



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

UNDER s104 RESOURCE MANAGEMENT ACT 1991

Applicant:	Nick and Lisa Millar
RM reference:	RM181225
Application:	<p>Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake a two lot subdivision and establish a residential building platform (RBP) with resulting lot being 9.10ha and 201ha respectively.</p> <p>Land use consent is also sought to establish a residential building platform within the 15m internal boundary setback, proposed to be 9.2m from the western boundary</p>
Location:	431 Maungawera Valley Road, Wanaka
Legal Description:	Part Run 800 and Section 7 Block VI Lower Wanaka Survey District and Lot 3-5 DP 22638 held in Computer freehold register OT338/97 (Future Lot 1 RM180462)
Operative Zoning:	Rural General
Proposed Zoning:	Rural
Activity Status:	Discretionary
Notification Decision:	Publicly Notified
Delegated Authority:	Richard Campion, Resource Consents Team Leader
Final Decision:	Granted Subject to Conditions
Date Decision Issued:	18 June 2019

SUMMARY OF DECISIONS

1. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Annexure 1** of this decision imposed pursuant to Section 108/220 of the RMA. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's TRIM file and responses to any queries) by Richard Campion, Resource Consents Team Leader, Resource Consenting, as delegate for the Council.

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 publicly notified on 24 January 2019.

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 Mr Richard Campion (Resource Consents Team Leader) on 18 June 2019.

3. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 5.7 of the S42A report outlines S104 of the Act in more detail.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. Section 9 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 and the proposed activity requires resource consent for the following reasons:

Subdivision

- A **controlled** activity resource consent pursuant to Rule 15.2.21.1 for earthworks associated with the subdivision of land. Council's control is respect of:
 - The nature and scale of the earthworks
 - Environmental protection measures
 - Remedial works and revegetation
 - The effects on landscape and visual amenity values
 - The effects on land stability and flooding
 - The effects on water bodies
 - The effects on cultural and archaeological sites
 - Noise.

PROPOSED DISTRICT PLAN - STAGE 1 DECISIONS

Council notified its decisions on Stage 1 of the Proposed District Plan (**Stage 1 Decisions Version 2018**) on 5 May 2018. It should be acknowledged that the Proposed District Plan 'Appeals version' has been released on 24 July 2018. Consequently, rules not under appeal are treated as operative and any previous rule as inoperative, under s86F. The subject site is zoned Rural by the Stage 1 Decisions Version 2018 and the proposed activity requires resource consent for the following reasons:

Rural

- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the identification of a building platform of not less than 70m², and not greater than 1000m². The building platform proposed on proposed Lot 1 is 700m².

- A **restricted discretionary** activity resource consent pursuant to Rule 21.5.1 as the proposed RBP) would enable the construction of a dwelling 10m into the minimum 15m setback. Council's discretion is restricted to:
 - rural amenity and landscape character;
 - privacy;
 - outlook and amenity from adjoining properties

Subdivision

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

PROPOSED DISTRICT PLAN – STAGE 2 NOTIFIED VERSION

Council notified Stage 2 of the Proposed District Plan (**Stage 2 Notified Version 2017**) on 23 November 2017. There are no rules within the **Stage 2 Notified Version 2017** that have immediate legal effect of which require resource consent.

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.

3.3 OVERALL ACTIVITY STATUS

Overall, the application is considered to be a **controlled** activity pursuant to the Operative District Plan and a **discretionary** activity pursuant to the Proposed

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:

- Landscape Matters
 - Effects on the natural and pastoral Character / Effects on the landscape quality and character.
 - Visibility of Development / Effects on visual amenity
 - Form/Design and Density of Development
 - Cumulative effects of development on the landscape / Domestication of the landscape
 - Rural amenities and reverse sensitivity/incompatible land uses
- Rural Character
- Engineering
 - Access, earthworks and hazards
 - Servicing and Infrastructure

The findings relating to these principal issues of contention are outlined in Section 7.2.2 of the attached S42A report.

6. ASSESSMENT

6.1 ACTUAL AND POTENTIAL EFFECTS (S104(1)(A))

Actual and potential effects on the environment have been addressed in Section 7.2 of the S42A report prepared for Council and provides a full assessment of the application. Where relevant conditions of consent can be imposed under section 108/220 of the RMA as required to avoid, remedy or mitigate adverse effects. A summary of conclusions of that report are outlined below:

CONCLUSION TO ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

Having considered the proposal and the findings of the landscape assessments, it is my opinion that the adverse effects of the proposed development as it relates to the natural and pastoral character/ landscape quality and character, visibility of development/visual amenity, can be appropriately mitigated to be acceptable.

Keeping the above in mind, I consider that the adverse effects of the proposed development as it relates to form/design and density of development and the cumulative effects of development on the landscape / domestication of the landscape remains at a threshold that is acceptable.

It is my opinion that the anticipated adverse environmental effects as they relate to rural amenity, reverse sensitivity, and incompatible land uses can be appropriately mitigated so as to be acceptable.

In regard to the anticipated adverse effects in relation to rural character, it is my opinion that the proposal would remain within a threshold that is considered to be acceptable.

Having reviewed the findings of the engineer report and addendum, it is my opinion that adverse effects on the environment as it relates to access provision, earthworks, natural hazards, and infrastructure and service provision can be appropriately mitigated through consent conditions so that it is acceptable.

Overall, I consider the adverse effects of the proposal to be acceptable.

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 will give effect to and be consistent with the relevant objectives and policies of both the Operative and Proposed District Plans. The proposal is also consistent with the objectives and policies of the operative and partially operative Otago RPS.

6.3 PART 2 OF THE RMA

In terms of Part 2 of the RMA, the proposal is considered to be in accordance with the purpose of the Resource Management Act 1991 as outlined in further detail in Section 9 of the S42A report.

7. DECISION ON LAND USE/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 Elias Matthee on phone (03) 450 0316 or email EJ.Matthee@qldc.govt.nz

Report prepared by



Elias Matthee
PLANNER

Decision made by



Richard Campion
RESOURCE CONSENTS TEAM LEADER

ANNEXURE 1 – Consent Conditions
ANNEXURE 2 – Section 42A Report

ANNEXURE 1 – CONSENT CONDITIONS

DECISION A: LAND USE – BUILDING PLATFORM

General Conditions

1. That the development must be undertaken/carried out in accordance with the following Plans:
 - Scheme Plan, Subdivision of Lot 1 RM180462, Plan No: W1078, Revision C, dated April 2019
 - Structural Landscape Plan, dated 18/03/19
 - Earthworks Details, Revision A, dated March 2019

stamped as approved on 18 June 2019

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

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

Landscaping

4. The approved Structural landscaping plan shall be implemented 1 year prior to construction of any building within the building platform, and the plants shall thereafter be maintained and irrigated in accordance with the plan. On-going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the approved Structural Landscape Plan. If the plants or trees should die or become diseased it shall be replaced within the next available planting season.

Engineering

General

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

6. 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.

7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and the recommendations in Section 8 of the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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.
8. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (5), to detail the following requirements:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the proposed building platform that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of the building platform, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report and letter (RDA ref 50738, dated 21 August 2018 and 10 April 2019).
 - c) The provision of an access way to the building platform that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

9. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
10. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
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 platform (as per C Hughes & Associates Ltd plan titled '*Subdivision of Lot 1 RM180462, N & L Millar, Maungawera Valley Road*', Job No. 5595, Plan No. W1078, Revision C, dated April 2019). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register 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 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 development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
 - b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
 - c) The completion and implementation of all certified works detailed in Condition (8) above.
 - d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
 - e) In the event that the test results required in Condition (14d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the development's water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
- OR
- ii) A covenant condition shall be registered on the Computer Freehold Registers for the lot, subject to the approval of Council. The covenant shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the covenant condition shall be reviewed and approved by Council's solicitors prior to registration.
 - f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform and that all the network supplier's requirements for making such means of supply available have been met.

- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.
- i) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- j) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Covenants

Advice note: In the event that the RM181125 subdivision consent 224c application is lodged for the development prior to the registration of the building platform for this land use consent, then covenant conditions may be addressed by way of an alternative effective legal instrument such as a consent notice, rather than a s108 covenant.

15. At the time that the building platform is registered on the Computer Freehold Register 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) Any future building within the building platform will have a maximum finished level of 366.5m as per the Earthworks Plan prepared by C. Hughes & Associates, titled 'N & L Millar Subdivision- Earthworks Details', Rev.A, dated March '19.
 - c) Any future building within the building platform will have a maximum of 4.5m height limit.
 - d) Any built form, including the dwelling, associated buildings, tanks, clothes lines and car parking shall not be visible from the dwelling at 287 Maungawera Valley Road (Gillespie dwelling).
 - e) No boundary, fence-line or lineal planting shall be planted.
 - f) Domestic garden plantings shall be kept to the curtilage area as shown on the Structural Landscape Plan, dated 18/03/19.
 - g) The mound and southern planting, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19 shall be planted 1 year prior to the commencement to construction of any building on the building platform.
 - h) On- going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19.

- i) 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 in accordance with the recommendations in the RDA Consulting report and letter provided as part of the application for RM181125 (dated 21 August 2018 and 10 April 2019). The proposed stormwater system shall be subject to the review of 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
- j) A covenant condition pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for the subject lot providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 8(b) above. The final wording of the covenant condition 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.
- k) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.
- l) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- m) In the event that the Schedule 2A certificate issued under Condition (14h) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- n) At the time that a residential unit is erected on the lot, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- o) At the time a residential unit is erected on the lot, domestic water and firefighting storage is to be provided. A minimum of 52,000 litres shall be maintained at all times as a static firefighting reserve within a 62,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

p) If a residential unit is proposed within 10m of the Kanuka planting, then either:

- An overhead irrigation system for the vegetation shall be installed over all Kanuka planting to remain in perpetuity, which can be used directly on the vegetation if a fire were to start. The sprinklers shall be able to apply water over the whole plant not just at ground level;

Or

- A domestic sprinkler system shall be installed to an approved standard in accordance with condition 15(o) above.

And

- Advice Note: If the residential unit is within 10m of Kanuka, the design of the buildings (especially the location of doors and windows) and landscaping shall take the fire risk posed by the vegetation into account and shall include cladding and/or materials to mitigate against fire risk.

Advice Note:

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

For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>

DECISION B: SUBDIVISION CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the following Plans:
 - Scheme Plan, Subdivision of Lot 1 RM180462, Plan No: W1078, Revision C, dated April 2019
 - Structural Landscape Plan, dated 18/03/19
 - Earthworks Details, Revision A, dated March 2019

stamped as approved on 18 June 2019

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

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

Landscaping

3. The approved Structural landscaping plan shall be implemented 1 year prior to construction of any building within the building platform, and the plants shall thereafter be maintained and irrigated in accordance with the plan. On-going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the approved Structural Landscape Plan. If the plants or trees should die or become diseased it shall be replaced within the next available planting season.

Engineering

General

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

5. 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.
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 the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following requirements:
- a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platforms on Lots 1 & 2 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lot 2, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report and letter (RDA ref 50738, dated 21 August 2018 and 10 April 2019).
 - c) The provision of a right of way and access to the building platform on Lot 2 that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

- 8. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- 9. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
- 10. 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.
- 11. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

- 12. 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

13. 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 Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (7) above.
- d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
- e) In the event that the test results required in Condition (13d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

 - ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- f) The consent holder shall provide evidence to the satisfaction of the Subdivision Planner at Council as to how the water supply will be monitored and maintained on an ongoing basis.

The legal documents that are used to set up or that are used to engage the management company (if applicable) are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- 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 boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

Provide written evidence of an existing telecommunications connection to the buildings on Lot 1.

- i) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.
- j) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- k) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

14. 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) Any future building within the building platform will have a maximum finished level of 366.5m as per the Earthworks Plan prepared by C. Hughes & Associates, titled 'N & L Millar Subdivision- Earthworks Details', Rev.A, dated March '19.
 - c) Any future building within the building platform will have a maximum of 4.5m height limit.
 - d) Any built form, including the dwelling, associated buildings, tanks, clothes lines and car parking shall not be visible from the dwelling at 287 Maungawera Valley Road (Gillespie dwelling).
 - e) No boundary, fence-line or lineal planting shall be planted.
 - f) Domestic garden plantings shall be kept to the curtilage area as shown on the Structural Landscape Plan, dated 18/03/19.
 - g) The mound and southern planting, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19 shall be planted 1 year prior to the commencement to construction of any building on the building platform.
 - h) On- going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19.
 - i) 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 and install a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site in accordance with the recommendations in the RDA Consulting report provided as part of the application for RM181125 (dated 21 August 2018). The proposed stormwater system shall be subject to the review of 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.
- j) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for Lot 2 providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 7(b) above. The final wording of the consent notice instrument shall be checked and approved by the 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.
- k) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.
- l) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- m) In the event that the Schedule 2A certificate issued under Condition (13i) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- n) At the time that a residential unit is erected on Lot 2, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- o) At the time a residential unit is erected on Lot 2, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

p) If a residential unit is proposed within 10m of the Kanuka planting, then either:

- An overhead irrigation system for the vegetation shall be installed over all Kanuka planting to remain in perpetuity, which can be used directly on the vegetation if a fire were to start. The sprinklers shall be able to apply water over the whole plant not just at ground level;

Or

- A domestic sprinkler system shall be installed to an approved standard in accordance with condition 14 (o) above.

And

- Advice Note: If the residential unit is within 10m of Kanuka, the design of the buildings (especially the location of doors and windows) and landscaping shall take the fire risk posed by the vegetation into account and shall include cladding and/or materials to mitigate against fire risk.

Advice Note:

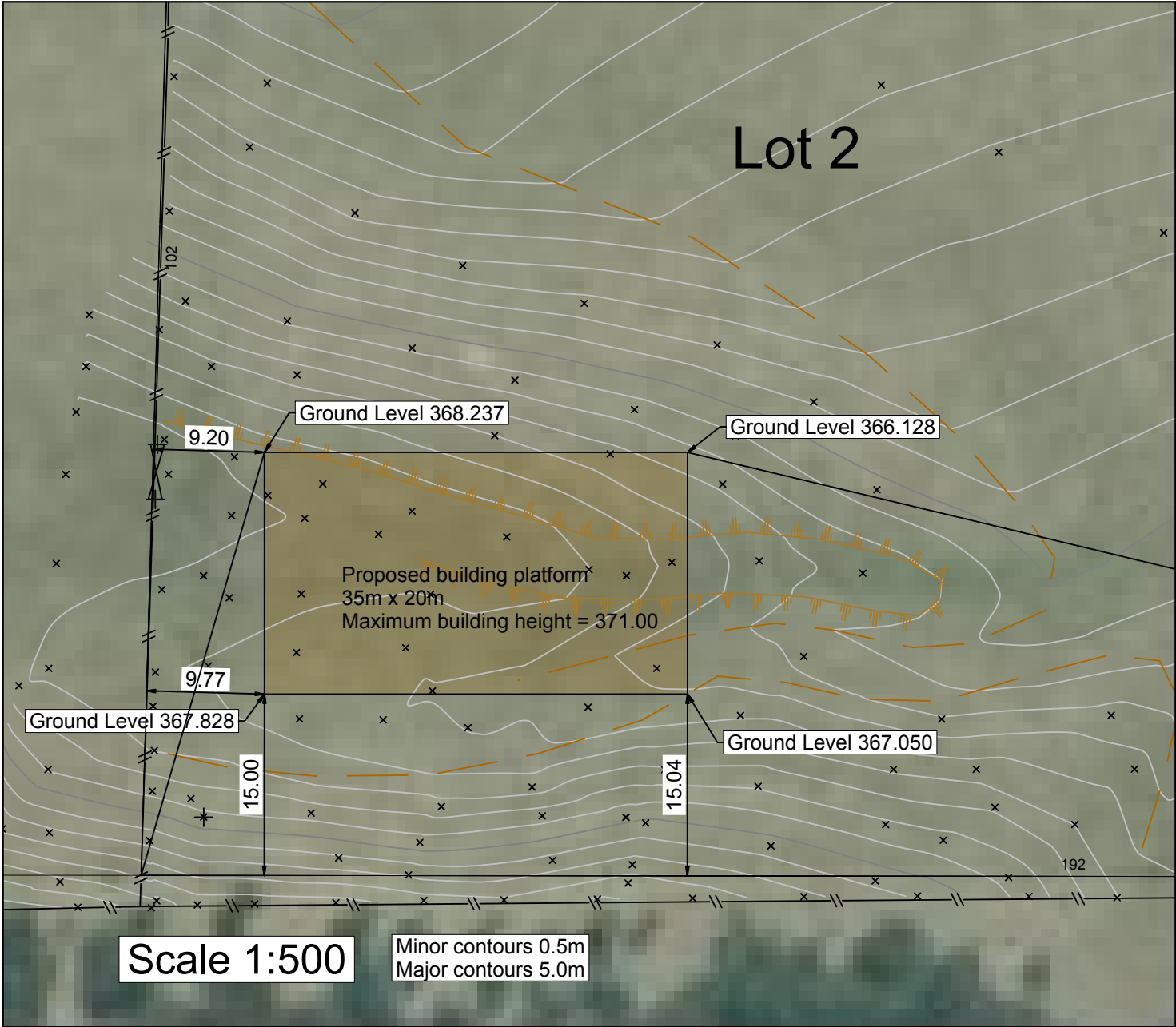
1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
2. The consent holder is advised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

