Appendix 7 of the District Plan and the maximum gradient of the access shall not exceed 1(V):6(H).
  - d) The provision of stormwater management and secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 1 and 2, and no increase in run-off onto land beyond the site from the pre-development situation.
  - f) The provision of a PS1 producer statement for the rock bolting on the schist bluff above Lot 2.

#### ***To be monitored throughout earthworks***

7. The earthworks, rock bolting and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated April 2018, GeoSolve Ref: 180150).
8. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
9. No earthworks, temporary or permanent, are to breach the boundaries of the site.

#### ***New Building Platform to be registered***

10. At the time the consent is given effect to, the consent holder shall provide a 'Land Transfer Covenant Plan' showing the location of the approved building platforms (as per Southern Land plan titled 'Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town', Drawing Ref: R4182\_S2, Revision E, dated X/01/2019). The consent holder shall register this "Land Transfer Covenant Plan" on Register of Title Identifier XXX and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

#### ***Prior to the registration of the building platform on the Register of Title***



11. Prior to the building platform being registered on the Register of Title, the consent holder shall complete the following:
- a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all roads (including right of ways and access lots), water, wastewater and stormwater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The completion and implementation of all certified works detailed in Condition (6) above.
  - d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 1 and 2, and evidence of supply shall be provided to Council's Subdivision Inspector.
  - e) The provision of certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
  - f) The provision of a PS4 producer statement for the rock bolting on the schist bluff above Lot 2.
  - 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 net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
  - h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
  - i) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
  - j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
  - k) The firefighting water supply for the existing residential unit within Lot 1 shall be designed by a suitably qualified Fire Engineer and upgraded to comply with *Appendix B - Alternative Firefighting Water Sources, SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* prior to subdivision completion. The consent holder shall demonstrate approval has been obtained for the alternative solution from the Fire and Emergency New Zealand Fire Risk Management Officer.

### **Ongoing Conditions/Covenants**

12. In the event that the Engineering Acceptance issued under Condition (6) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a Covenant in Gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

*[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed*

*engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].*

13. At the time that the building platform is registered on the Register of Title for the site, the consent holder shall register the following conditions as a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 for works to be carried out at the time a residential unit is proposed:

- 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 building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
  - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
  - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
- c) At the time a residential unit is erected within Lots 1 and 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by GeoSolve Ltd, dated 4/07/2018 and . The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

Or

The lot owner for the time being shall connect to Council's wastewater reticulation via a low pressure pumping connection. All necessary easements will need to be obtained and approval shall be obtained for the connection prior to being made. The costs of the connections shall be borne by the consent holder.

- d) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. Written approval from Fire and Emergency New Zealand Fire Risk Management Officer shall be obtained for the alternative solution and the 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.

Kind Regards

Lyn

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**Lyn Overton** (BSurv, ANZIS) | Senior Land Development Engineer

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QUEENSTOWN  
LAKES DISTRICT  
COUNCIL

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## **APPENDIX 6 - QLDC ASSESSMENT MATTERS**

## **Relevant Assessment Matters – Operative District Plan**

Assessment Matter 5.4.2.2(1) Outstanding Natural Features is relevant to this site. Council is directed to have regard to the following:

(a) Effects on openness of landscape

In considering whether the proposed development will maintain the openness of those outstanding natural landscapes and features which have an open character at present when viewed from public roads and other public places, the following matters shall be taken into account:

- (i) whether the subject land is within a broadly visible expanse of open landscape when viewed from any public road or public place;
- (ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;
- (iii) whether the site is defined by natural elements such as topography and/or vegetation which may contain and mitigate any adverse effects associated with the development.

(b) Visibility of development

In considering the potential visibility of the proposed development and whether the adverse visual effects are minor, the Council shall be satisfied that:

- (i) the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places 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 will not be visually prominent such that it dominates or detracts from public or private views otherwise characterised by natural landscapes; and
  - (iii) the proposal can be appropriately screened or hidden from view by any proposed form of artificial screening, being limited to earthworks and/or new planting which is appropriate in the landscape, in accordance with Policy 4.2.5.11 (b).
  - (iv) any artificial screening or other mitigation will detract from those existing natural patterns and processes within the site and surrounding landscape or otherwise adversely affect the natural landscape character; and
  - (v) the proposed development is not likely to adversely affect the appreciation of landscape values of the wider landscape (not just the immediate landscape).
  - (vi) the proposal does not reduce neighbours' amenities significantly.
- (c) Visual coherence and integrity of landscape

In considering whether the proposed development will adversely affect the visual coherence and integrity of the landscape and whether these effects are minor, the Council must be satisfied that:

- (i) structures will not be located where they will break the line and form of any ridges, hills and any prominent slopes;
  - (ii) any proposed roads, earthworks and landscaping will not affect the naturalness of the landscape;
  - (iii) any proposed new boundaries will not give rise to artificial or unnatural lines or otherwise adversely (such as planting and fence lines) affect the natural form of the landscape.
- (d) Nature Conservation Values

In considering whether the proposed development will adversely affect nature conservation values and whether these effects are minor with respect to any ecological systems and other nature conservation values, the Council must be satisfied that:

- (i) the area affected by the development proposed in the application does not contain any indigenous ecosystems including indigenous vegetation, wildlife habitats and wetlands or geological or geomorphological feature of significant value;
  - (ii) the development proposed will not have any adverse effects that are more than minor on these indigenous ecosystems and/or geological or geomorphological feature of significant value;
  - (iii) the development proposed will avoid the establishment of introduced vegetation that have a high potential to spread and naturalise (such as wilding pines or other noxious species).
- (e) Cumulative effects of development on the landscape

In considering the potential adverse cumulative effects of the proposed development on the natural landscape with particular regard to any adverse effects on the wider values of the outstanding natural landscape or feature will be no more than minor, taking into account:

- (i) whether and to what extent existing and potential development (ie. existing resource consent or zoning) may already have compromised the visual coherence and naturalness of the landscape;

- (ii) where development has occurred, whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature such that the existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;
  - (iii) whether, and to what extent the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;
  - (iv) whether these elements in (iii) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;
  - (v) where development has occurred or there is potential for development to occur (ie. existing resource consent or zoning), whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature.
- (f) Positive Effects

In considering whether there are any positive effects in relation to remedying or mitigating the continuing adverse effects of past inappropriate subdivision and/or development, the following matters shall be taken into account:

- (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (f) above which has been compromised by past subdivision and/or development;
  - (ii) whether the proposed activity provides for the retention and/or re- establishment of native vegetation and their appropriate management, particularly where native revegetation has been cleared or otherwise compromised as a result of past subdivision and/or development;
  - (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape, particularly where open space has been compromised by past subdivision and/or development;
  - (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential adverse effects (ie. structures or development anticipated by existing resource consents) by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;
- (g) Other Matters

In addition to consideration of the positive effects (i) - (iv) in (f) above, the following matters shall be taken into account, but considered with respect to those matters listed in (a) to (e) above:

- (i) the ability to take esplanade reserves to protect the natural character and nature conservation values around the margins of any lake, river, wetland or stream within the subject site;
- (ii) the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise those positive effects referred to in (f) (i) - (v) above and/or to ensure that the potential for future effects, particularly cumulative effects, are avoided.

Assessment Matter 5.4.2.3(iv) all buildings is relevant to this site. Council is directed to have regard to the following:

- (a) The extent to which the location of buildings and associated earthworks, access and landscaping breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (b) Whether the external appearance of buildings is appropriate within the rural context.

#### **Relevant Assessment Matters – Proposed District Plan**

21.21.1.1 In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond the boundary of the site the subject of application.

21.21.1.2 Existing vegetation that:

- 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 proposed development from roads or other public places, shall not be considered:
  - i. 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
  - ii. as part of the permitted baseline.

21.21.1.3 Effects on landscape quality and character

In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:

- a. physical attributes:
  - i. geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;
  - ii. vegetation (exotic and indigenous);
  - iii. the presence of waterbodies including lakes, rivers, streams, wetlands.
- b. visual attributes:
  - i. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;
  - ii. aesthetic values including memorability and naturalness;
  - iii. transient values including values at certain times of the day or year;
  - iv. human influence and management – settlements, land management patterns, buildings, roads.
- c. Appreciation and cultural attributes:
  - i. Whether the elements identified in (a) and (b) are shared and recognised;
  - ii. Cultural and spiritual values for tangata whenua;
  - iii. Historical and heritage associations.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.
- d. In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the proposed



development accords with or degrades landscape quality and character, and to what degree.

- e. any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.

#### 21.21.1.4 Effects on visual amenity

In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity, values the Council shall be satisfied that:

- a. the extent to which the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places. 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, cycling, equestrian and other means of access;
- b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;
- c. the proposal will be appropriately screened or hidden from view by elements that are in keeping with the character of the landscape;
- d. the proposed development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);
- e. structures will not be located where they will break the line and form of any ridges, hills and slopes;
- f. any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity of the landscape.

#### 21.21.1.5 Design and density of Development

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;
- c. development, including access, is located within the parts of the site where it would be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where it has the least impact on landscape character.

#### 21.21.1.6 Cumulative effects of subdivision and development on the landscape

Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may already have degraded:

- a. the landscape quality or character; or,
- b. the visual amenity values of the landscape.

The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character, or visual amenity values.

#### 21.21.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.

#### 21.21.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are

consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.

21.21.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

- a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;
- b. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;
- c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
- d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
- e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;
- f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.

## **APPENDIX 7 - QLDC ODP AND PDP OBJECTIVES AND POLICIES**

## **OPERATIVE DISTRICT PLAN**

### **Relevant Objectives and Policies – Section 4**

#### **4.1.4 Objectives and Policies**

##### **Objective 1 - Nature Conservation Values**

*The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.*

*Improved opportunity for linkages between the habitat communities.*

*The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.*

*The protection of outstanding natural features and natural landscapes.*

*The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.*

*The protection of the habitat of trout and salmon.*

##### **Policies:**

- 1.1 To encourage the long-term protection of indigenous ecosystems and geological features.
- 1.2 To promote the long term protection of sites and areas with significant nature conservation values.
- 1.4 To encourage the protection of sites having indigenous plants or animals or geological or geomorphological features of significant value.
- 1.5 To avoid the establishment of, or ensure the appropriate location, design and management of, introduced vegetation with the potential to spread and naturalise; and to encourage the removal or management of existing vegetation with this potential and prevent its further spread.
- 1.6 To allow development which maintains or enhances the quality of the environment in areas identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of outstanding significance to the nation.
- 1.7 To avoid any adverse effects of activities on the natural character of the District's environment and on indigenous ecosystems; by ensuring that opportunities are taken to promote the protection of indigenous ecosystems, including at the time of resource consents.
- 1.10 To maintain and, if possible, enhance the survival chances of rare, vulnerable or endangered species in the District.
- 1.11 Encouraging the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.
- 1.12 To maintain the site-specific, geological and geomorphological features that are of scientific importance.
- 1.13 To maintain or enhance the natural character and nature conservation values of the beds and margins of the lakes, rivers and wetlands.
- 1.17 To encourage the retention and planting of trees, and their appropriate maintenance.
- 1.19 To identify for inclusion in Appendix 5, areas of significant indigenous vegetation and significant habitats of indigenous fauna.

#### **4.2.5 Objective and Policies Landscape and Visual Amenity**

##### **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.

### **5. Outstanding Natural Features**

- To avoid subdivision and/or development on and in the vicinity of distinctive landforms and landscape features, including:
  - (a) in Wakatipu; the Kawarau, Arrow and Shotover Gorges; Peninsula, Queenstown, Ferry, Morven and Slope hills; Lake Hayes; Hillocks; Camp Hill; Mt Alfred; Pig, Pigeon and Tree Islands;
- unless the subdivision and/or development will not result in adverse effects which will be more than minor on:
  - (i) Landscape values and natural character; and
  - (ii) Visual amenity values
- recognising and providing for:
  - (iii) The desirability of ensuring that buildings and structures and associated roading plans and boundary developments have a visual impact which will be no more than minor in the context of the outstanding natural feature, that is, the building etc is reasonably difficult to see;
  - (iv) The need to avoid further cumulative deterioration of the outstanding natural features;
  - (v) The importance of protecting the naturalness and enhancing the amenity values of views from public places and public roads;
  - (vi) The essential importance in this area of protecting and enhancing the naturalness of the landscape.

### **6. Urban Development**

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

### **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.

## 9. Structures

To preserve the visual coherence of:

- (a) outstanding natural landscapes and features and visual amenity landscapes by:
  - encouraging structures which are in harmony with the line and form of the landscape;
  - avoiding, remedying or mitigating any adverse effects of structures on the skyline, ridges and prominent slopes and hilltops;
  - encouraging the colour of buildings and structures to complement the dominant colours in the landscape;
  - encouraging placement of structures in locations where they are in harmony with the landscape;
  - promoting the use of local, natural materials in construction.
- (b) visual amenity landscapes
  - by screening structures from roads and other public places by vegetation whenever possible to maintain and enhance the naturalness of the environment; and
- (c) All rural landscapes by
  - limiting the size of signs, corporate images and logos
  - providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads.

## 11. Forestry and Amenity Planting

Subject to policy 16, to maintain the existing character of openness in the relevant outstanding natural landscapes and features of the district by:

- (a) encouraging forestry and amenity planting to be consistent with patterns, topography and ecology of the immediate landscape.
- (b) encouraging planting to be located so that vegetation will not obstruct views from public roads and discouraging linear planting near boundaries of public roads.

## 15. Retention of Existing Vegetation

To maintain the visual coherence of the landscape and to protect the existing levels of natural character by:

- (a) Encouraging the retention of existing indigenous vegetation in gullies and along watercourses;
- (b) Encouraging maintenance of tussock grass-lands and other nature ecosystems in outstanding natural landscapes.

## 16. Wilding Trees

To minimise the adverse effect of wilding trees on the landscape by:

- supporting and encouraging co-ordinated action to control existing wilding trees and prevent further spread.