For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

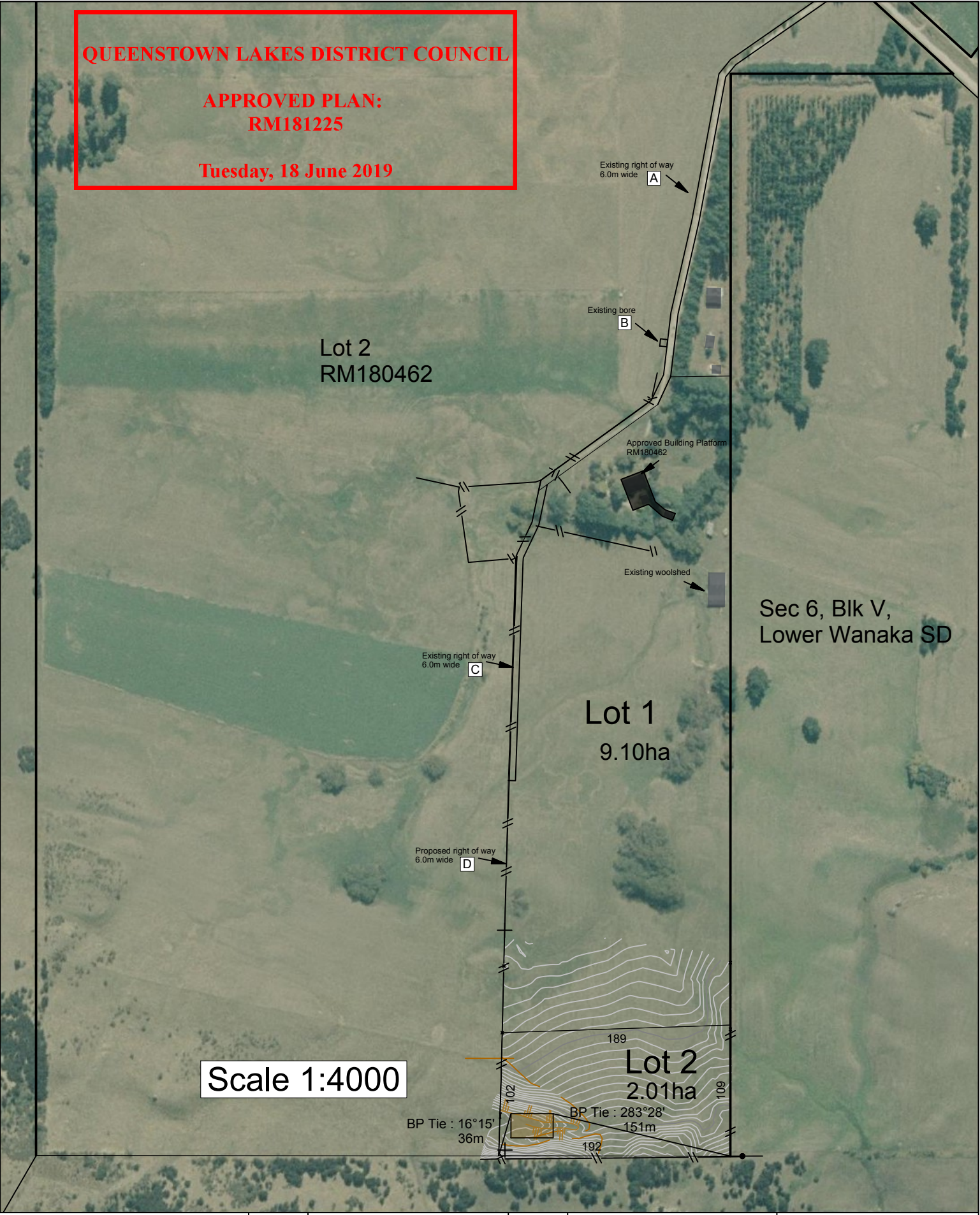
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Schedule of Easements

Purpose	Shown	Servient Ten	Dominant Ten
Right of Way, Right to convey water, Telecoms, Electricity	A	Lot 2 RM 180462	Lots 1 and 2 hereon
Right to convey water and electricity	B	Lot 2 RM 180462	Lots 1 and 2 hereon
Right of Way, Right to convey water, Telecoms, Electricity	C	Lot 1 hereon	Lot 2 RM180462 and Lot 1 hereon
Right of Way, Right to convey water, Telecoms, Electricity	D	Lot 1 hereon	Lot 2 hereon

ISSUE	AMMENDMENTS	DATE	Scale:		Job No:	
A	BP Ties	Sept'18	As Shown (A3)		5595	
B	BP shift	Feb'19			Plan No:	
C	Max Building height	Apr'19	Datum:		W1078	Drawn:
D						MJS
E					Date: 5/9/18	



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM181225

Tuesday, 18 June 2019

Lot 1

Lot 2

Lot 1

Lot 2

Private driveway
3.5m wide plus watertable

crest of mound
368.0

platform height
366.5

Earthworks Details

Roading
Area = 1500m²
Topsoil to strip = 250m³
Additional cut to SG = 180m³
Fill to SG = 30m³
Roding metal to import 190m³

Platform and Landscaping
Area = 1700m²
Volume of cut = 1010m³
Volume of Fill = 1400m³

Consent volumes
Total area 3200m²
Total cut 1440m³
Total fill 1620m³

Lot 1

Lot 2

Fill 0.2m

Maximum fill 3.1m

Maximum cut 2.1m

Fill 0.5m

Original Ground
Scale 1:750

Minor contours 0.5m
Major contours 5.0m

Post Earthworks
Scale 1:750

Minor contours 0.5m
Major contours 5.0m

Cut and Fill Depths
Scale 1:750

Minor contours 0.5m
Major contours 5.0m

C. HUGHES & ASSOCIATES LTD
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Level 3, 80 Ardmore Street
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03 443 5052

CROMWELL
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N & L Millar
Subdivision

Earthworks Details

ISSUE	AMMENDMENTS	DATE
A	Shift BP	Mar'19
B		
C		
D		
E		

Scale:
As Shown (A3)

Datum:

Job No:
5595

Plan No:
W1091

Drawn:
MJS

Date: August 2018

ANNEXURE 2 – SECTION 42A REPORT

FILE REF: RM181225

TO Richard Campion, Team Leader Resource Consents

FROM Elias Matthee

SUBJECT Report on a Publicly Notified Consent Application.

SUMMARY

Applicant: Nick and Lisa Millar

Location: 431 Maungawera Valley Road, Wanaka

Proposal: To undertake a two lot subdivision and establish a residential building platform (RBP) with resulting lot being 9.10ha and 2.01ha respectively.

Land use consent is also sought to establish a residential building platform within the 15m internal boundary setback, proposed to be 9.2m from the western boundary.

Legal Description: Part Run 800 and Section 7 Block VI Lower Wanaka Survey District and Lot 3-5 DP 22638 held in Computer freehold register OT338/97 (Future Lot 1 RM180462)

Operative District Plan Zoning: Rural General (Visual Amenity landscape)

Proposed District Plan (Stage 1 – Decisions Version 2018) Zoning: Rural (Rural Character Landscape)

Proposed District Plan (Stage 2) Zoning: N.A

Public Notification Date: 24 January 2019

Closing Date for Submissions: 22 February 2019

Submissions: None

RECOMMENDATION

That 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 proposed activity on the landscape character, rural character and due to incompatible land uses have the potential to be more than minor. However, having considered the proposal, in my opinion any potential adverse effects of the proposed development can be generally mitigated so that it would remain within an acceptable threshold. The proposed lots can be serviced, the effects of the proposed subdivision can be appropriately mitigated, and the location of the proposed building platform, combined with the mitigation proposed, would maintain landscape values with respect to the VAL/RCL. There have been no submissions provided and no persons are adversely affected by the proposal that have not provided their written approval to the proposal.

2. The proposal is overall consistent with the relevant objectives and policies of the Operative District Plan, Proposed District Plan, or Operative Otago Regional Policy and Partially Operative Otago Regional Policy Statement.
3. Overall the proposal is considered to promote sustainable management and is aligned to Part 2 of the RMA.

1 INTRODUCTION

My name is Elias Jacobus (EJ) Matthee. I am a planner for the Queenstown Lakes District Council (QLDC) and an Associate Member of the New Zealand Planning Institute (NZPI). I have worked in the resource management field in New Zealand and for the QLDC for around 5 years, both as a Monitoring Planner and a Resource Consent Planner. I hold qualifications within the planning domain: An undergraduate degree (Bachelors of Arts - Development and the Environment) and a postgraduate degree (Bachelors of Arts with honours - Geographical Information Systems) from the University of Stellenbosch, South Africa; as well as a master's degree, Royal Town Planning Institute (RTPI) accredited (Masters of City and Regional Planning) from the University of Cape Town, South Africa.

I have been employed by the QLDC for the last 5 years, monitoring Resource consent conditions for approximately 1.5 -2 years and processing Resource Consents for approximately 3 -3.5 years.

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

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

2 PROPOSAL AND SITE DESCRIPTION

A copy of the application and accompanying assessment of effects and supporting reports (the most up to date versions submitted to Council) can be found in the "Application" section of the Agenda.

I refer the Commission to the report prepared by Jo Fyfe of JEA dated December 2017 and two addendums (one submitted prior to notification and one after) to this report, hereon referred to as the applicant's AEE (attached as Appendix 2A, 2B and 2C). The applicant has provided a detailed description of the proposal (2.2), the site and locality (2.1) and the relevant site history (1.2) in Sections 1.1 – 1.2 and 2 of the applicant's AEE. This description is considered largely accurate and is adopted for the purpose of this report with the following additional information:

It should be noted that it is proposed to subdivide a site for which a title is yet to be issued. However, subdivision consent (RM180462) was granted on 25/5/2018 which will create the site proposed to be subdivided.

Subdivision consent (RM180462) will create the 11 ha subject site (proposed to be subdivided) which contains an existing farm workers accommodation dwelling and woolshed. The balance property was proposed to remain in the ownership of Mt Burke Station Limited to be farmed in conjunction with their main holding which is a 9963ha high country pastoral lease.

A copy of the relevant consent RM180462 contained in Appendix 3.

3 SUBMISSIONS

A submission was received, but later withdrawn as a result of amendments made to the proposal.

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)
Grant and Karen Ruddenklau (TH Ruddenklau Farming Co Limited)	283/365 Maunagwara Valley Road

Mt Burke Station Limited	Ridgeway, 431 Maunagwara Valley Road
Alan and Janice Gillespie	287 Maungawera Valley Road



Figure 1: Application site (highlighted in yellow) and adjoining sites

5 PLANNING FRAMEWORK

5.1 OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General and the proposed activity requires resource consent for the following reasons:

Subdivision

- A **controlled** activity resource consent pursuant to Rule 15.2.21.1 for earthworks associated with the subdivision of land. Council's control is respect of:
 - The nature and scale of the earthworks
 - Environmental protection measures
 - Remedial works and revegetation

- The effects on landscape and visual amenity values
- The effects on land stability and flooding
- The effects on water bodies
- The effects on cultural and archaeological sites
- Noise.

5.2 PROPOSED DISTRICT PLAN - STAGE 1 DECISIONS

Council notified its decisions on Stage 1 of the Proposed District Plan (**Stage 1 Decisions Version 2018**) on 5 May 2018. It should be acknowledged that the Proposed District Plan 'Appeals version' has been released on 24 July 2018. Consequently, rules not under appeal are treated as operative and any previous rule as inoperative, under s86F. The subject site is zoned Rural by the Stage 1 Decisions Version 2018 and the proposed activity requires resource consent for the following reasons:

Rural

- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the identification of a building platform of not less than 70m², and not greater than 1000m². The building platform proposed on proposed Lot 1 is 700m².
- A **restricted discretionary** activity resource consent pursuant to Rule 21.5.1 as the proposed RBP) would enable the construction of a dwelling 10m into the minimum 15m setback. Council's discretion is restricted to:
 - rural amenity and landscape character;
 - privacy;
 - outlook and amenity from adjoining properties

Subdivision

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

5.4 PROPOSED DISTRICT PLAN – STAGE 2 NOTIFIED VERSION

Council notified Stage 2 of the Proposed District Plan (**Stage 2 Notified Version 2017**) on 23 November 2017. There are no rules within the **Stage 2 Notified Version 2017** that have immediate legal effect of which require resource consent.

5.5 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.

5.6 OVERALL ACTIVITY STATUS

Overall, the application is considered to be a **controlled** activity pursuant to the Operative District Plan and a **discretionary** activity pursuant to the Proposed District Plan.

5.7 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.

The application must also be assessed with respect to the purpose of the RMA which is to promote the sustainable management of natural and physical resources. Section 9 of this report outlines Part 2 of the RMA in more detail.

Sections 108 and 220 empower the Commission to impose conditions on a resource consent.

6 INTERNAL REPORTS

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

6.1 LANDSCAPE ARCHITECT'S REPORT

The landscape peer review report, updated email comment and addendum prepared by Ms Kris MacPherson (*Appendix 4 - 6*), Consultant Landscape Architect considers effects of the development with respect to natural and pastoral character; visibility, form and density of development; cumulative effects on the landscape; and rural amenities.

6.2 ENGINEER'S REPORT

The engineering report and addendum was prepared by Council's engineer Mr Cameron Jones (*Appendix 7 and 8*) with respect to servicing, access and earthworks and hazards. Mr Jones has not raised any specific concerns with respect to the proposed servicing, hazards, access, or earthworks. Consent conditions have been recommended with respect to the above.

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

7 ASSESSMENT

The ensuing assessment is structured under the following headings:

- (i) Landscape Classification
- (ii) Effects on the Environment guided by Assessment Criteria
- (iii) Objectives and Policies Assessment (District Plan Provisions)
- (iv) Other Matters (precedent, other statutory documents)

7.1 LANDSCAPE CLASSIFICATION

Ms Ward identifies the site as being located within a Visual Amenity Landscape (VAL) in the ODP and a Rural Character landscape (RCL) in the PDP. Ms MacPherson agrees with these landscape categorisations. As there is no disagreement between the landscape architects, the proposal is considered to be in VA under the ODP provisions and a RCL under the PDP provisions.

The determination of landscape categorisation by the applicant's and Council's landscape architects are accepted and the assessment undertaken accordingly.

7.2 EFFECTS ON THE ENVIRONMENT

7.2.1 The 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 all subdivision and building platforms require resource consent in this zone.

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/Rural zone are listed below:

- Farming activities (except factory farming);

- Viticulture activities;
- Horticulture activities;
- A fence of less than 2 metres height anywhere within the site; and
- Earthworks are permitted in accordance with Site Standard Rules 22.3.3[i] and [ii] provided the work comprises less than 1,000m³ volume of earth moved within a consecutive 12 month period, cuts are at an angle of no more than 65 degrees, and fill up to 2m in height.

It is noted that noise, dust, and potentially noxious odours are anticipated as resulting from the farming activities above. As for fences and earthworks, these are considered to be fanciful as they would not be necessary to this scale without a building development. The permitted baseline is considered to be of limited assistance in this instance.

7.2.2 Actual and Potential Effects on the Environment

Both the Operative District Plan (ODP) and Proposed District Plan (PDP) include a comprehensive range of assessment matters that set out both the process for and matters to be considered for development and activities in Rural Areas. It should be highlighted that even though the rules in the Operative District Plan (Rural General chapter) were not triggered as they are treated as inoperative under s86F of the RMA and that the assessment matters in the PDP are under appeal, assessment matters from both plans are considered in the assessment below.

This assessment of actual and potential effects on the environment is guided by assessment matters provided in the District Plan where appropriate. The relevant assessment matters are contained within Chapters 5.4.2.2 (3), 15.2.3.6(b) and 22.4 of the Operative District Plan and section 21.21.2 – 21.21.3 of Chapter 21 the Proposed District Plan. Chapter 27 (Subdivision and Development) of the Stage 1 Decisions Version 2018 (Proposed District Plan) is also relevant although does not contain any specified assessment matters in relation to fully discretionary subdivision activities.

Actual and potential effects on the environment have been considered under the following headings:

- Landscape Matters
 - Effects on the natural and pastoral Character / Effects on the landscape quality and character.
 - Visibility of Development / Effects on visual amenity
 - Form/Design and Density of Development
 - Cumulative effects of development on the landscape / Domestication of the landscape
 - Rural amenities and reverse sensitivity/incompatible land uses
- Rural Character
- Engineering
 - Access, earthworks and hazards
 - Servicing and Infrastructure

The following assessment has been guided by the assessment matters where appropriate, however the key matter in contention relates to cumulative effects from the increased density of development on site. As such my assessment in this regard draws on the landscape advice of Mr Denney.

7.2.2.1 Landscape Matters

The applicant has provided a landscape assessment prepared by Ms Kathryn Ward as well as addendums prepared by Mr Ben Espie both from Vivian & Espie. Council's Consultant Resource Management landscape Architect, Ms Kris MacPherson has reviewed the reports and also provided additional comment for clarification and comment on the amended application (attached as Appendix 4 –6). The assessment will be referred to where relevant in the assessment below.

- **Effects on the natural and pastoral Character / Effects on the landscape quality and character**

An assessment of the effects on the landscape character is provided in Paragraphs 17 - 23 of the applicant's landscape assessment and within the addendum dated 12/09/2018 prepared by Mr Espie.

Ms Ward is of the opinion that the building platform in this particular location will blend into the existing development pattern and landscape character. She considers that the proposal will add to the current degree of domestication or rather accord to the existing patterns and will not degrade the current rural character.