## 17. Land Use

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

#### **4.8.3 Objectives and Policies**

##### **Objective 1**

*Avoid or mitigate loss of life, damage to assets or infrastructure, or disruption to the community of the District, from natural hazards.*

##### **Policies:**

- 1.1 To increase community awareness of the potential risk of natural hazards, and the necessary emergency responses to natural hazard events.
- 1.2 To continually develop and refine a hazards register in conjunction with the Otago Regional Council, as a basis for Council decisions regarding subdivision and building development.
- 1.3 In conjunction with the Otago Regional Council to continually assess the need for additional protection measures either through the District Plan or as protection works.
- 1.4 To ensure buildings and developments are constructed and located so as to avoid or mitigate the potential risk of damage to human life, property or other aspects of the environment.
- 1.5 To ensure that within the consent process any proposed developments have an adequate assessment completed to identify any natural hazards and the methods used to avoid or mitigate a hazard risk.
- 1.6 To discourage subdivision in areas where there is a high probability that a natural hazard may destroy or damage human life, property or other aspects of the environment.
- 1.7 To avoid or mitigate the likelihood of destruction or damage to residential units and other buildings constructed or relocated into flood risk areas.

#### **4.9.3 Objectives and Policies**

##### **Objective 1 - Natural Environment and Landscape Values**

*Growth and development consistent with the maintenance of the quality of the natural environment and landscape values.*

##### **Policies**

- 1.1 To ensure new growth occurs in a form which protects the visual amenity, avoids urbanisation of land which is of outstanding landscape quality, ecologically significant, or which does not detract from the values of margins of rivers and lakes.
- 1.2 To ensure growth does not adversely affect the life supporting capacity of soils unless the need for this protection is clearly outweighed by the protection of other natural or physical resources or important amenity values.

#### **Relevant Objectives and Policies – Section 5**

##### **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.
- 2.3 Encourage the long-term retention of the capabilities of the District's soils through research and dissemination of relevant information to the community.
- 2.4 Encourage land management practices and activities, which avoid, remedy or mitigate adverse effects on soil and vegetation cover.
- 2.5 Encourage land users to monitor the condition of vegetation on their land by providing information and assistance, where practicable.

## **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.
- 3.4 To encourage intensive and factory farming away from Rural Residential, Rural Lifestyle, Urban, Residential, or Business Zones, in order to minimise the potential for conflict between these zones.
- 3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.

## **Relevant Objectives and Policies – Section 15**

### **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:**

- 1.1 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.
- 1.3 To achieve provision of pedestrian, cycle and amenity linkages, where useful linkages can be developed.



- 1.4 To avoid or mitigate any adverse visual and physical effects of subdivision and development roading on the environment.
- 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.
- 1.8 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.
- 1.11 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.

## **Relevant Objectives and Policies – Section 22**

### **Objective 1**

*Enable earthworks that are part of subdivision, development, or access, provided that they are undertaken in a way that avoids, remedies or mitigates adverse effects on communities and the natural environment.*

#### **Policies:**

- 1.1 Promote earthworks designed to be sympathetic to natural topography where practicable, and that provide safe and stable building sites and access with suitable gradients.
- 1.2 Use environmental protection measures to avoid, remedy or mitigate adverse effects of earthworks.
- 1.3 Require remedial works and re-vegetation to be implemented in a timely manner.
- 1.4 Avoid, remedy or mitigate the long term adverse effects of unfinished projects.
- 1.5 Recognise that earthworks associated with infrastructure can positively contribute to the social and economic wellbeing and the health and safety of people and communities within the District.

### **Objective 2**

*Avoid, remedy or mitigate the adverse effects of earthworks on rural landscapes and visual amenity areas.*

#### **Policies:**

- 2.1 Avoid, where practicable, or remedy or mitigate adverse effects of earthworks on Outstanding Natural Features and Outstanding Natural Landscapes.
- 2.2 Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.
- 2.3 Ensure cuts and batters are sympathetic to the line and form of the landscape.
- 2.4 Ensure remedial works and re-vegetation mitigation are effective, taking into account altitude and the alpine environment.

## **PROPOSED DISTRICT PLAN – STAGE 1**

### **Relevant Objectives and Policies – Chapter 3 Strategic Directions**

#### **Strategic Objectives**

- 3.2.1 *The development of a prosperous, resilient and equitable economy in the District.*
  - 3.2.1.7 *Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled.*

- 3.2.1.8 *Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained.*
- 3.2.4 *The distinctive natural environments and ecosystems of the District are protected.*
  - 3.2.4.1 *Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.*
  - 3.2.4.2 *The spread of wilding exotic vegetation is avoided.*
  - 3.2.4.3 *The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved or enhanced.*
- 3.2.5 *The retention of the District's distinctive landscapes.*
  - 3.2.5.1 *The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.*
- 3.2.6 *The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.*
- 3.2.7 *The partnership between Council and Ngāi Tahu is nurtured.*

### **Strategic Policies**

- 3.3.17 *Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna, as Significant Natural Areas on the District Plan maps (SNAs).*
- 3.3.18 *Protect SNAs from significant adverse effects and ensure enhanced indigenous biodiversity outcomes to the extent that other adverse effects on SNAs cannot be avoided or remedied.*
- 3.3.22 *Provide for rural living opportunities in the areas identified on the District Plan maps as appropriate for rural living developments.*
- 3.3.24 *Ensure that cumulative effects of new subdivision and development for the purposes of rural living does not result in the alteration of the character of the rural environment to the point where the area is no longer rural in character.*
- 3.3.26 *That subdivision and/or development be designed in accordance with best practice land use management so as to avoid or minimise adverse effects on the water quality of lakes, rivers and wetlands in the District.*
- 3.3.29 *Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps.*
- 3.3.30 *Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are more than minor and or not temporary in duration.*

### **Relevant Objectives and Policies – Chapter 6 Landscapes**

#### **Policies**

- 6.3.1 *Classify the Rural Zoned landscapes in the District as:*
  - *Outstanding Natural Feature (ONF)*

- Outstanding Natural Landscape (ONL)
  - Rural Landscape Classification (RLC)
- 6.3.4 Avoid urban development and subdivision to urban densities in the rural zones.
- 6.3.5 Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.
- 6.3.7 Enable continuation of the contribution low-intensity pastoral farming on large landholdings makes to the District's landscape character.
- 6.3.8 Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.
- 6.3.9 Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.
- 6.3.10 Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes adjacent to Outstanding Natural Features does not have more than minor adverse effects on the landscape quality, character and visual amenity of the relevant Outstanding Natural Feature(s).
- 6.3.11 Encourage any landscaping to be ecologically viable and consistent with the established character of the area.
- 6.3.12 Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application.
- 6.3.13 Ensure that the protection of Outstanding Natural Features and Outstanding Natural Landscapes includes recognition of any values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to tangata whenua, including tōpuni and wahi tūpuna.
- 6.3.14 Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities that may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.
- 6.3.16 Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present.

## **Relevant Objectives and Policies – Chapter 21 Rural**

### **Objective 21.2.1**

*A range of land uses, including farming and established activities, are enabled 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.
- 21.2.1.3 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 them 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 views of 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.
- 21.2.1.9 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

#### **Objective 21.2.2**

*The life supporting capacity of soils is sustained.*

#### **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.
- 21.2.2.3 Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of identified wilding exotic trees with the potential to spread and naturalise.

#### **Objective 21.2.4**

*Manage situations where sensitive activities conflict with existing and anticipated activities in the Rural Zone.*

#### **Policies**

- 21.2.4.1 New activities must recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are reasonably expected to occur and will be noticeable to residents and visitors in rural areas.
- 21.2.4.2 Control the location and type of non-farming activities in the Rural Zone, so as to minimise conflict between permitted and established activities and those that may not be compatible with such activities.

### **Relevant Objectives and Policies – Chapter 27 Subdivision**

#### **Objective 27.2.1**

*Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.*

#### **Policies**

- 27.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.
- 27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, 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 for the anticipated land use under the applicable zone provisions.

- 27.2.1.4 Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:
- a. desirable urban design outcomes;
  - b. greater efficiency in the development and use of the land resource;
  - c. affordable or community housing.
- 27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.
- 27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.

#### **Objective 27.2.2**

*Subdivision design achieves benefits for the subdivider, future residents and the community.*

#### **Policies**

- 27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.

#### **Objective 27.2.4**

*Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.*

#### **Policies**

- 27.2.4.1 Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.
- 27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage features and other protected items scheduled or identified in the District Plan.
- 27.2.4.3 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to maori culture and traditions in relation to ancestral lands, water, sites, wāhi tapu and other taonga.
- 27.2.4.4 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:
- a. whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
  - b. where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.

#### **Objective 27.2.5**

*Infrastructure and services are provided to new subdivisions and developments.*

#### **Policies**

- 27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and



cycling. For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.

- 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.
- 27.2.5.3 Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.
- 27.2.5.4 Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.
- 27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:
  - a. the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;
  - b. the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;
  - c. the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;
  - d. the provision and vesting of corner splays or rounding at road intersections;
  - e. the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;
  - f. the provision of appropriate tree planting within roads;
  - g. any requirements for widening, formation or upgrading of existing roads;
  - h. any provisions relating to access for future subdivision on adjoining land;
  - i. the provision and location of public transport routes and bus shelters.

Water supply, stormwater, wastewater

- 27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

Water

- 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.
- 27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.
- 27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.
- 27.2.5.10 Ensure appropriate water supply,
  - a. the availability, quantity, quality and security of the supply of water to the lots being created;
  - b. water supplies for fire fighting purposes;
  - c. the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;

- d. any initiatives proposed to reduce water demand and water use.

#### Stormwater

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

- a. any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
- b. the capacity of existing and proposed stormwater systems;
- c. the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
- d. the location, scale and construction of stormwater infrastructure;
- e. the effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.

27.2.5.12 Encourage subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of wetlands and waterways.

#### Wastewater

27.2.5.13 Treat and dispose of sewage in a manner that:

- a. maintain public health;
- b. avoids adverse effects on the environment in the first instance; and
- c. where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.

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

- a. the method of sewage treatment and disposal;
- b. the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- c. 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.

#### Energy Supply and Telecommunications

27.2.5.16 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:

- a. providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
- b. ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;
- c. 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.

## Easements

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 of both the land and easement.

## **Relevant Objectives and Policies – Chapter 33 Indigenous Vegetation**

### **Objective 33.2.1**

*Indigenous biodiversity is protected, maintained and enhanced.*

#### Policies

33.2.1.1 Identify the District's Significant Natural Areas, including the ongoing identification of Significant Natural Areas through the resource consent process, using the criteria set out in Policy 33.2.1.8, and schedule them in the District Plan to assist with their management for protection.

33.2.1.3 Have regard to and take into account the values off tangata whenua and kaitiakitanga.

33.2.1.4 Encourage the long-term protection of indigenous vegetation and in particular Significant Natural Areas by encouraging land owners to consider non-regulatory methods such as open space covenants administered under the Queen Elizabeth II National Trust Act 1977.

33.2.1.5 Undertake activities involving the clearance of indigenous vegetation in a manner that ensures the District's indigenous biodiversity is protected, maintained or enhanced.

33.2.1.6 Manage the adverse effects of activities on indigenous biodiversity by:

- a. avoiding adverse effects as far as practicable and, where total avoidance is not practicable, minimising adverse effects;
- b. requiring remediation where adverse effects cannot be avoided;
- c. requiring mitigation where adverse effects on the areas identified above cannot be avoided or remediated;
- d. requiring any residual adverse effects on significant indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values, having particular regard to:
  - i. limits to biodiversity offsetting due the affected biodiversity being irreplaceable or vulnerable;
  - ii. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;
  - iii. Schedule 33.8 – Framework for the use of Biodiversity Offsets;
- e. enabling any residual adverse effects on other indigenous vegetation or indigenous fauna to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to:
  - i. the ability of a proposed offset to demonstrate it can achieve no net loss or preferably a net gain;
  - ii. Schedule 33. 8 – Framework for the use of Biodiversity Offsets.

33.2.1.7 Protect the habitats of indigenous fauna, and in particular, birds in wetlands, beds of rivers and lakes and their margins for breeding, roosting, feeding and migration.

33.2.1.8 Determine the significance of areas of indigenous vegetation and habitats of indigenous fauna by applying the following criteria:

a. Representativeness

Whether the area is an example of an indigenous vegetation type or habitat that is representative of that which formerly covered the Ecological District;

OR

b. Rarity

Whether the area supports;

- i. indigenous vegetation and habitats within originally rare ecosystems;
- ii. indigenous species that are threatened, at risk, uncommon, nationally or within the ecological district;
- iii. indigenous vegetation or habitats of indigenous fauna that has been reduced to less than 10% of its former extent, regionally or within a relevant Land Environment or Ecological District;

OR

c. Diversity and Pattern

Whether the area supports a highly diverse assemblage of indigenous vegetation and habitat types, and whether these have a high indigenous biodiversity value including:

- i. indigenous taxa;
- ii. ecological changes over gradients;

OR

d. Distinctiveness

Whether the area supports or provides habitats for indigenous species:

- i. at their distributional limit within Otago or nationally;
- ii. are endemic to the Otago region;
- iii. are distinctive, of restricted occurrence or have developed as a result of unique environmental factors;

OR

e. Ecological Context

The relationship of the area with its surroundings, including whether the area proposed to be cleared:

- i. has important connectivity value allowing dispersal of indigenous fauna between different areas;
- ii. has an important buffering function to protect values of an adjacent area or feature;
- iii. is important for indigenous fauna during some part of their life cycle.

**Objective 33.2.2**

*Significant Natural Areas are protected, maintained and enhanced.*

**Policies**

- 33.2.2.1 Avoid the clearance of indigenous vegetation within scheduled Significant Natural Areas, and those other areas that meet the criteria in Policy 33.2.1.8, that would reduce indigenous biodiversity values.
- 33.2.2.2 Allow the clearance of indigenous vegetation within Significant Natural Areas only in exceptional circumstances and ensure that clearance is undertaken in a manner that retains the indigenous biodiversity values of the Significant Natural Area.
- 33.2.2.3 Provide for small scale, low impact indigenous vegetation removal to enable the maintenance of existing fences and tracks in recognition that the majority of Significant Natural Areas are located within land used for rural activities.

### **Objective 33.2.3**

*Land use and development maintains indigenous biodiversity values.*

### **Policies**

- 33.2.3.1 Ensure the clearance of indigenous vegetation within the margins of water bodies does not reduce natural character and indigenous biodiversity values, or create erosion.
- 33.2.3.2 Encourage opportunities to remedy adverse effects through the retention, rehabilitation or protection of the same indigenous vegetation community elsewhere on the site.
- 33.2.3.3 Encourage the retention and enhancement of indigenous vegetation including in locations that have potential for regeneration, or provide stability, and particularly where productive values are low, or in riparian areas or gullies.
- 33.2.3.4 Have regard to any areas in the vicinity of the indigenous vegetation proposed to be cleared, that constitute the same habitat or species which are protected by covenants or other formal protection mechanisms.