Ms MacPherson generally agrees (appendix 4, paragraph 3-5) with Ms Ward's assessment regarding the low level of adverse effects on the landscape character by the designed proposal. She is of the opinion that a series of subdivisions along the road has set up a rhythm of large front and rear properties on the south side of the road (appendix 4, paragraph 2). She also raised no issues with Mr Espie's supplementary assessment in this regard.

However, she does consider that there will be changes to the landscape for those (non-public views) observing it from the south.

With regards to the degree of openness as experienced from public viewpoints, Ms MacPherson considers that the proposed linear boundary planting combined with the front mound will have minor adverse effects on the open, rural character of the landscape. However, she also raises an issue with regard to the small size of the proposed subdivided Lot 2, but considers that this would only be a problem if the size of the lot is made visible through boundary shelterbelt planting in the future as this would emphasise the small size of the lot. She considers that this could also reduce the sense of openness of the broader pastoral character of the area which could potentially have future adverse effects on the rural and landscape character of the vicinity.

It is noted that subdivision sets up land use and that on a rural lifestyle sized lot, the land use may not be agricultural in nature. The remainder of the proposed lots might be more domesticated than the surrounding land with ornamental trees or with 'recreating and lifestyle farming uses'. This could result in a different land use pattern (currently open pastoral) and the differences in land use could therefore be apparent when viewed from Maungawera Road. It should however also be acknowledged here that permitted activities could have similar effects.

In this regard, it is important to focus on the nature of the proposal, being additional rural living and associated further domestication of a rural character landscape. In assessing the effects on the rural character of the landscape from the development it is also relevant to note the shift in wording in the assessment matters from compromise [ODP - 5.4.2.2(3)(a)(ii)] to degrade [PDP- 21.21.2.2(b)]. The nature of the proposal (rural lifestyle within a rural pastoral area) has the potential to degrade the landscape character.

The assessment matters guide decision makers to consider how the combination of the scale and nature of proposed development will:

- (ODP) compromise the natural or Arcadian pastoral character of the surrounding VAL
- And
- (PDP) degrade the quality and character of the surrounding Rural Character Landscape

With regards to the landscape quality, Ms MacPherson was initially of the opinion (appendix 5, email date 12/11/2018) that the size of the proposed lot reduces its capacity to manage activities such that the adverse effects are kept to a low level and that the location of the building platform reduces the amount of backdrop and curtilage available to manage adverse effects. Within this clarification, she considered the potential adverse effects, of the proposal as presented at that time, on the quality of the landscape to be moderate.

However, the applicant has subsequently amended the proposal so that the building platform is setback further from the southern boundary, included more backdrop planting, as well as a larger curtilage area to help manage adverse effects. The amended proposal (post-notification) also now includes volunteered conditions that prohibit boundary fence line or lineal planting; limit fencing to post and wire fencing; and restrict the planting of ornamental trees to be within the identified curtilage area. Ms MacPherson has provided an addendum to her peer review report (appendix 6) to address the updated proposal and associated addendum landscape report (addendum dated 2/04/2019) and states in paragraph 4 that she now supports Mr Espie's assessment that the low level of adverse effects on landscape character continue with this proposal.

I therefore consider that the proposed domestication would largely be confined to the identified curtilage area/platform and be mitigated/absorbed by the proposed mounding and planting. I also consider that the smaller lot size of the proposed lot 2 would not be made visible through boundary fence line or lineal planting, fences or ornamental trees and that the remainder of the subject site would remain open pastoral use or to be used for permitted activities so that the visual effects of the proposed small lot size on the landscape character are mitigated.

It is my opinion that the adverse effects associated with the additional proposed rural living and associated further domestication of a rural character landscape would be mitigated so that it would remain within an acceptable threshold.

• ***Visibility of Development / Effects on visual amenity***

A summary of the assessment of the effects on views and visual amenity is provided in paragraphs 28-29 of the applicant's landscape assessment and more detailed assessment is provided in the appendix (page 13) and the addendum.

Ms Ward considers that the proposal will be intermittently visible from an approximately 1km stretch of public road, but she does not consider that the proposed development would be highly visible. She considers that the potential degree of visibility would be mitigated by the proposed design controls, topography and vegetation and that the visibility would blend with the existing character similarly to existing dwellings to appear as part of the landscape character of the valley, rather than a detractor from it.

Ms MacPherson agrees with Ms Ward that the mitigation planting and the constructed mound proposed will provide effective screening from members of the public on the road and that it is appropriate in this location. However, she did not consider that effective backdrop planting is provided (It is understood that this refers to planting around the platform, not just behind it). She is of the opinion that there will be temporary adverse visual effects for the public until the vegetation is 2m in height (which will take up to 3 years) and that the top of the walls and the roof of the building will be seen in public views, until such time. However, she assesses the extent of effects as low on views, because of the distance from the road and the orientation of the views. Ms MacPherson is also of the opinion that domestic activities are likely to sprawl across the site and that the activity is not, therefore, contained by topography. She also notes in her clarification comment (appendix 5, email dated 31/10/2018) that a future building would not be adequately screened from the main public viewpoint (i.e. on Maungawera Valley Road) and in both her report and clarification comment she considered the screen planting insufficient to mitigate private views for the neighbour to the south.

However, the applicant has subsequently obtained written approval from this neighbour bordering the southern boundary of the site and updated the proposal to include the following amendments: the building platform has been moved further away from the southern boundary enabling more room for backdrop planting; more planting has been included in front of the platform to increase screening from the public road; the size of the curtilage area has been increased so that there is more space for domestic activities to be contained; and the platform level and earthworks have been amended in order to ensure that a future building would be less visible from the public road (i.e. on Maungawera Valley Road) compared to the proposal as notified.

Ms MacPherson states at paragraph 5-9 within her addendum to her peer review report (appendix 6) that she agrees that these measures would be effective in reducing the visibility and that a dwelling would now have a planted backdrop which will further assist in embedding it in the landscape. She is of the opinion that the public would still be able to register a future building on proposed Lot 2, but from a distance of 1.7km, but she does not consider the effects on views to be adverse because of distance. She also considers that the proposed accessway would have low adverse visual effects.

It is my opinion that the actual or potential adverse environmental effects as it related to visibility of the proposed development and/or the effects on visual amenity would be mitigated so that they would be acceptable.

• **Form/Design and Density of Development**

A detailed assessment of these effects is provided in the appendix (page 15) of the applicant's landscape assessment and the addendum (page 3). Ms Ward is of the opinion that the proposal will not be highly visible from public areas and is located in an area that can absorb the proposed change. The proposed RBP is 512m from the existing dwelling on the site and therefore does not meet the requirement of the Circles Criteria.

Ms MacPherson considers that while the building platform proposal makes some use of the existing natural topography to ensure it is not highly visible, there will be modifications made to the natural topography to move, extend and re-contour the mound. Similarly, she is of the opinion that while another justification for the location of the building platform is that it utilises the existing accessway, it truncates the pasture area, requires earthworks and will be visible from the private road that constitutes the lower accessway.

Ms MacPherson concludes that the opportunity has not been taken to aggregate built development. She differs from Ms Ward who states that locating the building near the existing Lot 1 house has no advantage and considers that such a location would achieve full use of the remaining pastoral areas on the subject site, have low visibility from the road and neighbouring properties as well as cluster utilities, accessway and buildings in the landscape. Ms MacPherson considers that the aggregation of development would cluster development in an area with a higher potential to absorb development while retaining areas which are more sensitive in their natural or Arcadian pastoral state. Further, Ms MacPherson also initially concluded ((appendix 5, email dated 21/12/2018) that the environment does not have the capacity to absorb the adverse effects of domestication inherent in the proposal.

However, following amendments being made to the proposal as outlined above, Ms MacPherson now considers that the effects in relation to form and density of development have been reduced to low. Ms MacPherson is now of the opinion that the proposal can now be absorbed by the landscape.

It is acknowledge that while the proposed development has not taken the opportunity to aggregate development on site, the location of the proposed platform does read as part of a wider cluster of development in conjunction with the existing dwelling on Lot 1 and the two neighbouring farm houses in the background as viewed from Maungawera Valley Road. It is also acknowledge that there is no further subdivision and/or development contemplated within the surrounding landscape and that any future applications would be considered on its merits and that it would take the existing and receiving environment into account at that time.

It is my opinion that the actual or potential adverse environmental effects in relation to the form/design and density of development, although more than minor, are within a threshold that is considered to be acceptable, only because the landscape is able to absorb the proposed development.

- **Cumulative effects of development on the landscape / Domestication of the landscape**

A detailed assessment of these effects is provided in the appendix (page 17) of the applicant's landscape assessment and the addendum (page 4). In relation to cumulative effects, Ms Ward acknowledges that the proposal will result in an increase in domestication and have an effect of increased human modification. However, Ms Ward is of the opinion that overall the landscape will remain characterised by open pastoral uses, but with a rural living aspect. Mr Espie echoes this and states that he considers that the effect will be one of increased human modification but not in a way that will degrade landscape quality, character or openness in any significant way.

When considering the application as proposed and on its own, Ms MacPherson considers that this application remains within the threshold of acceptability only because the proposed building platform is located behind an existing, established dwelling within a landscape where this pattern of development is existing. She notes that this residential development does not extend further north or west of the road. However, when considering over domestication and cumulative effects, Ms MacPherson initially raised concerns with the potential adverse effects of the proposal. Ms MacPherson was of the opinion that there is a risk, given the size of the building platform and the limited curtilage that ancillary infrastructure and elements required for reasonable living will spill out of the proposed areas. Initially Ms MacPherson assessed this as a moderate potential adverse effect on the quality of the landscape. As outlined in the above, these concerns have now been addressed by the amended application.

Taking both assessments into account it is considered that the proposed development will continue the current pattern of development and that it will remain within an acceptable threshold.

Ms Ward considers that the proposal borders a defined edge in the landscape created by a line of dense Kanuka on the neighbouring property. She is of the opinion that locating future built form adjacent to this obvious edge in the landscape has meant that it is more able to be visually absorbed into the landscape. Other than this edge created by the receiving environment, there are no further opportunities to contain development or to use legal instruments to maintain open space as the applicant is not the owner of the surrounding properties.

It is my opinion that the actual or potential adverse environmental effects in relation to the cumulative effects of development on the landscape / domestication of the landscape remains within a threshold that is considered to be acceptable. This is only because the proposed development blends in with an existing pattern of development as viewed from public places which does not extend further North or West down the road and I therefore also consider that it represents a threshold to which the landscape would likely not be able to absorb any further development. However, each application would have to be considered on its own merits and take the receiving environment into account.

Overall, given the above, I consider that any adverse effects in relation to domestication of the landscape and cumulative effects would be no more than minor and appropriate in this instance.

- **Rural amenities and Reverse sensitivity / Incompatible land uses**

A detailed assessment of these effects is provided in the appendix (page 18) to the applicant's landscape assessment. Ms Ward considers that the proposal will retain the open pastoral look of the landscape and that it will not compromise the ability for rural/agricultural activities to be undertaken on neighbouring lots. Overall, Ms Ward is satisfied that adverse effects on rural amenity would be minimised.

Ms MacPherson considered both the effects of the proposal on the environment in terms of rural amenities as well as the rural amenity as it will be experienced by the future occupiers of proposed Lot 2.

She agrees with Ms Ward that the proposed subdivision maintains adequate and appropriate visual access to open space and views across the pastoral landscapes for members of the public, but initially raised three concerns in this regard. Initially, Ms MacPherson considered that degradation of the VAL could occur and referred again to the need to restrict boundary fence planting and the need for the southern setback being widened (I understand the associated planting as well). She is of the opinion that such planting would reduce the wide views and reduce the sense of broad, open pastoral landscape. Secondly, she raised concerns with the potential degradation or domestication of the landscape and re-emphasise the need to provide a more suitable curtilage area.

However, as discussed above, the applicant has subsequently amended the proposal and Ms MacPherson states within the addendum to her peer review report (appendix 6) that the amended proposal successfully addressed her concerns regarding fence line planting and the southern setback breach. She also considers the curtilage area to now be in a reasonable location, for it to be of sufficient size and adequately screened by the proposed Kanuka now shown on the amended landscape plan along the accessway. However, she notes that it is important that domestic garden plants and hard elements are contained within the curtilage and recommends a couple of conditions relating to planting areas and maintenance. Should the consent be granted, I am of the opinion that these matters can be conditioned accordingly.

The third concern Ms MacPherson raised is with regard to rural amenity as it will be experienced by the future occupiers of proposed Lot 2. She considered that more distance from the southern boundary is required to achieve effective mitigation using vegetation and that the proposal as presented at the time does not achieve quality privacy for those on proposed Lot 2. She was also of the opinion that the proximity of the proposed building platform relative to the boundaries could compromise the ability to undertake agricultural activities on surrounding land. She raised concerns that certain rural activities may affect the amenity and privacy for those on Lot 2 to the degree that conflict occurs. For example Ms MacPherson raises concerns that there could be changes to the operations on the farm to the south or on Mt Burke Station to the west to dairying or intensive horticulture for instance which might generate noise or chemical use unwelcome to the Lot 2 residents.

Incompatible land uses or reverse sensitivity is an important consideration as the proposed residential activity could compromise the ability to undertake certain agricultural activities on the surrounding land.

However, the applicant has subsequently obtained APA from the neighbour to the south as well as amended the proposal to increase the southern setback and increased the width of planting between the platform and the southern boundary. Ms MacPherson now considers that the southern setback and treatment addresses potential on Lot 2 privacy and sensitivity issues. There remains a similar breach of about 5m to the western setback, but Ms MacPherson states that in her addendum (paragraph 3) that the proposed planting, which will grow to about 6m, is adequate to mitigate this breach.

While Ms MacPherson is now comfortable with the amended proposal and the effects of the proposal on the environment in terms of rural amenities as well as the rural amenity as it will be experienced by the future occupiers of proposed Lot 2, potential incompatible land uses and whether the introduction of a sensitive receptor would compromise the ability to undertake agricultural activities on neighbouring lots should be considered. It should be noted here, that written approval for the development has been obtained from all the adjacent neighbours and effects on the owners or occupiers should therefore be disregarded. However, the potential effect on the environment as it relates to the potential loss of productive use of the land should be considered.

In this regard, the applicant has submitted a Viticulture Feasibility study that confirms that viticulture is highly feasible on proposed Lot 2 (I presume that this could also be the case for the surrounding land), but neglected to consider the reverse sensitivity effects that the residential use of proposed Lot 2 introduces. The residential use introduces a sensitive receptor for agrichemicals that could have noxious or dangerous effects which otherwise would not have been the case with no sensitive receptors (16.3.9.2 – ORC air noise plan). Similarly the use of noise generating devices such as wind machines for frost fighting or bird scare devices necessary for agricultural activities or specifically for viticulture could be compromised as the noise limits (36.5.1 – PDP noise chapter) only applies once the residential unit within the platform is constructed.

However, it should be noted that a residence would not necessarily compromise the ability for viticulture use on the subject site or surrounding land, but it would rather require setbacks, different management methods, or it would limit the frost fighting techniques that could be used.

The withdrawn submission from the southern neighbour included concerns that there would be reverse sensitivity issues for their deer breeding and farming operation as the effect of a residence nearby would unsettle deer to the extent they would not graze or fawn nearby or make use of the shade and shelter near the proposed RBP/residence. He explains that their residence is setback 75m from the deer unit to reduce stock disturbance.

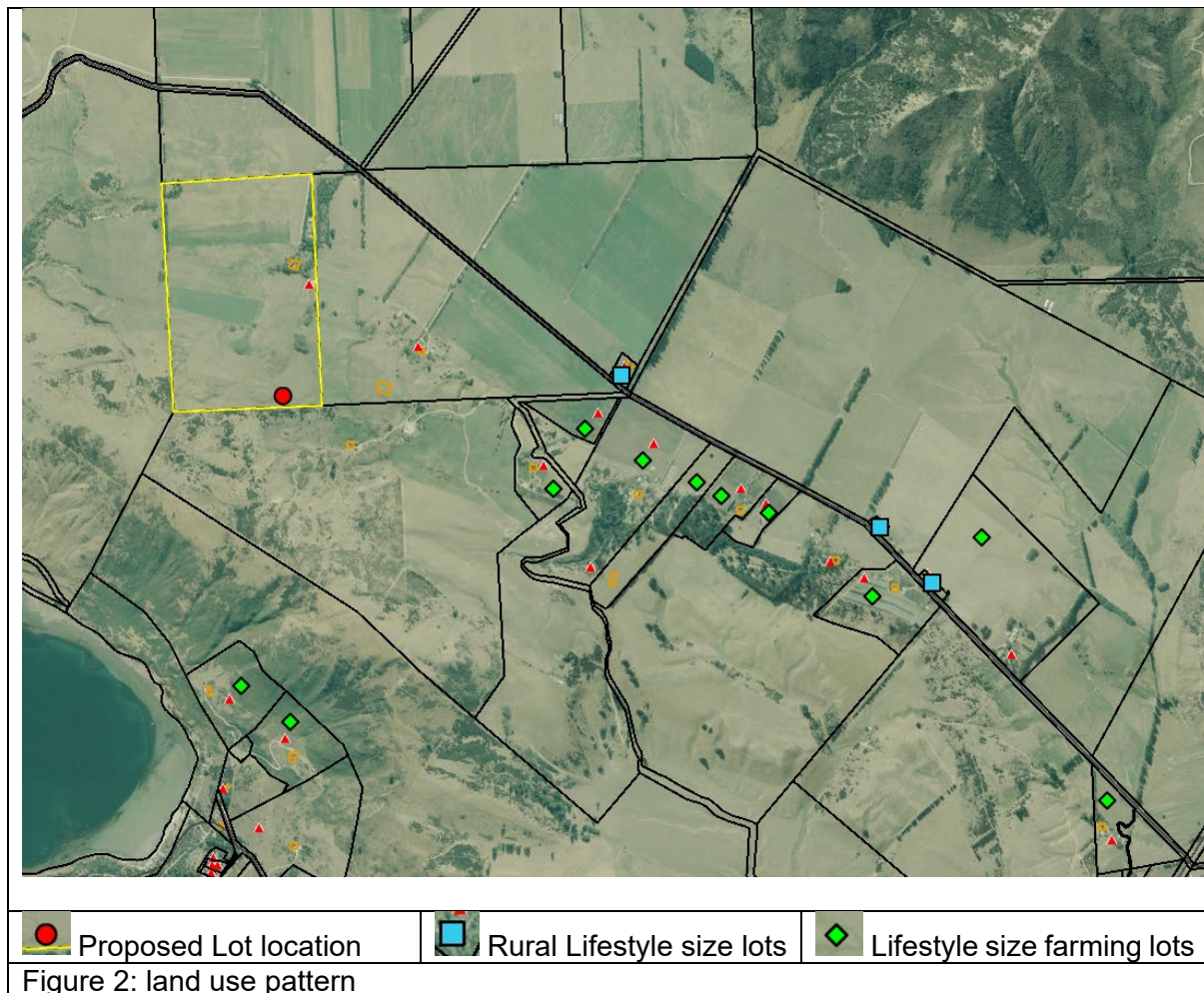
Similarly, it should be noted that a residence would not necessarily compromise the ability for a deer breeding and finishing operation, but rather impinge on it. The operation would still be viable, although a similar setback would be created, whereby the deer would graze and fawn in another part of the farm.