## **PROPOSED DISTRICT PLAN – STAGE 2**

### **Relevant Objectives and Policies – Chapter 25 Earthworks**

### **Objective 25.2.1**

*Earthworks are undertaken in a manner that minimises adverse effects on the environment and maintains landscape and visual amenity values.*

### **Policies:**

- 25.2.1.1 Ensure earthworks minimises erosion, land instability, and sediment generation and off -site discharge during construction activities associated with subdivision and development.
- 25.2.1.2 Protect the following valued resources including those that are identified in the District Plan from the inappropriate adverse effects of earthworks:
  - a. Outstanding Natural Features and Landscapes;
  - b. the amenity values of Rural Landscapes and other identified amenity landscapes;
  - c. significant Natural Areas and the margins of lakes, rivers and wetlands;
  - d. the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wanaka Basin and Cardrona alluvial ribbon aquifers;  
**Advice note:** These aquifers are identified in the Otago Regional Plan: Water for Otago 2004.
  - e. the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu,
  - f. and other taonga;
  - g. heritage sites, precincts and landscape overlays; and
  - h. public access to and along lakes and rivers.

- 25.2.1.3 Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.
- 25.2.1.4 Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.
- 25.2.1.5 Design earthworks to recognise the constraints and opportunities of the site and environment.

## **Objective 25.2.2**

*The social, cultural and economic well being of people and communities benefit from earthworks while being protected from adverse effects.*

### **Policies:**

- 25.2.2.1 Subject to Objective 25.2.1, enable earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of:
  - a. Nationally and Regionally Significant Infrastructure;
  - b. tourism infrastructure including the continued operation, and provision for future sensitive development of recreation and tourism activities within the Ski Area Sub Zones and the vehicle testing facility within the Wairau Ski Area Sub Zone;
  - c. minimising the risk of natural hazards;
  - d. enhancing the operational efficiency of farming including maintenance and improvement of track access and fencing; and
  - e. the use and enjoyment of land for recreation, including public walkways and trails.
- 25.2.2.2 Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites.
- 25.2.2.3 Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects.
- 25.2.2.4 Undertake processes to avoid adverse effects on cultural heritage, including wāhi tapu, taonga, and archaeological sites, or where these cannot be avoided, effects are remedied or mitigated.
- 25.2.2.5 Manage the potential adverse effects arising from exposing or disturbing accidentally discovered material by following the Accidental Discovery Protocol in Schedule 25.10.
- 25.2.2.6 Ensure that earthworks that generate traffic movements maintain the safety of roads and accesses, and do not degrade the amenity and quality of surrounding land.
- 25.2.2.7 Ensure that earthworks minimises natural hazard risk to people, communities and property, in particular earthworks undertaken to facilitate land development or natural hazard mitigation.



## **APPENDIX 8 - OTAGO REGIONAL POLICY STATEMENT OBJECTIVES AND POLICIES**

## **1. Partially Operative Regional Policy Statement (1998): Relevant Objectives and Policies**

### **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.
- 5.4.4 To ensure that public access opportunities exist in respect of activities utilising Otago's natural and physical land features.
- 5.4.5 To promote the sustainable management of Otago's mineral resources in order to meet the present and reasonably foreseeable needs of Otago's communities.

### **5.5 Policies**

- 5.5.1 To recognise and provide for the relationship Kai Tahu have with Otago's land resource through:
- (a) Establishing processes that allow the existence of heritage sites, waahi tapu and waahi taoka to be taken into account when considering the subdivision, use and development of Otago's land resources; and
  - (b) Protecting, where practicable, archaeological sites from disturbance; and
  - (c) Notifying the appropriate runanga of the disturbance of any archaeological site and avoiding, remedying, or mitigating any effect of further disturbance until consultation with the kaitiaki runanga has occurred.
- 5.5.2 To promote the retention of the primary productive capacity of Otago's existing high class soils to meet the reasonably foreseeable needs of future generations and the avoidance of uses that have the effect of removing those soils or their life-supporting capacity and to remedy or mitigate the adverse effects on the high class soils resource where avoidance is not practicable.
- 5.5.3 To maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, among other adverse effects:
- (a) Reduce the soil's life-supporting capacity
  - (b) Reduce healthy vegetative cover
  - (c) Cause soil loss
  - (d) Contaminate soils
  - (e) Reduce soil productivity
  - (f) Compact soils
  - (g) Reduce soil moisture holding capacity.
- 5.5.4 To promote the diversification and use of Otago's land resource to achieve sustainable landuse 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.
- 5.5.7 To promote the provision of public access opportunities to natural and physical land features throughout the Otago region except where restriction is necessary:
- (i) To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or
  - (ii) To protect Maori cultural values; or
  - (iii) To protect public health or safety; or
  - (iv) To ensure a level of security consistent with the purpose of a resource consent or in circumstances where safety and security concerns require exclusive occupation; or
  - (v) In other exceptional circumstances sufficient to justify the restriction notwithstanding the importance of maintaining that access.

#### **10.4 Objectives**

- 10.4.1 To maintain and enhance the life-supporting capacity and diversity of Otago's biota.
- 10.4.2 To protect Otago's natural ecosystems and primary production from significant biological and natural threats.
- 10.4.3 To maintain and enhance the natural character of areas with significant indigenous vegetation and significant habitats of indigenous fauna.

#### **Policies**

- 10.5.2 To maintain and where practicable enhance the diversity of Otago's significant indigenous vegetation and the significant habitat of indigenous fauna, trout and salmon which are:
- (a) Covered under a statute or covenant for protection; or
  - (b) Habitat or vegetation that support the maintenance or recovery of indigenous species that are uncommon or threatened with extinction (rare, vulnerable or endangered) regionally or nationally; or
  - (c) Vegetation that contains associations of indigenous species which are rare or representative regionally or nationally; or
  - (d) Vegetation that contains a substantially intact, uninterrupted ecological sequence of indigenous species which are rare or representative regionally or nationally; or
  - (e) Important for soil and water values or have functions in natural hazard mitigation; and to promote and encourage, where practicable, the retention, enhancement and re-establishment of indigenous ecosystems within Otago.

#### **11.4 Objectives**

- 11.4.2 To avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels.

#### **11.5 Policies**

- 11.5.2 To take action necessary to avoid or mitigate the unacceptable adverse effect of natural hazards and the responses to natural hazards on:

- (a) Human life; and
- (b) Infrastructure and property; and
- (c) Otago's natural environment; and
- (d) Otago's heritage sites.

11.5.3 To restrict development on sites or areas recognised as being prone to significant hazards, unless adequate mitigation can be provided.

## **2. Partially Operative Regional Policy Statement (2019): Objectives and Policies**

The Regional Policy statement is currently under review and proposed changes were notified on the 23 May 2015. The Otago Regional Council released its decision on 1 October 2016 and is currently under appeal. However the Consent has signed a number of Consent Orders, the changes in which have been included in these provisions.

Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management decisions

Objective 2.2 Kāi Tahu values, rights and interests and customary resources are recognised and provided for

Objective 3.1 The functions and values of Otago's ecosystems and natural resources are recognised, maintained or enhanced where degraded.