I therefore concluded that although there would be some adverse effect on the potential productive use of the surrounding land, this would only relate to some agricultural uses. The introduction of a sensitive receptor would also not compromise these agricultural uses, but rather impinge on them. Conflict between the different land uses could still be managed to minimise the effects through setting back existing or permitted uses from the residential use or by changing the farming methods. Other agricultural uses such as grazing would not be effected.

It is my opinion that the anticipated adverse environmental effects as it relates to rural amenities and reverse sensitivity/incompatible land use would be acceptable.

7.2.2.2 Rural Character

The above landscape considerations has considered the effects on landscape character. While landscape character is interlinked with the rural character, they are not the same thing and the effects on rural character should be considered. The proposed subdivision sets up land use through changes in tender and land use. The proposed lot sizes directly relates to their use which in turn may have effects the rural character.



The landscape architects has described the landscape as a Visual Amenity Landscape/Rural Character Landscape and they consider that some rural living forms a part of this landscape. They specifically described a series of subdivision along Maungawera Road that has set up a rhythm of large front and rear properties on the south side of the road. The landscape architects note that this pattern of residential development does not extend further north or west of the road.

Since the proposed development relates to the creation of a rural lifestyle sized allotment with an associated residential building platform within what is currently an open paddock, it is considered that the proposed development has the potential to affect the rural character of the site and surrounding environment. The site and surrounding environment is currently characterised by rural and the application site does display a high level of rural character. The proposal would result in a change to this character to one that is rural lifestyle in nature, characterised by a 2 hectare allotment and a site that is primarily for residential rather than for rural productive uses. This would also reduce the productive potential of the site. Therefore it is considered that, although the visual elements would be mitigated, that the proposed development would have an effect on rural character in this location.

However, when considering the existing pattern along Maungawera Valley Road, as shown in Figure 2 above, it is evident that the existing rural character consist of a variety of lot sizes.

The surrounding land use are mostly made up of large farming lots, some of which are managed in conjunction with high country leasehold farmland, but there are also smaller lifestyle size farming lots ranging from 3Ha – 27Ha and a couple of Rural lifestyle size lots. The Rural lifestyle size lots included 0.3Ha (178 Maungawera Valley Road), 0.43 Ha (152 Maungawera Valley Road) consented through RM950508 and 0.8Ha (286 Maungawera Valley Road). It is noted that these smaller lots were mostly existing farm houses that were subdivided of from larger farms, and that they were also approved under a different set of rules. However they now form part of the rural character of the area. In other word there are some purely rural lifestyle size lots scattered among farming uses within this area.

As described above, the small size of proposed Lot 2 would represent a change in the rural character of the site (although not visible due to mitigation), but given the current infrequency and spread of smaller lot sizes in the area and the visual effects of the proposal is conforming with the existing pattern, it is considered that the proposal would not lead to a change to the rural character of the larger area.

It has also been discussed above that the proposed change of character will not be isolated by topography and there is no ability to use legal instruments to maintain open space beyond the boundaries of the site as the applicant does not own the adjacent land. However, within the above assessment (cumulative effects of development on the landscape / domestication of the landscape) it was considered that the proposal represents a threshold and that, if consented, it would from part of the receiving environment and any future applications would take the existing and receiving environment into account at that time. It was also made clear in the above assessment that the proposal is only considered appropriate because it conforms to the existing character or pattern of development, which does not extend further.

I therefore considered that the on-site change in rural character would not be obviously visible due to the mitigation proposed. Further, I am of the opinion that the proposal would be in keeping with the existing spread and pattern of lot sizes in the area and it would therefore not lead to a change to the rural character of the larger area that would be unacceptable, I consider that the proposal represents a threshold due to the pattern of residential development not extending further, which in effect isolates or contains further spread of residential lifestyle lots.

Given the above, it is my opinion that the actual and potential adverse environmental effects on the rural character of the wider rural area would be within an acceptable threshold.

7.2.2.3 Engineering

Council's resource management engineer, Mr Cameron Jones, has reviewed the application in respect of engineering matters. Mr Jones has also prepared an addendum to his report in response to the amended proposal (appendix 8). Mr Jones assessment is accepted and adopted in full for the purpose of this report and is attached at Appendix 7 and 8, the findings of which are summarised in the assessment to follow where appropriate.

- **Access, earthworks and hazards**

Mr Jones raises no concerns with the access way to the existing dwelling and states that he is satisfied that this is fit for purpose. With regard to the access to propose Lot 2, Mr Jones is satisfied that this formation meets the requirements and that the gradient complies. He makes recommendations with regards to the construction and drainage provision. With regards to the vehicle crossing, Mr Jones explains that he is satisfied that a unseal crossing is appropriate and that it otherwise complies.

Mr Jones is satisfied that the proposed earthworks are feasible and that no instability will result beyond the lot's boundaries. He recommends conditions in this regard. He has also reviewed the amended earthwork and makes no changes to his recommendations in this regard.

With regards to Natural Hazards, Mr Jones considers that the norther portion of the site is at risk due to an alluvial fan, but states that he is satisfied that it poses little risk to the building platform. Mr Jones notes that the applicant has submitted a hazard assessment form RDA Consulting which confirms that the gully in which it is proposed to locate the building platform does function as an ephemeral stream during heavy rain and that the platform perches the groundwater table. The report recommends mitigation in the form of a cut-off drain, which Mr Jones considers to be feasible. Mr Jones has recommended conditions in regard to the installation prior to 224c and that the Schedule 2A certificate be provided prior to 224c certification, demonstrating that the building platform area is safe to build on.

With regards to the risk of bushfire, it is noted that the building platform is proposed to be located downhill from establish native Kanuka planting, which is highly flammable, on the property to the south and that further Kanuka planting is proposed around and within 10m of the proposed building platform for landscape mitigation. In this regard, the applicant has provided comment from Mr Mark Mawhinney a Rural Fire Officer and from Mr John Smalls a Fire Risk Management Officer, both from the New Zealand Fire and Emergency services (appendix 10).

Mr Mawhinney did a site visit and considers that the risk profile for this site is not high. He considers that while the site is in a traditionally dry Central Otago environment, it also has a relatively flat profile with limited existing surrounding vegetation. However, he recommends that planting should be a safe distance away from the house and that plants be planted closer than 10 metres to any dwelling or building should be made up of less flammable plant species. This is contrary to what is proposed and Mr Mawhinney and Ms Fyfe discusses a couple of recommendations which could help mitigate against fire risk:

- A sprinkler system/ decent overhead irrigators that irrigates the plantings, which could also act as a fire suppression tool in the event of a fire. Mr Mawhinney explains that the idea is that if a fire starts in the area all of the vegetation needs to be well saturated before the fire arrives or if the fire starts in the vegetation then the irrigators have the power to put it out. He notes however, that most irrigation systems are drippers that feed small amounts of water to the base of the plants and he highlights that any sprinkler system in Manuka plantings will need to be able to apply water over the whole plant not just at ground level. The applicant volunteers a condition in this regard.
- Mr Mawhinney also encourage that owners should think about the materials they build with if plantings are going to be closer than 10m. For way of example he explains that if you have a window with tussock close to it, there is a strong likelihood that a fire in the tussock will break the glass and then enter the house. The applicant volunteered an advice note on the title for any future owner to turn their mind to the design and cladding of a future house, and to design accordingly to the risk of fire.
- The Kanuka closest to the building platform could be less dense, or interspersed with other vegetation, and then increasing to more dense the further from the building platform. However this mitigation method is not supported from a landscape side of things and therefore not considered further.

Mr John Smalls in turn states that the standard condition which requires a static firefighting reserve within a water tank with a FENZ connection point or an alternative domestic sprinkler system is the standard recommendation and he states that the presence of vegetation does not impact this.

Overall, it is acknowledge that although the risk profile for the site is not high, it is not recommended to have highly flammable vegetation close to the building platform. It is noted that the vegetation would be uphill and downwind from the prevailing winds. The RMA defines effect to include any potential effect of low probability which has a high potential impact. In this case the loss of human life is considered a high potential impact and the main concern is therefore to ensure people have enough time to exit the house in the event of a fire. It is therefore considered appropriate to included consent notice conditions which requires:

- The installation of overhead irrigators over all the Kanuka planting within 10m of the building platform, should a future residential unit be located within 10m of the Kanuka planting;
- or;

- The installation of a domestic sprinkler system installed to an approved standard, should a future residential unit be constructed within 10m of the of the Kanuka planting;

And:

- The standard condition with regards to firefighting water supply is added.

And:

- Advice note: If a future residential unit be located within 10m of the Kanuka planting, then the design of the buildings (especially the location of doors and windows) and landscaping shall take the fire risk pose by the vegetation into account and shall include fire resistant cladding and/or materials to mitigate against this risk.

The applicant has volunteered conditions in this regard. As discussed above, it is considered that these mitigation mechanisms would lower the building risk from fire.

I accept Mr Jones's findings that any effects in terms of access provision, earthworks and natural hazards can be suitably mitigated by the recommended conditions (should consent be granted). I also accept Mr Mawhinney and Mr Small's findings. In my opinion adverse effects relating to the access installation, required earthworks and natural hazards are acceptable.

• **Servicing and Infrastructure**

Mr Jones is satisfied that potable water can be provided. He considers that the water will have to be pump up to proposed Lot 2 and recommends that chemical and bacterial tests for the water supply be submitted for review prior to registration of the building platform. Should consent be granted, he recommends conditions in regards to water provision and ongoing quality monitoring. With regard to firefighting water supply provision, Mr Jones notes that a 55000 litre tank is required for propose Lot 2 and has recommended a consent notice condition in this regard. It is noted that if the tank and associated hardstand area are to be located outside the proposed platform (unless buried) that further resource consents would need to be obtained. Mr Jones raises no concerns with regard to the feasibility of the proposed effluent and storm water disposal methods proposed and recommend conditions in this regard. Mr Jones has also reviewed the amended stormwater proposal and raises no concern with it. Mr Jones has updated his recommended conditions accordingly. I accept Mr Jones's findings with respect to these matters.

Having considered the expert assessment, I consider that any effects on the environment in relation to service provision and infrastructure provision can be adequately mitigated through consent conditions, should consent be granted.

7.2.3 CONCLUSION TO ACTUAL AND POTENTIAL EFFECTS ON THE ENVIRONMENT

Having considered the proposal and the findings of the landscape assessments, it is my opinion that the adverse effects of the proposed development as it relates to the natural and pastoral character/ landscape quality and character, visibility of development/visual amenity, can be appropriately mitigated to be acceptable.

Keeping the above in mind, I consider that the adverse effects of the proposed development as it relates to form/design and density of development and the cumulative effects of development on the landscape / domestication of the landscape remains at a threshold that is acceptable.

It is my opinion that the anticipated adverse environmental effects as they relate to rural amenity, reverse sensitivity, and incompatible land uses can be appropriately mitigated so as to be acceptable.

In regard to the anticipated adverse effects in relation to rural character, it is my opinion that the proposal would remain within a threshold that is considered to be acceptable.

Having reviewed the findings of the engineer report and addendum, it is my opinion that adverse effects on the environment as it relates to access provision, earthworks, natural hazards, and infrastructure and service provision can be appropriately mitigated through consent conditions so that it is acceptable.

Overall, I consider the adverse effects of the proposal to be acceptable.

7.3 PLAN PROVISIONS

7.3.1 THE OPERATIVE DISTRICT PLAN

The relevant objectives and policies are contained within Parts 4 (District Wide Issues), 5 (Rural Areas), 15 (Subdivision, Development and Financial contributions) and 22 (Earthworks) of the Operative District Plan. The most relevant Objectives and Policies of the Operative District Plan are attached as *Appendix 9* to this report.

7.3.1.1 Part 4: District Wide

Nature Conservation Values

Objective 4.1.4: *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.*

This objective and the associated policies seeks to protect indigenous vegetation, habitats and enhance nature conservation values. No native planting is proposed to be remove and no exotic planting is proposed. It is proposed to plant indigenous trees and vegetation which will be a continuation of the existing planting on the adjoining property to the south. It is therefore considered that the proposal is consistent with the above objective and its associated policies.

Landscape and Visual Amenity

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

This objective recognises the significance of landscape and visual amenity values and seeks to ensure that those values are not diminished through inappropriate development. The above assessment found that the proposed development would achieve this objective in that adverse effects on the landscape and visual amenity values would be adequately mitigated.

Policy 1 seeks to avoid, remedy or mitigate the adverse effects of development where the landscape is vulnerable to degradation, to encourage development in those areas with a greater potential to absorb change and to ensure development harmonises with topography.

The landscape architects describes the landscape as being a peaceful, green and verdant, agricultural valley which is open, pastoral, quiet and unpopulated and the experience of travelling in the valley as a picturesque and pleasant one. I therefore consider that the landscape is vulnerable to degradation from over domestication. Given this, it is considered that the wider landscape or valley, compared to other areas in the district does not have a greater potential to absorb change from development. However, as considered in the above assessment, the adverse effects of the proposal are adequately mitigated to a degree that is considered acceptable and the proposal can be absorbed by the landscape without detracting from the surrounding landscape and visual amenity values. This is only because, the proposed platform will be viewed behind the existing established dwelling and would conform with the existing patten of rural living dwellings along this section of Maungawera Valley Road, which does not extend further.

I also considered that the proposal is in harmony with local topography, ecological systems and nature conservation values. It is my opinion that the proposal is consistent with the above policy 1.

Policy 4 seeks to avoid, remedy or mitigate the adverse effects on the visual amenity landscapes which are highly visible from public places and roads; to mitigate loss of or enhance natural character by appropriate planting and landscaping; and to discourage linear tree planting along roads. The proposed development is not regularly visible from public places. The proposed building platform is intermittently visible as one travels along Maungawera Valley Road, but the landscape experts agree that the adverse effects on the visual amenity landscape is adequately mitigated to a degree that is considered acceptable. The planting and landscaping is considered appropriate and linear planting will be discouraged should the consent be granted through consent notice conditions. It is my opinion that the proposal is consistent with this Policy.

Policy 8 seeks to avoid cumulative degradation. It specifies that in applying the policies, the Council's policy is to ensure that the density does not increase to a point where benefits are outweighed by the adverse effect on landscape values of over domestication of the landscape; and to encourage comprehensive and sympathetic development of rural areas. The assessment above considered cumulative degradation/ domestication of the landscape and found the adverse effects will remain within a threshold that is considered to be acceptable. It is not considered that over-domestication will occur as a result of the proposal and it is considered that although it will increase human modification, it will blend in with an existing pattern of development as viewed from public places which does not extend further North or West down the road. It is my opinion that the proposed development, although I consider it to be at a threshold, does avoid cumulative degradation and that it is consistent with the above policy.

Policy 9 seeks to preserve the visual coherence of VAL's and Rural Landscapes and prescribes mitigation mechanisms to consider to mitigate the potential adverse effects of structures. The location of future structures will be confined to the proposed curtilage area. The location of the proposed building platform and curtilage area was assessed above and it was found that there were no adverse effects on the visual amenity or landscape character that can't be adequately mitigated. Visual coherence is maintained as the proposal is consistent with the matters specified in this policy.

Policy 12 considers the potential adverse effects of transport infrastructure and seeks to preserve the open nature of the rural landscape by encouraging these infrastructure along the edges of existing landforms and vegetation patterns; and require minimum cut and fill batters and to be shaped in sympathy with existing landforms. No major transport infrastructure is proposed and the access road to the proposed platform would be consistent with the rural environment. It is also considered that the associated earth mounds would be shaped to be in sympathy with the existing landform. It is my opinion that the proposal is consistent with the above policies.