Policy 3.1.9 Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to:

- a) Maintain or enhance:
  - i. Ecosystem health and indigenous biological diversity including habitats of indigenous fauna;
  - ii. Biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;
- b) Maintain or enhance as far as practicable:
  - i. Areas of predominantly indigenous vegetation;
  - ii. Habitats of trout and salmon unless detrimental to indigenous biological diversity;
  - iii. Areas buffering or linking ecosystems
- c) Recognise and provide for:
  - i. Hydrological services, including the services provided by tall tussock grassland;
  - ii. Natural resources and processes that support indigenous biological diversity;
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread

Policy 3.1.11 Recognise the values of natural features, landscapes and seascapes are derived from the biophysical, sensory and associative attributes in Schedule 3.

Policy 3.1.13 Encourage, facilitate and support activities that contribute to the resilience and enhancement of the natural environment, by where applicable:

- a) Improving water quality and quantity;
- b) Protecting or restoring habitat for indigenous species;
- c) Regenerating indigenous species;
- d) Mitigating natural hazards;
- e) Protecting or restoring wetlands;
- f) Improving the health and resilience of:
  - i. Ecosystems supporting indigenous biological diversity;
  - ii. Important ecosystem services, including pollination;

- g) Improving access to rivers, lakes, wetlands and their margins, and the coast;
- h) Buffering or linking ecosystems, habitats and areas of significance that contribute to ecological corridors;
- i) Controlling pest species.

Objective 3.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded.

Policy 3.2.1 Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna, using the attributes detailed in Schedule 4.

Policy 3.2.2 Protect and enhance areas of significant indigenous vegetation and significant habitats of indigenous fauna, by all of the following:

- b) Beyond the coastal environment, and in the coastal environment in significant areas not captured by a) above, maintaining those values that contribute to the area or habitat being significant;
- c) Avoiding significant adverse effects on other values of the area or habitat;
- d) Remedying when other adverse effects cannot be avoided;
- e) Mitigating when other adverse effects cannot be avoided or remedied ;
- f) Encouraging enhancement of those areas and values ~~which~~ that contribute to the area or habitat being significant;
- g) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

Policy 3.2.3 Identify areas and values of outstanding natural features, landscapes and seascapes, using the attributes in Schedule 3.

Policy 3.2.4 Protect, enhance or restore outstanding natural features, landscapes and seascapes, by all of the following:

- a) In the coastal environment, avoiding adverse effects on the outstanding values of the natural feature, landscape or seascape;
- b) Beyond the coastal environment, maintaining the outstanding values of the natural feature, landscape or seascape;
- c) Avoiding, remedying or mitigating other adverse effects;
- d) Encouraging enhancement of those areas and values which contribute to the significance of the natural feature, landscape or seascape.

Policy 3.2.5 Identify natural features, landscapes and seascapes, which are highly valued for their contribution to the amenity or quality of the environment but which are not outstanding, using the attributes in Schedule 3.

Policy 3.2.6 Maintain or enhance highly valued natural features, landscapes and seascapes by all of the following:

- (a) Avoiding significant adverse effects on those values that contribute to the high value of the natural feature, landscape or seascape
- (b) Avoiding, remedying or mitigating other adverse effects;
- (c) Encouraging enhancement of those values which contribute to the high value of the natural feature, landscape or seascape

Objective 4.1 Risks that natural hazards pose to Otago's communities are minimised

- Policy 4.1.4      Assess activities for natural hazard risk to people, property and communities, by considering all of the following:
- a)      The natural hazard risk identified, including residual risk;
  - b)      Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;
  - c)      The long term viability and affordability of those measures;
  - d)      Flow on effects of the risk to other activities, individuals and communities;
  - e)      The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.
- Policy 4.1.5      Manage natural hazard risk to people, property and communities, with particular regard to all of the following:
- a)      The risk posed, considering the likelihood and consequences of natural hazard events;
  - b)      The implications of residual risk;
  - c)      The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;
  - d)      Sensitivity of activities to risk.
  - e)      The need to encourage system resilience;
  - f)      The social costs of recovery

Objective 5.1      Public access to areas of value to the community is maintained or enhanced.

- Policy 5.1.1      Maintain or enhance public access to the natural environment, including to the coast, lakes, rivers and their margins and where possible areas of cultural or historic significance, unless restricting access is necessary for one or more of the following:
- a)      Protecting public health and safety;
  - b)      Protecting the natural heritage and ecosystem values of sensitive natural areas or habitats;
  - c)      Protecting identified sites and values associated with historic heritage or cultural significance to Kāi Tahu ;
  - d)      Ensuring a level of security consistent with the operational requirements of a lawfully established activity.



## **APPENDIX 9 - DRAFT CONDITIONS**

## **Subdivision Conditions**

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town' Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2

#### Rough and Milne Landscape Architect

- 'Proposed Master Plan' Job No 15102 Dwg L 1.0 Rev F Sheet 1 24/05/18
- 'Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18
- 'Proposed Lot 1 – Building Platform' Job No 15102 Dwg L 3.0 Rev C Sheet 3 03/10/18
- 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18
- 'Proposed Lot 2 – Building Platform Envelope' Job No 15102 Dwg L 5.0 Rev A Sheet 5 31/08/18
- 'Proposed Lot 2 – Earthworks Plan' Job No 15102 Dwg L 6.0 Rev 0 Sheet 6 30/08/18
- 'Proposed Lot 2 – Cross Sections' Job No 15102 Dwg L 7.0 Rev A Sheet 7 30/08/18
- 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwgs L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18

**stamped as approved on date**

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

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

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 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>

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

4. The consent holder shall provide a letter to the Manager of Resource Management Engineering 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 work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 8m into the site. Wooden planks or similar shall be provided to protect the kerb from damage caused

by construction traffic movements, in accordance with 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council.

The construction traffic crossing shall be removed/upgraded in accordance with Condition 8b) on completion of works.

6. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated April 2018, GeoSolve Ref: 180150) and who shall supervise the rock bolting, excavation and fill procedure, and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) The provision of a water supply to Lots 1 and 2 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a sealed vehicle crossing that shall be constructed to Lot 2 to Council's standards. Provision shall be made to continue any roadside drainage.
  - c) The provision for a basic access formation to the building platform within Lots 2. The basic formation shall ensure that vehicle break over angles shall comply with Appendix 7 of the District Plan and the maximum gradient of the access shall not exceed 1(V):6(H).
  - d) The provision of stormwater management and secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any building platform on Lots 1 and 2, and no increase in run-off onto land beyond the site from the pre-development situation.
  - e) The formation of right of way 'C' in accordance with Figure E9 of QLDC Land Development and Subdivision Code of Practice to Council's standards. Provision shall be made for stormwater disposal.
  - f) The provision of a PS1 producer statement for the rock bolting on the schist bluff above Lot 2.
9. Prior to commencing works on site, a wilding pine eradication plan shall be submitted to the Council for certification, in order to provide on-going removal and management of pine species across the site, where practical, with specific regard to the 'Proposed Masterplan- 965 Aubrey Road, Albert Town', Plan 'L 1.0', Rev. E, dated 31/08/2018.

***To be monitored throughout earthworks***

10. The earthworks, rock bolting and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated April 2018, GeoSolve Ref: 180150).

11.