Policy 17 seeks to encourage land use in a manner which minimises adverse effects on the open character and visual coherence of the landscape. It is considered that adverse effects on the open character and the visual coherence of the landscape would be minimised and adequately maintained by the proposal, provided that linear boundary planting is prohibited as proposed and that domestication is confined to the proposed curtilage area. It is my opinion that the proposal is consistent with the above policies.

Natural Hazards

The above assessment considered natural hazards and found that the hazard risks can be adequately mitigated so that it is acceptable. It is my opinion that the proposal is consistent with the above objective and its associated policies.

7.3.1.2 Part 5: Rural Areas

The relevant objectives contained in Part 5.2 seek to protect the character and landscape values of the rural area through sustainable management and the control of adverse effects (objective 1), to retain the life supporting capacity of soils and vegetation (objective 2), and to appropriately manage effects of activities on rural amenity (objective 3).

Policy 1.1 seeks to ensure that the district wide landscape objectives and policies are considered. The district wide landscape objectives and policies has been fully considered above. Policy 1.3 seeks to ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings. Incompatible land uses was considered in the above assessment and it was found that while the proposed introduction of a sensitive receptor on the environment might impinge on some productive uses, it will not compromise the ability for productive use of the surrounding land. As for the proposed Lot 2 and the associated residential building platform, it is considered that the remainder of the lot, although smaller in size, could still be used for productive purposes such as hobby farming or keeping of some domestic livestock. It is my opinion that the proposal does not compromise the ability to use the surrounding land productively and that it is therefore consistent with this policy.

Policy 1.4 seeks to ensure that the character of the rural area will not be adversely impacted; Policy 1.6 seeks to avoid, remedy or mitigate adverse effects on landscape values; Policy 1.7 seeks to preserve the visual coherence through ensuring structures are located in areas with the potential to absorb change; and Policy 1.8 seeks to avoid remedy or mitigate the adverse effects of the location of structures and water tanks on skylines, ridges, hills and prominent slopes.

The above assessment on the actual and potential effects on the environment found that: adverse effects on the rural character of the wider rural area would be within an acceptable threshold and it is therefore considered that the rural character would not be adversely impacted; adverse effects on the landscape values would be mitigated so as to be acceptable; the environment is able to absorb the proposed development and all structures and water tanks would be confined to the curtilage area so as to be absorbed as well.

Overall, it is my opinion that the proposal is consistent with the above objective and its associated policies.

Objective 2 and its associated policies seeks to retain the life supporting capacity of soils and/or vegetation in the rural areas so that they area safeguarded to meet the needs of future generations. It is not considered that the addition of one more instance of rural living would affect the life-supporting capacity of the soil. The surrounding land and soil would still be able to be used in a productive manner to sustain life. It is my opinion that the proposal is consistent with the above objective and the relevant associated policies.

Objective 3 seeks to appropriately manage effects of activities on rural amenity. The proposed development recognises that the rural amenities of future occupiers could be affected by permitted activities and it has proposed mitigation plating around the proposed building platform to mitigate against such nuisances. It also recognised that the introduction of a sensitive receptor could imping on some forms of productive uses and/or land management practices, but it is considered there is still a wide range of rural land uses and associated land management practices/farming techniques available to be undertaken in the surrounding rural areas so that the proposal would not lead to an increased potential for the loss of rural amenity values due to productive uses. Although the proposed building platform is located within the internal boundary setback, it is not considered that the residential use of the platform would constitute as an activity which would have adverse effects on the neighbouring rural property.

Overall, it is my opinion that the proposal is consistent with the above objective and its associated policies.

7.3.1.3 Part 15: Subdivision and Development

Objectives 1 (Servicing), 2 (Cost of servicing to be met by developer) and 5 (Amenity Protection) and the associated policies are considered relevant to the proposal.

Objective 1 seeks provision of necessary servicing. Servicing can be provided to the proposed platform and the proposal is consistent with this objective and policies. In terms of Objective 2, the cost of services to be provided would be met by the developer and the proposal is consistent with this objective and its associated policies.

Objective 5 seeks to ensure the maintenance or enhancement of the amenities of the built environment through the subdivision and development process. Policy 5.1 seeks to ensure that lot sizes and dimensions will provide for the efficient and pleasant functioning of their anticipated land uses and reflect the levels of open space and density of built development anticipated in each area. It is proposed to create a lifestyle size farming lots of 9.10 Ha and a smaller lot of 2.01 Ha for rural lifestyle use. It is considered that the lifestyle size farming lot (9.10 Ha) is of sufficient size to still be able to use it for a range of productive uses. The proposed 2.01Ha lot is intended for rural lifestyle use and its size is in line with the minimum lot area prescribed in the Proposed District Plan. Both Landscape architects considered that the curtilage area proposed is sufficient to contain anticipated domestic activities and it is considered that the remainder of the lot is of sufficient size to undertake permitted activities. It is therefore my opinion that the lot sizes would provide for the anticipated land use.

It was also considered in the assessment above on rural character that, in this instance, the proposed lot size will not lead to a pattern of land uses which will adversely affect the landscape, visual, cultural and other amenity values.

Overall, it is my opinion that the proposal is consistent with the above objectives and its associated policies.

7.3.1.4 Part 22: Earthworks

The relevant objective and policy seeks to ensure that effects of earthworks are mitigated, and to protect the nature and form of the existing landscape. It has been demonstrated that the earthworks are feasible, sympathetic to the natural landform, and that appropriate measures to mitigate effects of the earthworks can and will be put in place. Therefore, I consider the proposed development is consistent with the relevant objectives and policies for earthworks.

Overall, given the above, I consider that the proposed subdivision and associated development is consistent with the relevant objectives and policies of Parts 4, 5, 15 and 22 of the Operative District Plan.

7.3.2 PROPOSED DISTRICT PLAN – STAGE ONE

Council notified the Proposed District Plan, Stage 1 of on 26 August 2015, and Stage 2 on 23 November 2017, which contains objectives and policies with immediate legal effect, pursuant to section 86A(2) of the RMA. In this case, the relevant objectives and policies are contained in Section 3 (Strategic Direction), 6 (Landscapes), 21 (Rural), 27 (Subdivision) and 28 (Natural Hazards). The assessment of the proposal against the relevant objectives and policies of the PDP as provided in part 6.2 of the applicant's AEE is considered accurate and has been adopted for the purpose of this report along with the following additional comments.

7.3.2.1 SECTION 3: STRATEGIC DIRECTION

Objective 3.2.1 aims for development of a prosperous, resilient and equitable economy in the District; and Policy 3.2.1.8 seek for the diversification of land use in rural areas, including farming, while maintain the important values. It is considered that the proposal is a diversification of land use, beyond traditional rural homestead and farming by adding an additional rural lifestyle land use in an area dominated by pastoral farming. It is therefore considered that the proposal is consistent with this objective and the relevant policy.

Objective 3.2.4 seeks to protect the distinctive natural environments and ecosystems of the District through: Policy 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; and Policy 3.2.4.2 - avoiding the spread of wilding exotic vegetation. Although not considered a distinctive natural environment as the valley has been farmed, it is considered that the proposed continuation of the native planting will contribute to maintain indigenous biodiversity, thereby protecting the natural environments and ecosystems. No wilding exotic vegetation is proposed and none are anticipated as the property owner would have to continue to maintain the proposed planting as per the submitted landscape plan. It is my opinion that the proposal is consistent with this objective and its relevant policies.

Strategic policies policy 3.3.22 seeks to provide for rural living in areas identified as appropriate for it. The subject site is not identified within the District Plan maps as an area which is appropriate for rural living developments. However, given that some rural living forms part of the Visual Amenity Landscape/Rural Character Landscape it is not necessary considered to be inappropriate. It is my opinion that the proposal is inconsistent with this policy, but not contrary to it.

Strategic policy 3.3.24 seeks to ensure that cumulative effects of rural living developments 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; and Strategic policy 3.3.32 seeks to only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded.

The above assessment on the actual and potential effects on the environment has found that the adverse effects of the proposed development would be mitigated so that the proposed development would maintain and not materially degrade the visual amenity values of the RCL and the rural character and that the change to the landscape can be absorbed in this location. The landscape has been determined to be capable of absorbing the development in this instance. The cumulative adverse effects was also considered and it was found that, although at a threshold, the proposal does not constitute over domestication to the point that the area is no longer rural in character. It is therefore considered that the proposed development is consistent with the above strategic policies.

Overall, it is considered that the proposal is consistent with the objective and associate strategic policies.

7.3.2.2 SECTION 6: LANDSCAPES

Managing Activities in the Rural Zone:

Policy 6.3.5 seeks to manage the effects of light spill. The applicant has volunteered a consent notice condition offering to contain light spill through light design and direction which will ensure the future dwelling will avoid unnecessary degradation of views of the night sky and of the landscape character.

Policy 6.3.7 seeks to enable continuation of the contribution low-intensity pastoral farming makes to the landscape character. The proposal will maintain the majority of the subject site in pastoral farming use, which will enable the continuation of the contribution low-intensity pastoral farming on large landholdings makes to the landscape character.

Policy 6.3.11 aims to encourage landscaping to be ecologically viable consistent with the establish character of the area. The proposal includes native planting and a continuation of the Kanuka planting which borders the property to the south. It is therefore considered that it would be ecologically viable and consistent with the establish character of the area.

Managing Activities in Rural Character Landscapes:

In regards to policy 6.3.19, it is considered that the proposal is on balance consistent with the objectives and policies of the plan. The majority of the relevant objectives and policies of the plan relate to landscape considerations and seek to preserve the landscape character and visual amenity of the Rural Character landscape (RCL). It is acknowledged that subdivision and development is unsuitable in many locations in the RCL, but the assessment of the actual and potential effects above found that the proposal is acceptable in this case, mainly because the proposed platform would not be readily visible from public places and being in this particular location, it will blend into the existing development pattern and landscape character. I consider the proposal to be consistent with this policy.

Policy 6.3.20 seeks to encourage plan changes for rural residential/lifestyle zones as the appropriate planning mechanism to provide for such land use in preference to ad-hoc proposals and to ensure these zones are located where the landscape can absorb the change. It is my opinion that while this approach is the preference, it is not a comprehensive approach as is demonstrated by this proposal. I do not consider that the landscape in this area would be able to absorb a plan change which seeks a zone change in this location. However, as demonstrated in the above assessment the proposal is able to be absorbed in the landscape and it is considered that it also potentially presents a threshold whereby the landscape would not be able to absorb more change in this vicinity. It is my opinion that the proposal is inconsistent with this policy but not contrary to it.

Policy 6.3.21 requires proposals to take existing and consented subdivision and development into account in assessing the potential for adverse cumulative effects. The above assessment of effects has taken into account the receiving environment in assessing the potential for adverse cumulative effects and it is considered that while the proposal would add to the existing degree of domestication, given the existing pattern (which does not extend further) and because the proposed platform is viewed behind an established dwelling, that the cumulative effects are still within a threshold considered to be acceptable. In other words, it would increase the level of domestication, but it would not constitute over domestication. I consider the proposal to be consistent with this policy.

Policy 6.3.22 considers the potential effects of subdivision and development which constitute sprawl along roads. While the proposal blends in with the existing pattern of residential development along the road, which does not extend further, because it is setback from the road and viewed behind an existing dwelling, I do not consider that the proposal constitute sprawl along roads. I consider the proposal to be consistent with this policy.

Policy 6.3.23 seeks to ensure that activities associated with mitigation of visual effects such as screen planting, mounding and earthworks do not degrade landscape quality or character or important views. Policy 6.3.28 directs decision makers, in the upper Clutha Basin, to have regard to the adverse effects from proposals on the open landscape character where it is open at present.

The preceding assessment of effects has found that the adverse effects of the proposal on the landscape quality, character and public views is acceptable. Ms MacPherson and Ms Ward agrees that the mitigation planting and the constructed mound proposed will provide effective screening from members of the public on the road and that it is appropriate in this location. Ms MacPherson did however raised concerns about potential future effects of boundary fence line or lineal planting, fences or ornamental trees in that it could emphasise the smaller lot size or have adverse effects on the open character of the landscape. However, the applicant has proposed a consent notice condition which restricts boundary/linear planting along fence lines and to confine the planting of ornamental trees to the curtilage area. Ms MacPherson was satisfied with this approach and in my opinion the proposal would therefore adequately mitigate these potential adverse effects to be acceptable. I consider the proposal to be consistent with this policy.

Policy 6.3.26 seeks to avoid adverse effects on visual amenity from proposals that is highly visible from public places/places frequented by the public and locations which forms the foreground for an ONL or ONF when viewed from public roads. The proposal is not highly visible from public views and it does not form the foreground of an ONL or ONF. I consider the proposal to be consistent with this policy.

In regards to Policy 6.3.29, the proposed development would make some use of a shared accessway and the proposed location offers some advantages, but it was found in the proceeding assessment of effects that the proposed building platform is in a location where it does not minimise disruption to the natural landform or rural character. However, the policy does specify "*locate within the parts of the site*", which is plural and therefore does not necessarily restrict development to only be located in a part of the site which would minimise disruption the most. It is also acknowledge that the location of the proposed building platform does make use of the receiving environment to help minimise disruption by merger the mitigation planting with the planting on the property to the south. However, the resulting accessway to it, would still cause some disrupt the natural landform. It is my opinion that the proposal is inconsistent with this policy, but not contrary to it.

Overall, it is my opinion that the proposal is on balance consistent with the above policies.

7.3.2.3 SECTION 21: RURAL

In regards to Objective 21.2.1 and supporting policies 21.2.1.3 and 21.2.2.1.4. The proposal includes adequate mitigation for setback breaches so as to mitigate adverse effects on landscape character and visual amenity. It is not considered that there would be any adverse effects on the outlook from neighbouring properties. Reverse sensitivity effects or amenity effects due to incompatible land uses was also considered in the proceeding assessment of effects. It is considered that the introduction of a sensitive respecer would imping on some permitted productive uses (anticipated activities), but that these effects could be avoided by location the activities further away from the building platform or through using alternative farming management mechanisms or techniques. However, should certain permitted/anticipated activities establish near the building platform and use certain farming management mechanisms or techniques, then potential adverse effects of reverse sensitivity would not be able to be avoided.

The proposal is considered to be consistent with the above objective and most of the associated policies above, with the exception of Policy 21.2.1.3 as adverse effects on established and anticipated activities could not be entirely avoided in all cases.

In regards to policy 21.2.1.5, the applicant has volunteered a consent notice condition offering to contain light spill through light design and direction which will ensure that a future dwelling will avoid glare to other properties, roads, public places or degrading views of the night sky.

In regards to policy 21.2.1.8 and 21.2.1.9, it is noted that the proposed building platform will be surrounded by vegetation which could increase the fire risk to people and buildings, however it is considered that this has been taken into account and that although fire risk to future buildings can't be avoided, adequate provision for firefighting water supply could be made and ensured through consent notice conditions, should consent be granted. It is my opinion that the proposal is therefore consistent with policy 21.1.2.9 and inconsistent with this policy 21.2.1.8, but not contrary to it.

It is my opinion that the proposal is on balance consistent with the above objective and the supporting policies.

In regards to Objective 21.2.2 and supporting Policies 21.2.2.2 and 21.2.2.3, it is not considered that the addition of one more instance of rural living and associated earthworks would affect the life-supporting capacity of the soil. The surrounding land and soil would still be able to be used in a productive manner to sustain life. The proposal does not included wilding exotic trees. It is my opinion that the proposal is consistent with the above objective and the relevant associated policies.

In regards to objective 21.2.4 and supporting policies 21.2.4.1 and 21.2.4.2. The proposal includes adequate planting for mitigation around the building platform to protect rural amenities as it would be experience by the future occupiers. Reverse sensitivity effects or amenity effects due to incompatible land uses was also considered in the proceeding assessment of effects. It was considered that the introduction of a sensitive respecer would imping on some permitted productive uses, but that these effects could be avoided or managed by location the activities further away from the building platform or through using alternative farming management methods or techniques.

The proposal is considered to be consistent with most of the above objective and its policies, but it is inconsistent with policy 21.2.4.2 as adverse effects on established and anticipated activities can be further minimised by location the building platform further away from the property boundaries or clustering it with existing residential use on the subject site.

Overall, I considered that the proposal is on balance consistent with the objectives and supporting policies of the rural zone.

7.3.2.4 SECTION 27: SUBDIVISION

Objectives 1, 2 and 5 and the associated policies are considered relevant to the proposal. Objective 1 and 2 seeks to maintain the quality of the environment and that the design is beneficial for all stakeholders.

It is considered that the key effects of the anticipated land use would be confined to the proposed building platform and it was found in the preceding assessment of effects that adverse effects would be adequately mitigated and that the proposed building platform can be adequately serviced. It is also considered that the subdivision design adequately response to the local context, landforms and opportunities for views.

Objective 5 seeks to ensure that the development can be adequately serviced and that the effects are minimised. Servicing can be provided to the proposed platform and the associated effects was assessed in the preceding assessment and it as found that it can be adequately mitigated. The proposal is consistent with this objective and associated policies.

Overall, it is my opinion that the proposal is consistent with the above objectives and its associated policies.

7.3.2.5 SECTION 28: NATURAL HAZARDS

The above assessment considered natural hazards and found that the hazard risks can be adequately mitigated so that they are acceptable. It is my opinion that the proposal is consistent with the above objective and its associated policies.

Overall it is my opinion that the proposed subdivision and associated development is on balance consistent with the relevant objectives and policies of Parts 3, 6, 21, 27 and 28 of the Proposed District Plan (Stage one).