***To be monitored throughout earthworks***

13. Hours of operation for earthworks, shall be:

Monday to Saturday (inclusive): 8.00am to 6.00pm.  
Sundays and Public Holidays: No Activity

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

14. The earthworks, batter slopes and retaining shall be undertaken in accordance with the recommendations of the reports by GeoSolve Ltd (dated April 2017, GeoSolve Ref: 170173) and RDAgritech (dated 16 December 2016, Job Number 50438).
15. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
16. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
17. No earthworks, temporary or permanent, are to breach the boundaries of the site, except for the works required for the vehicle crossing.

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

18. 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.

***New Building Platform to be registered***

19. At the time the consent is given effect to, the consent holder shall provide a 'Land Transfer Covenant Plan' showing the location of the approved building platforms (as per Southern Land plans titled *Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town* Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register Identifier 8373 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

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

20. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:

- a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (8) above.
- d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 1 and 2, and evidence of supply shall be provided to Council's Subdivision Inspector.
- e) The provision of certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
- g) The provision of a PS4 producer statement for the rock bolting on the schist bluff above Lot 2.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- j) The firefighting water supply for the existing residential unit within Lot 1 shall be designed by a suitably qualified Fire Engineer and upgraded to comply with *Appendix B - Alternative Firefighting Water Sources, SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* prior to subdivision completion. The consent holder shall demonstrate approval has been obtained for the alternative solution from the Fire and Emergency New Zealand Fire Risk Management Officer.
- k) The 'Stage One' planting on Lot 2, shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018 shall be undertaken, in accordance with L 8.0, Rev.A dated 14/11/2018 and L 9.0 Rev.A dated 14/11/2018.
- l) Prior to planting in Stage One as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018, pines within this planting area shall be cleared from Lot 2.

#### Accidental Discovery Protocol

21. If the consent holder:

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

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

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
  - i) stop work within the immediate vicinity of the discovery or disturbance and;
  - ii) advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the Heritage New Zealand Pouhere Taonga Act 2014 and;
  - iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

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

22. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.



- a) All 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 building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:
  - i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
  - ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
- c) At the time a residential unit is erected within Lots 1 and 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by GeoSolve Ltd, dated 4/07/2018. The proposed wastewater system



shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

Or

The lot owner for the time being shall connect to Council's wastewater reticulation via a low pressure pumping connection. All necessary easements will need to be obtained and approval shall be obtained for the connection prior to being made. The costs of the connections shall be borne by the consent holder.

- d) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. Written approval from Fire and Emergency New Zealand Fire Risk Management Officer shall be obtained for the alternative solution and the system shall be installed prior to the occupation of the building.
- e) At the time a dwelling is constructed on Lots 1 and 2, the '*Landscape Plans*' being Plans Ref: 'L 1.0' Rev. E, dated 24/05/2018 'L 2.0' Rev. A, dated 24/05/2018 'L 3.0' Rev. B, dated 24/05/2018 and 'L 4.0' Rev.E, dated 31/08/2018 prepared by Rough and Milne shall be planted (unless planted in accordance with Condition 20K), maintained and irrigated into perpetuity. If any plant or tree should be removed, die or become diseased it shall be replaced within the next available planting season.
- f)  With the exception to the pines removed to accommodate the Stage one planting, all other wilding pines, where practical shall be managed in perpetuity, with specific regard to the 'Proposed Master Plan- 965 Aubrey Road, Albert Town', Plan 'L 1.0', Rev. E, dated 24/05/2018, in accordance with the management plan approved in Condition 9.
- g) Prior to completion of the building on Lot 2, 'Stage Two' planting, as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E, dated 31/08/2018 shall be undertaken in accordance with L 8.0, Rev.A dated 14/11/2018.
- h) All planted vegetation shown in the landscape plans (Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18; 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18; and 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwg L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18) shall be irrigated for at least two growing seasons and kept free of pests and woody weeds. If any plant should die or become diseased it will be replaced with the same species or a similar appropriate indigenous species.
- i) All exterior lighting shall be fixed no higher than 1.8 metres above finished ground level, shall be directed downwards and away from property boundaries, so that light spill beyond property boundaries does not occur.
- j) All domestic outdoor living activities shall be confined within the identified curtilage areas such as lawns, amenity gardens, car-parking, paving, decking, outdoor furniture, play equipment, vegetable patch and the like.
- k)  Prior to the construction of a dwelling on Lot 2 the lot owner shall submit to Council for certification the proposed design of the rock anchors, which shall be designed by a suitably qualified geotechnical practitioner. The certified rock anchor design shall then implemented on site.
- l) Prior to the occupation of a dwelling on Lot 1 or 2, the lot owner shall submit to Council for certification the proposed design of a domestic water and firefighting storage, to be designed and provided in accordance with the Fire Service Provisions.
- m) Future buildings on each building platform shall adhere to the following design controls:

Lot 1:

- o) The maximum footprint of all buildings within an approved platform shall be 400m<sup>2</sup>;
- p) The maximum height of buildings shall be 4.0m above 361.05masl for a length of 30m along the eastern elevation;
- q) There shall be no more than 40% glazing along the eastern elevation;
- r) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

Lot 2:

- s) Any residential building (including accessory buildings) shall be located entirely within the building envelope shown on the Rough and Milne Plan L 5.0, Rev.A, dated 31/08/2018;
- t) The maximum height for any building shall be 6.0m above 324.0masl,
- u) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

## Land Use Conditions

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town' Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2

#### Rough and Milne Landscape Architect

- 'Proposed Master Plan' Job No 15102 Dwg L 1.0 Rev F Sheet 1 24/05/18
- 'Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18
- 'Proposed Lot 1 – Building Platform' Job No 15102 Dwg L 3.0 Rev C Sheet 3 03/10/18
- 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18
- 'Proposed Lot 2 – Building Platform Envelope' Job No 15102 Dwg L 5.0 Rev A Sheet 5 31/08/18
- 'Proposed Lot 2 – Earthworks Plan' Job No 15102 Dwg L 6.0 Rev 0 Sheet 6 30/08/18
- 'Proposed Lot 2 – Cross Sections' Job No 15102 Dwg L 7.0 Rev A Sheet 7 30/08/18
- 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwgs L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18

**stamped as approved on date**

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

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

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 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>

#### **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 Manager of Resource Management Engineering 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 work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 8m into the site. Wooden planks or similar shall be provided to protect the kerb from damage caused

by construction traffic movements, in accordance with 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council.

The construction traffic crossing shall be removed/upgraded in accordance with Condition 8b) on completion of works.

6. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (dated April 2018, GeoSolve Ref: 180150) and who shall supervise the rock bolting, excavation and fill procedure, and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
8. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Certification' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) The provision of a water supply to Lots 1 and 2 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
  - b) The provision of a sealed vehicle crossing that shall be constructed to Lot 2 to Council's standards. Provision shall be made to continue any roadside drainage.
  - c) The provision for a basic access formation to the buildable areas within Lots 2. The basic formation shall ensure that vehicle break over angles shall comply with Appendix 7 of the District Plan and the maximum gradient of the access shall not exceed 1(V):6(H).
  - d) The provision of stormwater management and secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 1 and 2, and no increase in run-off onto land beyond the site from the pre-development situation.
  - e) The formation of right of way 'C' in accordance with Figure E9 of QLDC Land Development and Subdivision Code of Practice to Council's standards. Provision shall be made for stormwater disposal.
  - f) The provision of a PS1 producer statement for the rock bolting on the schist bluff above Lot 2.
9. Prior to commencing works on site, a wilding pine eradication plan shall be submitted to the Council for certification, in order to provide on-going removal and management of pine species across the site, where practical, with specific regard to the 'Proposed Masterplan- 965 Aubrey Road, Albert Town', Plan 'L 1.0', Rev. E, dated 31/08/2018.

**To be monitored throughout earthworks**

10. The earthworks, rock bolting and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (dated April 2018, GeoSolve Ref: 180150).
11. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
12. No earthworks, temporary or permanent, are to breach the boundaries of the site.

***New Building Platform to be registered***

13. At the time the consent is given effect to, the consent holder shall provide a 'Land Transfer Covenant Plan' showing the location of the approved building platforms (as per Southern Land plans titled *Lots 1 & 2 Being a Proposed Subdivision of Lot 5 DP 406222, Aubrey Road, Albert Town* Dwg R4182\_s2 Rev E 19/09/18 Sheets 1 & 2). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register Identifier 8373 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

***Prior to the registration of the building platform on the Computer Freehold Register***

14. Prior to the building platform being registered on the Computer Freehold Register, the consent holder shall complete the following:
  - a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
  - c) The completion and implementation of all certified works detailed in Condition (8) above.
  - d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 1 and 2, and evidence of supply shall be provided to Council's Subdivision Inspector.
  - e) The provision of certification in accordance with NZS 4431:1989, for all areas of fill within the site. Note this will require supervision of the fill compaction by a chartered professional engineer.
  - f) The provision of a PS4 producer statement for the rock bolting on the schist bluff above Lot 2.
  - 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 net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
  - h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- i) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- k) The firefighting water supply for the existing residential unit within Lot 1 shall be designed by a suitably qualified Fire Engineer and upgraded to comply with *Appendix B - Alternative Firefighting Water Sources, SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice* prior to subdivision completion. The consent holder shall demonstrate approval has been obtained for the alternative solution from the Fire and Emergency New Zealand Fire Risk Management Officer.
- l) k) The 'Stage One' planting on Lot 2, shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018 shall be undertaken, in accordance with L 8.0, Rev.A dated 14/11/2018 and L 9.0 Rev.A dated 14/11/2018.
- m) l) Prior to planting in Stage One as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E dated 31/08/2018, pines within this planting area shall be cleared from Lot 2.

**To be monitored throughout earthworks**

**Ongoing Conditions/Covenant**


15. In the event that the Engineering Acceptance issued under Condition (6) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a Covenant in Gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.  
  
*[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].*
16. At the time that the building platform is registered on the Register of Title for the site, the consent holder shall register the following conditions as a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 for works to be carried out at the time a residential unit is proposed:
  - 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 building is erected on the lot, the owner for the time being shall engage a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice to design a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be subject to the review of the Manager of Resource Management Engineering at Council prior to implementation and shall be installed prior to occupation of the residential unit. This shall include:



- i) Percolation testing shall be undertaken at the individual soak pit locations to confirm soakage. A copy of the test results shall be provided to Council and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
- ii) The final design and sizing of each soak pit shall be based on the individual percolation test results and provided to Council for acceptance prior to installation of the individual soak pit infrastructure
- c) At the time a residential unit is erected within Lots 1 and 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by GeoSolve Ltd, dated 4/07/2018 and . The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the residential unit.

Or

The lot owner for the time being shall connect to Council's wastewater reticulation via a low pressure pumping connection. All necessary easements will need to be obtained and approval shall be obtained for the connection prior to being made. The costs of the connections shall be borne by the consent holder.

- d) At the time a future residential unit is constructed within the building platform on Lot 1, the lot owner for the time being shall engage a suitably qualified Fire Engineer to design an alternative fire fighting system to comply with *Appendix B of SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice*. Written approval from Fire and Emergency New Zealand Fire Risk Management Officer shall be obtained for the alternative solution and the system shall be installed prior to the occupation of the building.
- e) At the time a dwelling is constructed on Lots 1 and 2, the '*Landscape Plans*' being Plans Ref: 'L 1.0' Rev. E, dated 24/05/2018 'L 2.0' Rev. A, dated 24/05/2018 'L 3.0' Rev. B, dated 24/05/2018 and 'L 4.0' Rev.E, dated 31/08/2018 prepared by Rough and Milne shall be planted (unless planted in accordance with Condition 20K), maintained and irrigated into perpetuity. If any plant or tree should be removed, die or become diseased it shall be replaced within the next available planting season.
- f)  With the exception to the pines removed to accommodate the Stage one planting, all other wilding pines, where practical shall be managed in perpetuity, with specific regard to the 'Proposed Master Plan- 965 Aubrey Road, Albert Town', Plan 'L 1.0', Rev. E, dated 24/05/2018, in accordance with the management plan approved in Condition 9.
- g) Prior to completion of the building on Lot 2, 'Stage Two' planting, as shown on the Landscape Plan by Rough and Milne referenced 'Proposed Lot 2- Planting Plan, 965 Aubrey Road, Albert Town', L 4.0, Rev.E, dated 31/08/2018 shall be undertaken in accordance with L 8.0, Rev.A dated 14/11/2018.
- h) All planted vegetation shown in the landscape plans (Overall Vegetation Plan' Job No 15102 Dwg L 2.0 Rev B Sheet 2 03/10/18; 'Proposed Lot 2 – Landscape Plan' Job No 15102 Dwg L 4.0 Rev E Sheet 4 31/08/18; and 'Proposed Lot 2 – Planting Plan' Job No 15102 Dwgs L 8.0 and L 9.0 Rev A Sheets 8 and 9 14/11/18) shall be irrigated for at least two growing seasons and kept free of pests and woody weeds. If any plant should die or become diseased it will be replaced with the same species or a similar appropriate indigenous species.
- i) All exterior lighting shall be fixed no higher than 1.8 metres above finished ground level, shall be directed downwards and away from property boundaries, so that light spill beyond property boundaries does not occur.

- j) All domestic outdoor living activities shall be confined within the identified curtilage areas such as lawns, amenity gardens, car-parking, paving, decking, outdoor furniture, play equipment, vegetable patch and the like.
- k) Prior to the construction of a dwelling on Lot 2 the lot owner shall submit to Council for certification the proposed design of the rock anchors, which shall be designed by a suitably qualified geotechnical practitioner. The certified rock anchor design shall then implemented on site.
- l) Prior to the occupation of a dwelling on Lot 1 or 2, the lot owner shall submit to Council for certification the proposed design of a domestic water and firefighting storage, to be designed and provided in accordance with the Fire Service Provisions.
- m) Future buildings on each building platform shall adhere to the following design controls:

Lot 1:

- o) The maximum footprint of all buildings within an approved platform shall be 400m<sup>2</sup>;
- p) The maximum height of buildings shall be 4.0m above 361.05masl for a length of 30m along the eastern elevation;
- q) There shall be no more than 40% glazing along the eastern elevation;
- r) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

Lot 2:

- s) Any residential building (including accessory buildings) shall be located entirely within the building envelope shown on the Rough and Milne Plan L 5.0, Rev.A, dated 31/08/2018;
- t) The maximum height for any building shall be 6.0m above 324.0masl,
- u) Exterior cladding and roofing materials of future buildings shall be of dark and recessive colours in the range of natural browns, greys and greens, with an LVR of no greater than 20% and no less than 5% for pre-painted steel and all roofs, and an LVR of 30% for all other external surfaces.

**Recommended Advice Notes**

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.