7.3.3 PROPOSED DISTRICT PLAN (STAGE 2 NOTIFIED VERSION)

Council notified Stage 2 of the Proposed District Plan on 23 November 2017, which contains certain rules that have immediate legal effect pursuant to section 86B(3) of the RMA. In this case, there are no rules with rules triggered with immediate legal effect and as such there are no relevant objectives and policies of Stage 2 Notified Version to consider.

The proposal is nevertheless considered against the objectives and policies contained in Chapter 25 (earthworks). The relevant objective and policies seeks to ensure that earthworks are undertaken in a manner that minimises adverse effects on the environment and maintains landscape and visual amenity values. It has been demonstrated that the earthworks are feasible and sympathetic to the landscape and amenity values, and that appropriate measures to mitigate effects of the earthworks can and will be put in place. Therefore, I consider the proposed development is consistent with the relevant objectives and policies for earthworks.

7.3.4 WEIGHTING

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. I am satisfied however, that the assessment of the relevant objectives and policies in the Operative District Plan and those in the PDP are similar in nature, and seek to achieve similar outcomes. Therefore a detailed weighting exercise is not necessary in this instance.

7.3.5 SUMMARY OF OBJECTIVES AND POLICIES

The objectives and policies of the PDP align closely with those of the Operative District Plan. Overall, it is my opinion that the proposed development will give effect to and be consistent with the relevant objectives and policies of both the Operative and Proposed District Plans.

7.4 OPERATIVE AND PARTIALLY OPERATIVE REGIONAL POLICY STATEMENT

The objectives and policies contained within the Operative and Partially Operative Otago Regional Policy Statements (ORPS) are also relevant to the proposal. These are attached as *Appendix 9* to this report.

As the District Plan must give effect to the RPS, it is considered that the assessment above is also relevant to assessing the proposal against the objectives and policies of the RPS. As such, the RPS raises the same matters as the objectives and policies contained within the District Plan with respect to protecting Otago's natural features, resources, landscapes, waterbody's and water quality, and protecting against natural hazards. The relevant matters are consistent between the Operative and Proposed RPS.

Of relevance to the application are Objective 5.4.1(a) of the Operative Regional Policy Statement which seeks to promote the maintenance of the primary productive capacity of rural land and Objective 5.3 of the Proposed Regional Policy Statement, containing reciprocal provisions. As previously discussed, the proposal will potentially result in some loss of productive rural land and potentially impinge on some types of potentially productive uses on surrounding land. However the quantity of land lost to rural production will be small and the surrounding land would still be able to use for productive uses. It was also considered more suitable to keep the Rural Lifestyle style section size smaller (around 2Ha) and the proposed Lot 1 larger (9.1Ha), rather than having 2 medium size lots (around 5.5Ha each) as in most cases it is more likely that productive use would continue on proposed Lot 1 in this first scenario.

Despite this small loss of productive soil, it is my opinion that the proposal is still consistent with the specific objectives and policies of the operative and partially operative Otago RPS that relate to the loss of productive land. Overall, I also consider that the proposal is consistent with all the other ORPS provisions.

7.5 OTHER MATTERS

Precedent

While each application is assessed on its merits, the matter of precedent is a relevant consideration for the proposal. The creation of Lot 2 at 2.01ha would have the potential to encourage applications for the formation of lots of a similar size within the surrounding area. This presents a potential precedent for further rural lifestyle development within this area which could give rise to cumulative effects in terms of the further fragmentation of land, traffic effects and servicing requirements that could result in a change to the rural and landscape character of the locality. The application did not receive submissions in opposition, and all the neighbours has provided written approvals. As such, there would be a potential for such a precedent to be taken advantage of by other landowners in the surrounding rural sites.

The District Plan requires each application to be assessed on its merits in terms of cumulative effects and the granting of this particular consent would not negate this requirement for any future applications. I also consider that the given the strength of the provisions of the Operative and Proposed District Plans in respect of the VAL / RCL, and the level of assessment required for each individual development, this proposal would be unlikely to result in any precedent effects that would have implications for the wider VAL/RCL or Rural zone.

8. SECTION 106 OF THE RMA

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

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

9. 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 represents development that has the potential to convert land that is currently used for primary production to residential use. The development would enable the applicant to provide for their economic wellbeing but otherwise would not contribute to the social, economic or cultural wellbeing of other people or the community. The life supporting capacity of air, water, soil and ecosystems of the surrounding area is not affected by the proposed activity, other than a slight loss of productive soil. The proposal also seeks to avoid and mitigate potential effects on the environment through landscaping.

Overall, I consider that the proposal will sustain the potential of natural and physical resources to meet the reasonably foreseeable need of future generations, as directed by Section 5(2)(a) and appropriately avoids and mitigates adverse effects of the proposed activity on the environment.

Therefore, in its current form, the proposal is considered to be consistent with the primary purpose of Part 5 of the Act.

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

- (b) *the efficient use and development of natural and physical resources:*
- (c) *the maintenance and enhancement of amenity values:*
- (f) *the maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*

The proposal will contribute to a small loss of agricultural land while contributing to an increase in available land for residential purposes. The proposed landscaping and mitigation measures will ensure that the development will not result in an unacceptable loss of amenity values or finite natural resources.

Overall, I consider the proposal does promote sustainable management.

10. RECOMMENDATION

- An application has been received to undertake a subdivision resulting in two fee simple allotments and to establish a building platforms on proposed lot 2 along with associated access, earthworks servicing and landscaping. Land use consent is also sought to establish a residential building platform within the 15m internal boundary setback, proposed to be 9.2m from the western boundary.
- It is considered that the adverse effects of the activity have the potential to be more than minor. However, having considered the proposal, in my opinion any potential adverse effects of the proposed development can be generally mitigated so that it would remain within an acceptable threshold. The proposed lots can be serviced, the effects of the proposed subdivision can be appropriately mitigated, and the location of the proposed building platform, combined with the mitigation proposed, would maintain landscape values with respect to the VAL/RCL.
- The proposal is overall consistent with the relevant objectives and policies contained within the Operative and Proposed District Plans. The only policies which it is not consistent (and contrary to) with is: Policy 21.2.4.2 - requires buildings to be setback from internal boundaries to avoid adverse effects on established and anticipated activities; and Policy 21.2.4.2 – which seeks to control the location of non-farming activities, so as to minimise conflict between activities. In this regard, it is acknowledged that adverse reverse sensitivity effects would be limited to only certain productive use and that all the neighbouring property owners have provided written approval. The property owners would be able to manage future anticipated activities so as to avoid reverse sensitivity effects.

- Overall I consider that the proposal would be consistent with the relevant objectives and policies of the District Plan. For these same reasons, the proposal does promote sustainable management and is aligned to Part 2 of the RMA.
- I consider that Resource Consent should be granted.
- Should the Commission decide to grant consent with conditions pursuant to section 220, a list of draft proposed conditions based upon the matters discussed in the report above, and as recommended by the reporting officers, can be found in Appendix 1.

Report prepared by

Reviewed by




Elias Matthee
PLANNER

Erin Stagg
SENIOR PLANNER

Attachments:

Appendix 1	Recommended Conditions
Appendix 2A	Adopted AEE
Appendix 2B	Adopted AEE – Further comment from Planner
Appendix 2C	Adopted AEE Addendum – 2 April 2019
Appendix 3	Relevant Consent History documents
Appendix 4	Landscape Peer Review Report
Appendix 5	Landscape Further Comment
Appendix 6	LPR Addendum
Appendix 7	Engineering Report
Appendix 8	Engineering Addendum
Appendix 9	Relevant Objectives and Policies
Appendix 10	Emails from Fire service

Report Dated: 11 June 2019

APPENDIX 1 - RECOMMENDED CONSENT CONDITIONS

DECISION A: LAND USE – BUILDING PLATFORM

General Conditions

1. That the development must be undertaken/carried out in accordance with the following Plans:
 - Scheme Plan, Subdivision of Lot 1 RM180462, Plan No: W1078, Revision C, dated April 2019
 - Structural Landscape Plan, dated 18/03/19
 - Earthworks Details, Revision A, dated March 2019

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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.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

Landscaping

4. The approved Structural landscaping plan shall be implemented 1 year prior to construction of any building within the building platform, and the plants shall thereafter be maintained and irrigated in accordance with the plan. On-going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the approved Structural Landscape Plan. If the plants or trees should die or become diseased it shall be replaced within the next available planting season.

Engineering

General

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

6. 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.

7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and the recommendations in Section 8 of the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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.
8. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (5), to detail the following requirements:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the proposed building platform that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of the building platform, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report and letter (RDA ref 50738, dated 21 August 2018 and 10 April 2019).
 - c) The provision of an access way to the building platform that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

9. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
10. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
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 platform (as per C Hughes & Associates Ltd plan titled '*Subdivision of Lot 1 RM180462, N & L Millar, Maungawera Valley Road*', Job No. 5595, Plan No. W1078, Revision C, dated April 2019). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register 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 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 development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
 - b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
 - c) The completion and implementation of all certified works detailed in Condition (8) above.
 - d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
 - e) In the event that the test results required in Condition (14d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the development's water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
- OR
- ii) A covenant condition shall be registered on the Computer Freehold Registers for the lot, subject to the approval of Council. The covenant shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the covenant condition shall be reviewed and approved by Council's solicitors prior to registration.
 - f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform and that all the network supplier's requirements for making such means of supply available have been met.

- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.
- i) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- j) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Covenants

Advice note: In the event that the RM181125 subdivision consent 224c application is lodged for the development prior to the registration of the building platform for this land use consent, then covenant conditions may be addressed by way of an alternative effective legal instrument such as a consent notice, rather than a s108 covenant.

15. At the time that the building platform is registered on the Computer Freehold Register 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) Any future building within the building platform will have a maximum finished level of 366.5m as per the Earthworks Plan prepared by C. Hughes & Associates, titled 'N & L Millar Subdivision- Earthworks Details', Rev.A, dated March '19.
 - c) Any future building within the building platform will have a maximum of 4.5m height limit.
 - d) Any built form, including the dwelling, associated buildings, tanks, clothes lines and car parking shall not be visible from the dwelling at 287 Maungawera Valley Road (Gillespie dwelling).
 - e) No boundary, fence-line or lineal planting shall be planted.
 - f) Domestic garden plantings shall be kept to the curtilage area as shown on the Structural Landscape Plan, dated 18/03/19.
 - g) The mound and southern planting, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19 shall be planted 1 year prior to the commencement to construction of any building on the building platform.
 - h) On- going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19.

- i) 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 in accordance with the recommendations in the RDA Consulting report and letter provided as part of the application for RM181125 (dated 21 August 2018 and 10 April 2019). The proposed stormwater system shall be subject to the review of 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
- j) A covenant condition pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for the subject lot providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 8(b) above. The final wording of the covenant condition 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.
- k) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.
- l) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- m) In the event that the Schedule 2A certificate issued under Condition (14h) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- n) At the time that a residential unit is erected on the lot, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- o) At the time a residential unit is erected on the lot, domestic water and firefighting storage is to be provided. A minimum of 52,000 litres shall be maintained at all times as a static firefighting reserve within a 62,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

p) If a residential unit is proposed within 10m of the Kanuka planting, then either:

- An overhead irrigation system for the vegetation shall be installed over all Kanuka planting to remain in perpetuity, which can be used directly on the vegetation if a fire were to start. The sprinklers shall be able to apply water over the whole plant not just at ground level;

Or

- A domestic sprinkler system shall be installed to an approved standard in accordance with condition 15(o) above.

And

- Advice Note: If the residential unit is within 10m of Kanuka, the design of the buildings (especially the location of doors and windows) and landscaping shall take the fire risk posed by the vegetation into account and shall include cladding and/or materials to mitigate against fire risk.

Advice Note:

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

For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>

DECISION B: SUBDIVISION CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the following Plans:
 - Scheme Plan, Subdivision of Lot 1 RM180462, Plan No: W1078, Revision C, dated April 2019
 - Structural Landscape Plan, dated 18/03/19
 - Earthworks Details, Revision A, dated March 2019

stamped as approved on XXXX

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

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

Landscaping

3. The approved Structural landscaping plan shall be implemented 1 year prior to construction of any building within the building platform, and the plants shall thereafter be maintained and irrigated in accordance with the plan. On-going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the approved Structural Landscape Plan. If the plants or trees should die or become diseased it shall be replaced within the next available planting season.

Engineering

General

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

5. 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.
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 the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following requirements:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platforms on Lots 1 & 2 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lot 2, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report and letter (RDA ref 50738, dated 21 August 2018 and 10 April 2019).
 - c) The provision of a right of way and access to the building platform on Lot 2 that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

8. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
9. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
10. 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.
11. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

12. 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

13. 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 Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (7) above.
- d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
- e) In the event that the test results required in Condition (13d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

 - ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- f) The consent holder shall provide evidence to the satisfaction of the Subdivision Planner at Council as to how the water supply will be monitored and maintained on an ongoing basis.

The legal documents that are used to set up or that are used to engage the management company (if applicable) are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- 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 boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

- h) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

Provide written evidence of an existing telecommunications connection to the buildings on Lot 1.

- i) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.
- j) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- k) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

14. 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) Any future building within the building platform will have a maximum finished level of 366.5m as per the Earthworks Plan prepared by C. Hughes & Associates, titled 'N & L Millar Subdivision- Earthworks Details', Rev.A, dated March '19.
 - c) Any future building within the building platform will have a maximum of 4.5m height limit.
 - d) Any built form, including the dwelling, associated buildings, tanks, clothes lines and car parking shall not be visible from the dwelling at 287 Maungawera Valley Road (Gillespie dwelling).
 - e) No boundary, fence-line or lineal planting shall be planted.
 - f) Domestic garden plantings shall be kept to the curtilage area as shown on the Structural Landscape Plan, dated 18/03/19.
 - g) The mound and southern planting, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19 shall be planted 1 year prior to the commencement to construction of any building on the building platform.
 - h) On- going plant maintenance and replacement of the structural planting shall continue for 5 years, as shown on the Vivian & Espie Amended Structural Landscape Plan, dated 18.03.19.
 - i) 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 and install a stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site in accordance with the recommendations in the RDA Consulting report provided as part of the application for RM181125 (dated 21 August 2018). The proposed stormwater system shall be subject to the review of 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.
- j) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for Lot 2 providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 7(b) above. The final wording of the consent notice instrument shall be checked and approved by the 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.
- k) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.
- l) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- m) In the event that the Schedule 2A certificate issued under Condition (13i) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- n) At the time that a residential unit is erected on Lot 2, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- o) At the time a residential unit is erected on Lot 2, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above. The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance.

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

p) If a residential unit is proposed within 10m of the Kanuka planting, then either:

- An overhead irrigation system for the vegetation shall be installed over all Kanuka planting to remain in perpetuity, which can be used directly on the vegetation if a fire were to start. The sprinklers shall be able to apply water over the whole plant not just at ground level;

Or

- A domestic sprinkler system shall be installed to an approved standard in accordance with condition 14 (o) above.

And

- Advice Note: If the residential unit is within 10m of Kanuka, the design of the buildings (especially the location of doors and windows) and landscaping shall take the fire risk posed by the vegetation into account and shall include cladding and/or materials to mitigate against fire risk.

Advice Note:

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

For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>

APPENDIX 2A - ADOPTED AEE



Assessment of Effects on the Environment

For a Two-Lot Subdivision and One New Building Platform

At 431 Maungawera Valley Road, Rural Wanaka

For Nick and Lisa Millar

September 2018

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LIST OF APPENDICES

Appendix 1 Affected Party Approvals

A- Tim Burdon of Mt Burke Station Ltd- 827 Maungawera Valley Road

B- Grant and Karen Ruddenklau- 365 Maungawera Valley Road

Appendix 2 Certificate of Title: Section 7 Block V Lower Wanaka Survey District and Section 5-6 Block VI Lower Wanaka Survey District



Appendix 3	Landscape Assessment and Plans- Vivian Espie Landscape Architects
Appendix 4	Scheme Plan- C Hughes & Associates
Appendix 5	Recommended Conditions of Consent
Appendix 6	ORC Water Permit, Bore Log and Water Quality Test Results
Appendix 7	Water Supply Design
Appendix 8	Wastewater Assessment- RD Agritech
Appendix 9	QLDC On-Site Wastewater Disposal Form
Appendix 10	Geotechnical Assessment- RD Agritech
Appendix 11	Confirmation of Electricity Servicing- Aurora
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Appendix 13	Earthworks Plan
Appendix 14	Viticulture Assessment- Information Only
Appendix 15	List of Relevant Objectives and Policies- Operative District Plan
Appendix 16	List of Relevant Objectives and Policies- Proposed District Plan
Appendix 17	List of Relevant Objectives and Policies- Regional Policy Statements
Appendix 18	Contaminated Land Enquiry- ORC
Appendix 19	Landowner NES Declaration

1.0 INTRODUCTION

1.1 Overview

Consent is sought to create one new residential building platform and to subdivide the site into two separate titles- one containing the new building platform and one containing the existing house and other buildings. The site is zoned Rural General in the Operative Queenstown Lakes District Plan (ODP), and Rural in the Proposed District Plan (PDP), with a Rural Character Landscape (RCL) overlay. The site is currently used for rural residential purposes. There is an existing driveway leading to the site from the gravel road.

1.2 Consent History

A subdivision consent (RM180462) was granted on 25/5/2018, which has allowed for the existing farm building and associated sheds to be subdivided off from Mount Burke Station. It is this site that is proposed to be further subdivided in the current application.

1.3 Consultation

Consultation has been undertaken with the relevant adjacent neighbours, being:

- Tim Burdon of Mt Burke Station Ltd- 827 Maungawera Valley Road
- Grant and Karen Ruddenklau- 365 Maungawera Valley Road

Affected party approval has been received from all consulted properties- attached as **Appendix 1A and 1B** respectively.

1.4 Notification

In accordance with section 95A of the RMA, public notification is not required. This is determined as follows, in accordance with the steps required in section 95(A):

Step 1:

- Section 95(A)(3)(a)- the applicant does not request public notification;
- Section 95(A)(3)(b)- public notification is not required under section 95(C);
- Section 95(A)(3)(c)- the application is not made jointly with an application to exchange recreation reserve land;

Step 2:

- Section 95(A)(5)(a)- the application is for a resource consent for 1 or more activities, and section 95(A) precludes notification;
- Section 95(A)(5)(b)(ii)- the application is for a non-complying activity, not a discretionary activity, although the activity is a subdivision of land;

Therefore, public notification is not precluded. The following assessment demonstrates the effects on the public realm are not more than minor.

With regards to limited notification, taking into account the affected party approvals, the following assessment in conjunction with the Landscape Assessment by Vivian Espie Landscape Architects will determine that the effects on all other adjacent neighbours is less than minor. As such, the application should be processed non-notified.

2.0 DESCRIPTION OF THE PROPOSAL

2.1 Site Location and Legal Description

The site is located on the southern side of Maungawera Valley Road- a rural road south-west of Lake Hawea, and east of Lake Wanaka. The site currently forms part of a large farm station- Mount Burke Station, however subdivision consent has been recently granted to subdivide an 11.11 hectare site from the station. It is this 11.11 Ha site that is proposed to be further subdivided, and that is considered 'the site'.

The legal description of the station is Section 7 Block V Lower Wanaka SD and Section 5-6 Block VI Lower Wanaka SD; (a copy of the Computer Freehold Register (CFR) is attached as **Appendix 2**). The site recently approved for subdivision is Lot 1.

Easements are, and will be, registered on the title of Lot 1, which provide for:



- Right of access over the station land from Maungawera Valley Road to the boundary of Lot 1;
- Right of access over Lot 1, to the station land (Sec 7 Blk V Lower Wanaka SD);
- Right to convey water from the new bore on the station land to Lot 1.

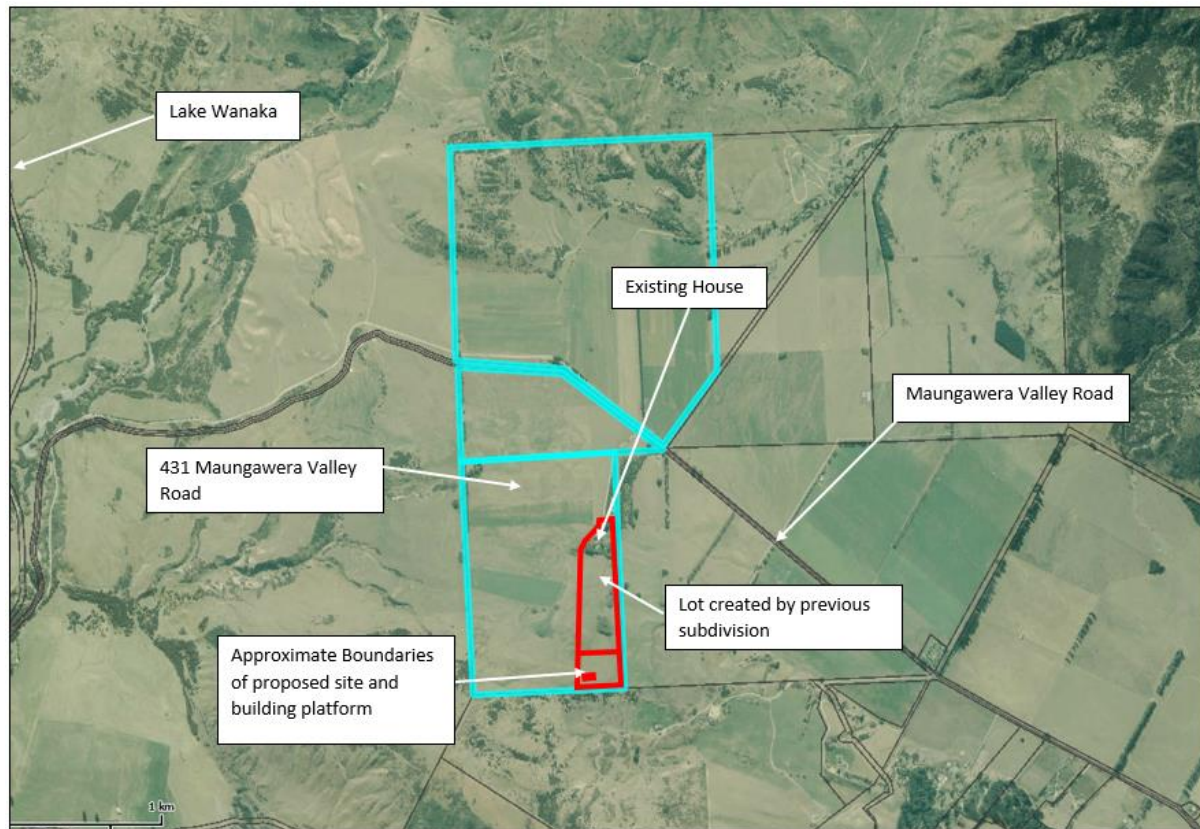


Figure 1- Aerial view of the site (outlined in red)

The site is for the most-part relatively flat, with some gentle undulations throughout the paddocks. The site slopes up towards the rear, where the location of the proposed building platform is some 20m above the level of the existing farm house.

The site is used for farming and rural living purposes and consist of open paddocks which form the character of the vicinity. A number of mature tree clusters are located within the site, and many around the northern part of the site, on Lot 1. Directly adjacent to the southern boundary is a large area of regenerating kanuka on 287 Maungawera Valley Road. To the east, west and across Maungawera Valley Road, form pastoral farming lots, with some elements of rural living.

The existing farm house and outbuildings on Lot 1 consist of a 3-bedroom house constructed in the 1950s, a detached single garage, a small storage shed, an A-frame long drop, and a dilapidated 'single man's quarters' consisting of two bedrooms, a kitchen and lounge that is nestled into the mature vegetation behind the farm house. There is also a large farm building to the south-east being used for the farm operations.

The QLDC Hazards Register identifies the very front part of the site (Lot 1) may be subject to alluvial fan- regional scale.

2.2 Description of Proposed Activity

The proposed development consists of a 2-Lot subdivision, and one new residential building platform, as described in detail below.

Subdivision and Building Platforms

As shown on the Landscape Plans in **Appendix 3** and Scheme Plan in **Appendix 4**, the 11.1 hectare property will result in two free-hold lots:

Proposed Lot 1

Will be the larger, existing lot (9.10Ha), encompassing the northern side of the site and containing the existing buildings. The lot will continue to be accessed from the existing driveway which traverses the western side of the site, and the existing (approved) servicing will not be altered. A right of way over the access will be created in favour of Lot 2 to continue to provide legal access to this lot.

Proposed Lot 2

Will be the smaller proposed lot (2.01Ha), at the rear of the site. The lot will be accessed off the existing driveway servicing the existing buildings, which Lot 2 will have rights of access over from Maungawera Valley Road. The access will be extended to the boundary of Lot 2. A residential building platform of 700m² is proposed and a future dwelling will be required to adhere to the specific design controls as specified in **Appendix 5**. The platform is located as far to the rear (south-west) of the site as possible, within a depression upon on a raised area to avoid the ground water ponding which affects the paddocks. The platform would be 5.0m from the southern boundary to allow for some mounding to the front of the platform and battering to the rear. A curtilage area is proposed around the building platform for domestic use, and planting is proposed as shown on the Structural Landscape Plan. No building is proposed as part of this application.



Figure 2- Proposed Scheme Plan

Landscape

Although the site is not identified with any landscape value in the ODP Planning Maps, through the PDP process, the site was identified by Landscape Architects to be Rural Character Landscape (RCL).

A Structural Landscape Plan has been prepared by Kathryn Ward of Vivian + Espie, included as **Appendix 3**, which demonstrates the extent and type of landscape treatment and mounding proposed around the proposed building platform and site when a building is to be constructed. Ms Ward has provided a Landscape Assessment Report, included as **Appendix 3**. The landscape assessment provides a breakdown of the visibility of the proposed

building platform from the wider environment and neighbouring properties and assesses the visibility and landscape effects of the proposed development.

Services

Water Supply

A water permit from Otago Regional Council (ORC) for water take for a bore on Lot 2 RM180462 was granted in 2018 (RM18.122.01) adjacent to Lot 1, which includes water take for the subject site and Lot 1. The ORC Permit, bore log and a recent water analysis report for quality is included at **Appendix 6**. The location of the bore and water take is shown on the Water Supply Design in **Appendix 7**. This permit allows a water take of 25m³/day, at a rate of 1.38L/s. This equates to 25,000L/day. The water supply will be extended via pipes and pump from the tanks located at the rear of the existing buildings on Lot 1 to the proposed building platform on Lot 2.

Wastewater

A Wastewater Site Soils Assessment has been undertaken by RD Agritech, attached as **Appendix 8**, which identifies that the soils are appropriate to accommodate wastewater dispersal, more than 50m from any water bore. The assessment recommends disposal is via a secondary wastewater treatment to a trench/bed. Due to ephemeral streams on the site, driplines are not recommended. RD Agritech have completed an on-site QLDC wastewater disposal form, attached as **Appendix 9**. There will be no change to the wastewater system for the existing dwelling on Lot 1. A consent notice is offered which requires the specific wastewater system to be designed at the time of a dwelling construction on the building platform on Lot 2.

Stormwater

A Geotechnical Assessment has been undertaken by RD Agritech, attached as **Appendix 10**, which identifies the site has a low soakage rate, and a shallow depth to bedrock. As such, stormwater disposal from the roof of a future dwelling is to discharge to an existing overland flow path with rip rap within the discharge area to mitigate the runoff. RD Agritech have also identified an overland flow path running through the building platform location. A plan attached to the Geotechnical Report identifies the requirements with diverting the flow path from the rear of the platform around the side. No change is proposed to the existing stormwater disposal situation with the existing buildings. A consent notice is offered which requires the specific stormwater system including discharge and diversion drain, to be designed at the time of a dwelling construction on the building platform.

Fire Fighting

Water provision for 45,000L of water will be provided for the new Lot, and tanks will be accommodated at the time the site is built on, in compliance with the firefighting standards. A consent notice condition is offered in this regard.

Electricity / Telecommunication

Electricity and telecommunications will be provided underground to the new building platform, as they are for the existing dwelling. Confirmation of provision of servicing has been provided by Aurora and Chorus, attached as **Appendix 11** and **Appendix 12**, respectively. Aurora have identified that a transformer will be required at the rear of the existing dwelling on Lot 1, which will form part of the design for the electricity provision to be agreed with Aurora.

Earthworks

An earthworks plan prepared by C. Hughes & Associates has been included at **Appendix 13**, which identifies the extent of works required for the creation of the access extension to the building platform, and the mound to the front of the platform. The maximum volume will be 1,050m³ (430m³ cut and 620m³ fill), over an area of 2,000m². The earthworks are within the permitted allowance in the Rural General zone, however the depth of fill exceeds the permitted allowance by 0.1m.

3.0 DISTRICT PLAN REQUIREMENTS

3.1 District Plan Provisions

The site is zoned Rural General in the ODP, and Rural in the PDP. The site is classified as Rural Character Landscape (RCL) in the PDP.

3.2 Consents Required and Status of the Activity

Operative District Plan

- Earthworks: Rule 22.3.3(ii)(a)(iii)- Restricted discretionary activity resource consent for the depth of fill on the mound to the front of the platform exceeding 2.0m height, by 0.1m.

Proposed District Plan

Stage 1 provisions are now operative, and consent is triggered for the following rules:

- Building Platforms: Rule 21.1.4.10- discretionary activity resource consent for the identification of a building platform on Lot 1 of not less than 70m², and not greater than 1000m². The building platform proposed on Lot 2 is 700m².
- Building Setback: Rule 21.5.1- restricted discretionary activity resource consent where the building platform is within 15m of an internal boundary. The setback is proposed to be 5.0m from the southern boundary.
- Subdivision: Rule 27.5.11- discretionary activity resource consent for a subdivision in the Rural zone, which complies with all other subdivision standards.
- Subdivision: Rule 27.5.2.3- non-complying activity resource consent for a subdivision in the Rural zone where it is proposed to create a lot entirely within the Rural zone, to be held in a separate certificate of title.

Overall the proposal is a non-complying activity.

4.0 SECTION 104(1)(B) CONSIDERATIONS

104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to—

(b) any relevant provisions of—

- *(i) a national environmental standard:*
- *(ii) other regulations:*
- *(iii) a national policy statement:*
- *(iv) a New Zealand coastal policy statement:*
- *(v) a regional policy statement or proposed regional policy statement:*
- *(vi) a plan or proposed plan; and*

The assessment under these documents must include a discussion of any — (a) any relevant objectives, policies, or rules in a document; and (b) any relevant requirements, conditions, or permissions in any rules in a document; and (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

104B Determination of applications for discretionary or non-complying activities

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

- (a) May grant or reuse the application*
- (b) If it grants the application, may impose conditions under section 108.*



5.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

All assessment matters in the PDP Rural Chapter have been appealed, and many of the objectives and policies in this Chapter are also under appeal. Therefore, while these appeals are unresolved, the assessment criteria in the ODP Rural General Chapter (Section 5.4.2) are useful for assessment of the application and carry more weight, in addition to the applicable provisions of the Act. In applying these assessment criteria, Section 5.4.2.1 directs us to follow three steps:

1. Analysis of the Site and Surrounding Landscape

A thorough analysis of the site and surrounding landscape has been undertaken by Ms Ward, Landscape Architect in the Landscape Assessment.

2. Determination of Landscape Category

The subject site is not identified with landscape category on the ODP maps, however Ms Ward has classified the site and the surrounding environment to be Rural Character Landscape (RCL), which is consistent with the PDP classification. It is noted much of the PDP Landscape Chapter and provisions relating to landscape character and classifications are under appealⁱ, as are the location of the RCL, ONL and ONF lines around the district.

3. Application of the Assessment Matters

Given the appeal mentioned above, the ODP assessment matters are relevant. Assessment matters 5.4.2.2(3) apply to Visual Amenity Landscapes, requiring consideration of:

- *Effects on natural and pastoral character*
- *Visibility of development*
- *Form and Density of Development*
- *Cumulative effects of development on the landscape*
- *Rural Amenities*

To avoid repetition, much of the following assessment relies upon Ms Ward's assessment as a landscape expert.

Other assessment matters which apply are 5.4.2.3- (i) General- Nature Conservation Values and (ii) Natural Hazards.

ⁱ ENV-2018-CHC-56- Upper Clutha Environmental Society Incorporated.

5.1 Permitted Baseline

When determining the actual and potential effects of an application for resource consent, the permitted baseline may be considered.

All buildings or alterations to buildings, residential building platforms and subdivision in the Rural General Zone (ODP) and Rural Zone (PDP) (as well as any physical activity associated with any building such as roading or landscaping) require resource consent. Therefore, the District Plans do not provide a permitted activity status for any building or associated activity and limits permitted activities to those activities related to farming that are not fanciful, which could include the management of stock; the planting of shelter trees; cropping on the valley floor; viticulture and fences or walls of 2m in height. In addition, earthworks which do not breach site standards 22.3.3, are permitted, including up to a volume of 1000m³ per annum, with a cut for accessways no greater than 1m in height, cuts of 65 degrees, fill height no greater than 2m, any earthworks a distance of 7m from a water body, as is the routine repair and maintenance of operational tracks. Planting is also permitted, with the exception of some wilding tree species.

Therefore, the permitted baseline is limited to the activities, such as the above permitted by the District Plan.

5.2 Receiving Environment

There are a number of sites and buildings in the vicinity which form part of the receiving environment, including large rural farming blocks which surround the property. Directly to the west and across the road to the north is Mount Burke Station- a 10,164.3082 hectare farm station encompassing Mount Maude, Mount Burke, Stevenson's Arm, and much farmland surrounding the property, owned by Tim Burdon of Mt Burke Station Ltd. Directly to the east is the southern block of the Ruddenklau farm, of which the northern block continues across the road, which is encompassed in the Mount Burke Station operations, both of which are managed by Mr Ruddenklau. Two dwellings are located on this block of land, directly to the east of the site. Directly to the south is a large block of land 108.036 hectares in size, which incorporates a dwelling and has a large area of regenerating native vegetation, mostly kanuka.

Further afield from the site are rural properties a mix of sizes and land uses, including farming and viticulture. Also included in the receiving environment are those permitted activities listed above in Section 5.1 as they apply to the neighbouring properties.

Therefore, the environment as described above forms the receiving environment and may be subject to effects resulting from this proposal.

5.3 Assessment Matters

Although the site zoning has changed through the PDP review to 'Rural', the landscape categorisation is under appeal as mentioned above. Given there is uncertainty around this, and there are no assessment matters in the Rural PDP Chapter, the ODP assessment matters in Chapter 5 have been utilised to assess the appropriateness of the development.

Ms Ward has undertaken an assessment of the character of the site and surrounding area, including the effects on natural and pastoral character, visibility (with images), form and density of development, cumulative effects, and rural amenity effects, including provision of photos identifying the visibility of the proposed building platform from different viewpoints surrounding the area. Ms Ward's findings and assessment are accepted, and this report relies upon the landscape report and attachments, with additional comments below.

(a) Effects on Natural and Pastoral Character

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

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

The site is not on, or adjacent to an ONL or ONF and will therefore have no effects on such protected landscapes.

Ms Ward assesses that the 'pastoral character and quality of the landscape will not be compromised by the addition of one more domestic rural living dwelling'; and that the 'nature of the development is associated with farming and rural living. Farming land use will continue to dominate. The scale of the development is particularly small in relation to the agricultural valley as a whole'. Ms Ward does not consider that the proposal will result in

over-domestication; and considers 'that there is no effect on landscape character by adding one more instance of rural living to the vicinity'.

I adopt these findings from the landscape expert and based on this assessment, the proposal will be able to ensure adverse effects on the natural and pastoral character can be avoided.

(b) Visibility of Development

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

- (i) *the proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and*
- (ii) *the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or arcadian pastoral landscapes;*
- (iii) *there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of the existing natural topography or cultural plantings such as hedge rows and avenues;*
- (iv) *the subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;*
- (v) *any building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;*
- (vi) *any proposed roads, earthworks and landscaping will change the line of the landscape or affect the naturalness of the landscape particularly with respect to elements which are inconsistent with the existing natural topography;*
- (vii) *any proposed new boundaries and the potential for planting and fencing will give rise to any arbitrary lines and patterns on the landscape with respect to the existing character;*
- (viii) *boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units; (ix) the development constitutes sprawl of built development along the roads of the District and with respect to areas of established development.*

Ms Ward has undertaken a visibility assessment and has included viewpoints shown on photographs as attachments to the Landscape Assessment. The assessment concluded that the building platform will be potentially visible intermittently to 'public' from a 1km stretch of Maungawera Valley Road. The degree of visibility is mitigated through the topography of the site, and the proposed earthworks design, with mitigation planting to the front of the building platform. This is explained in detail in Paragraph 29 of Ms Ward's report.

The building platform location was specifically chosen because there is a natural dip in contour, which is not visible from outside the site. This provides an opportunity to nestle a building into this lowered part of the land within the slope at the rear and is buffered from the north and south by the natural landform raising to visually conceal the future building. This natural landform will be enhanced and formed naturally to the front of the building platform to further conceal a future building. Although this part of the road is 'public', it is a rural farm road, which does not provide public access through to the lake, and as such only the owners of the land to the west of the subject site generally use this part of the road where the building platform is visible from, being Mount Burke Station. The APA of Mr Burdon of Mt Burke Station Ltd is included in **Appendix 1A**; and as such, it is highly unlikely that any other member of the public utilising this part of the road is affected by the proposal to a minor or more than minor degree. Notwithstanding the number of people that would use this part of the road, Ms Ward concludes that the 'proposed dwelling will have a degree of visibility that can be described as low, that blends in with existing character similarly to existing dwellings. When visible to passers-by, it will be seen in conjunction with immediately adjacent built form and I consider that it will appear as part of the landscape character of the valley, rather than a detractor from it'.

As APAs are provided from those sites to the west, north and east, effects should be disregarded on those sites, and effects should be assessed on the property to the south- 287 Maungawera Valley Road. The following factors are a consideration when assessing visibility of the future building from this neighbouring site:

- the topographical change between the site and this neighbouring property; and
- the distance and orientation between the proposed platform and neighbouring building platform; and
- the location of the proposed platform tucked into the slope at the rear of the site and within a depression within this area; and
- the building controls proposed, including a limited height; and
- existing and proposed vegetation between the neighbouring dwelling and the proposed platform.

Due to these reasons, a future building in this location will not be visible from this neighbouring dwelling.

Mitigation planting is proposed as identified on the Landscape Plan, which will overtime result in a visual buffer between the road, the neighbouring property to the south, and a future dwelling on the site. This planting is specifically designed for the site and context and will not obstruct views of the existing natural topography as it is largely an addition to the existing planting on the southern side of the boundary, to continue on this natural vegetation with suitable species and location. For the most part the vegetation will appear as a continuation of natural revegetation across the land, bringing through a cross-boundary approach to landscape treatment.

The building platform with the proposed 4.5m height limit above existing ground level will not result in a skyline breach, as the future building will be nestled into the bottom of the slope behind. The platform is located as far

back on the site as practically possible, whilst allowing for some planting and earthworks to blend the platform into the natural slope behind, once the building is constructed.

A relatively small section of access road is proposed for the new lot from the existing driveway to Lot 1, which doubles as a farm track to Mr Burdon's property to the west. This access is designed to hug the fence line along the western boundary, and curve around the existing natural contours into the building platform, so it will be largely concealed from outside the site. The Landscape Plan identifies some planting on either side of the access extension to ensure it will blend into the natural environment. The earthworks mound to the front of the building platform is designed to add height to an existing natural earth bund, and to continue the natural contours of this existing landform. No other earthworks are proposed that could affect the naturalness of the landscape. The site boundaries and curtilage area have been specifically located to accommodate the natural and landscape features of the site, being concealed behind the raised natural features of this part of the site and nestling into the lower contours. As such, the proposed development will not give rise to any arbitrary lines or patterns on the landscape that could affect the existing character.

Due to these reasons, although there is a visual effect, the development will not be visually prominent such that it would detract from public or private views otherwise characterised by natural or arcadian pastoral landscapes, and this visual effect is considered to be less than minor.

The platform is located sympathetically within the site and will be adequately mitigated to ensure the development does not constitute sprawl of built development along the road, and the natural character of the site will be retained.

(c) Form and Density of Development

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

- (i) *there is the opportunity to utilise existing natural topography to ensure that development is located where it is not highly visible when viewed from public places;*
- (ii) *opportunity has been taken to aggregate built development to utilise common access ways including pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);*
- (iii) *development is concentrated in areas with a higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;*
- (iv) *the proposed development, if it is visible, does not introduce densities which reflect those characteristics of urban areas.*

- (v) *If a proposed residential building platform is not located inside existing development (being two or more houses each not more than 50 metres from the nearest point of the residential building platform) then on any application for resource consent and subject to all the other criteria, the existence of alternative locations or methods:*
- (a) within a 500 metre radius of the centre of the building platform, whether or not:*
 - (i) subdivision and/or development is contemplated on those sites;*
 - (ii) the relevant land is within the applicant's ownership; and*
 - (b) within a 1,100 metre radius of the centre of the building platform if any owner or occupier of land within that area wishes alternative locations or methods to be taken into account as a significant improvement on the proposal being considered by the Council - must be taken into account.*
- (vi) *recognition that if high densities are achieved on any allotment that may in fact preclude residential development and/or subdivision on neighbouring land because the adverse cumulative effects would be unacceptably large.*

The building platform has been strategically located at the back of a natural bank within the site, within a depression within this bank, so a future building will be nestled into the natural landforms to the front and rear of the platform. With the height limit proposed for any future buildings of 4.5m, Ms Ward concludes that although the building will be visible intermittently from a moving vehicle of a public road, with the earth shaping to the front of the platform and mitigation planting, the development is located where it will not be highly visible when viewed from public places.

The existing driveway will be utilised to access both lots with a small extension to the building platform, which will ensure that minimal additional effects on the landscape will result from any earthworks or access than already exists. Ms Ward states that 'the proposal has avoided placing built development in a way that is protruding or conspicuous when viewed from public areas; when the development is visible, it is not out of character so as to look out of place. I consider that the analysis set out in this report [Landscape Report] shows that the proposed activities have been concentrated in an area that has the potential to absorb them'. As such, the presence of a building in this location will not have adverse effects on the Arcadian pastoral state of the site.

The proposed development would result in an average density over the site of 1 residential unit per 5.55 hectares. The smallest lot, being Lot 2 will have a site area of 2.01 hectares (20,100m²). The domesticity of the building platform is tightly confined around the building platform, and within the natural depression of this raised area. To separate the two lots will be typical post and wire farm fencing, if any; so, when viewed from outside the site, the lot sizes will be indiscernible as separate lots. When viewed from outside the site, the form of development in the vicinity is sparse, and rural in character. The proposed building platform does not alter this form.

These densities do not represent urban development and will retain the existing rural character and open space of the site. Nor do these densities or the location of the building platform inhibit any further development or subdivision on any of the neighbouring sites.

(d) Cumulative Effects of Development on the Landscape

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

- (i) *the assessment matters detailed in (a) to (d) above;*
- (ii) *the nature and extent of existing development within the vicinity or locality;*
- (iii) *whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;*
- (iv) *whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;*
- (v) *the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually significant natural elements, so as to check the spread of development that might otherwise occur either adjacent to or within the vicinity as a consequence of granting consent;*
- (vi) *whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;*
- (vii) *whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).*

Ms Ward assesses that the building platform site is 'well contained by landform and not spreading. A curtilage area associated with the dwelling and existing topography will contain development...'; and that Ms Ward does not consider 'that the current proposal breaches any threshold of acceptability in relation to cumulative effects'.

Taking this into account, the proposed development will not lead to further degradation or domestication of the landscape, as the domestication effects associated with the development will be wholly contained within the curtilage area within the depression of the landform. These domestic elements will be barely visible from outside the site, given the building will be nestled into the landform, with planting surrounding it. As mentioned above, the physical development is limited to that of a natural topographical feature, being the central terrace, which will check the spread of development that might otherwise occur within the vicinity.

No urban infrastructure is required- only the extension to the power, telecom, and rural water supply to the site. The wastewater and stormwater disposal design will be undertaken at the time of building, but both can be accommodated within the site with no off site effects. The development will not result in traffic volumes that will have a cumulative effect on the surrounding roading environment.

Consent notice conditions are proposed in **Appendix 5** which will control the future building height (4.5m), materials, external lighting and domestication to mitigate effects of the future development when viewed outside the site. Landscape planting is also proposed and will be maintained in perpetuity to soften and further mitigate development on the site. A covenant preventing future subdivision is not considered necessary based on Ms Ward's assessment that the vicinity can absorb change.

(e) Rural Amenities

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

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

The platform location is towards the rear of the site and will not detract from the open space or views across the arcadian pastoral landscape as it will be barely visible within the context of an 'open' environment once all landforms and planting are in place. Views will still be maintained even after the building platform is constructed upon.

It is acknowledged that the proposed site is smaller than a typical rural block of land, however the proposed development will not inhibit the ability to undertake agricultural activities on the subject site, or surrounding land. In fact, the subdivision enables double the amount of maintenance and attention to agricultural activities on the same sized land. Notwithstanding, a study has been undertaken by James Dicey of Grape Vision on the viability of viticulture on the land, being a 'Farming Activity' as defined in the ODP and PDP- this report is attached

as **Appendix 14**. The assessment is based on a 2.01 hectare site as proposed and concludes that ‘the capacity of the property is excellent and there is likely to be high demand for the grapes’. As such, despite the size of the land, the property can still function as a rural property with farming activities appropriate to this area.

No infrastructure associated with urban landscapes is necessary for this development, and all fencing will be in traditional rural design, if any is to be implemented.

The platform will be located a minimum of 5.0m from the adjacent site to the south, however given the slope of the site to the rear, the existing and proposed vegetation, and the distance from the dwelling on this property to the boundary, the future building on the proposed platform will not be visible from the dwelling on this neighbouring site. The platform location was designed to be tucked into this corner to reduce visibility from the neighbouring site, by taking advantage of the natural topography. If the platform were to be moved further north, it increases the risk of visibility from this adjoining site. The amenity of all neighbours will be unaffected.

(f) Summary

Based on my own site visits and Ms Ward’s visual assessment, in summary, a future building in this location would have a less than minor effect on the visual amenity landscape and the rural character; and a less than minor adverse effect on neighbouring properties, given the existing and proposed planting and natural topography of the site, affected party approvals, building controls, and the location of the platform within the site.

5.4 General- Nature Conservation Values- Assessment Matter 5.4.2.3(i)(a) – (g)

- (a) The extent to which activities will result in opportunities for the protection and enhancement of indigenous bio-diversity or indigenous ecosystems.*
- (b) Any adverse effects of the activity on indigenous ecosystems from animal pests and domestic animals.*
- (c) Any need to avoid, contain, manage and/or monitor the adverse effects of introduced plant species/forms, which have potential to spread and naturalise.*
- (d) The extent to which the activity provides opportunities for making available information regarding indigenous ecosystems.*
- (e) The extent to which activities will protect and enhance the survival and well-being of indigenous plants and/or animals that are rare, vulnerable or endangered, or significant within the District, Region or nationally.*
- (f) In the case of activities proposed in the vicinity of rock outcrops, the extent to which the activity will adversely affect, or provide opportunities to enhance, the protection of lizard populations and their habitat.*

- (g) *The extent to which the inherent values of the site, and its ecological context, have been recognised and provided for.*

The proposal will result in an opportunity to enhance the natural environment on the site and protect this enhancement in perpetuity through the planting shown on the landscape plan. The planting is designed to continue the prominent species from the adjacent site to the rear, and into the subject site as shown. There will be no adverse effects of the activity on indigenous ecosystems from animal pests or domestic animals.

The site has been farmed for a number of years, so it is unlikely that there are any rare, vulnerable, endangered, or significant plants located on the site; however, the vast native vegetation to the rear will be protected and enhanced with this continuation into the site. No rock outcrops are located on the site, so the proposal is unlikely to affect native lizard populations or their habitat.

Overall, the proposal will not have effects on the nature conservation values of the site.

5.5 Natural Hazards- Assessment Matter 5.4.2.3(ii)(a)

- (a) *Whether the activity will exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips.*

Appendix 10 provides an assessment of the natural hazards of the site by a Geotechnical Engineer- RD Agritech, and specifically the proposed new building platform on Lot 2. This assessment concludes that the site is at risk of seismic shaking, as are all other sites around the district, however provided a future building on the platform is designed 'to the relevant structural and building codes is expected to mitigate this issue'.

The Geotechnical report also mentions that the platform is subject to an overland flow that is present through the gully running in the west-east direction; and the 'gully might function as an ephemeral stream during heavy periods of rain'. To mitigate this risk, RD Agritech has recommended that any potential overland flow paths are either piped or regraded away from the dwelling and associated landscaping structures, and that any batters are controlled appropriately with drainage systems. A consent notice condition is offered to ensure this stormwater system is designed in such a way to mitigate this risk at the time a building plan is known for the dwelling.

No other natural hazards are known to affect the site.

Overall, the risk of natural hazards can be adequately mitigated when the building is designed for the platform.

5.6 Subdivision- Provision of Services

The proposed servicing for the development is summarised in Section 2.2 above. With regards to the effects of the servicing, the following is applicable.



5.6.1 Wastewater Disposal

RD Agritech have provided a site soil assessment and completed QLDC Form (**Appendix 8 and 9**) for the new building platform, which concludes that the soil is appropriate for on-site dispersal, with a secondary treatment trench/bed required due to the soakage rates and site constraints. Due to the ephemeral streams on the site, driplines are not recommended. Details of the wastewater system would need to be developed at the time a dwelling is to be constructed within the platform. There will be no change to the wastewater system for the existing dwelling on Lot 1. A consent notice is offered which requires the specific wastewater system to be designed at the time of a dwelling construction on the building platform on Lot 2. As such, on-site wastewater dispersal is feasible for the proposal with no adverse effects on the environment, and details of the design will be required at a later date.

5.6.2 Stormwater

The Geotechnical Assessment identifies the site has a low soakage rate, and a shallow depth to bedrock. As such, stormwater disposal from the roof of a future dwelling is to discharge to an existing overland flow path with rip rap within the discharge area to mitigate the run off. RD Agritech have also identified an overland flow path running through the building platform location. A plan attached to the Geotechnical Report identifies the requirements with diverting the flow path from the rear of the platform around the side. No change is proposed to the existing stormwater disposal situation with the existing buildings. A consent notice is offered which requires the specific stormwater system including discharge and diversion drain, to be designed at the time of a dwelling construction on the building platform. Provided the geotechnical recommendations are adhered to at the time of designing a building, any adverse effects on the environment will be adequately mitigated.

5.6.2 Water Supply

A water permit from Otago Regional Council (ORC) for water take for a bore on Lot 2 RM180462 was granted in 2018 (RM18.122.01) adjacent to Lot 1, which includes water take for the proposed site and Lot 1. This permit allows a water take of 25m³/day, at a rate of 1.38L/s, which equates to 25,000L/day. ORC have advised that a typical household provision of 1,000L / day in winter and 3,000L / day in summer is appropriate for domestic water on a rural property. As such, there will be adequate water supply through the existing water take to provide for the two properties once subdivided. The water supply will be extended via pipes and pump from the tanks located at the rear of the existing buildings on Lot 1 to the proposed building platform on Lot 2, and an easement will be created to allow for this take on completion of subdivision. In summary there is adequate water take from the bore to service the existing and proposed lot, and legal rights will extend to do so.

5.6.3 Fire Fighting

Water provision for 45,000L of water will be provided for the new Lot and held in tanks nearby the future building. This system will be designed at the time the building is designed on the site, ensuring compliance with the firefighting standards, and ensuring no known adverse effects regarding fire risk. A consent notice condition is offered in this regard.

5.6.4 Telecommunication and Power

A letter of confirmation that power and telecommunication supply can be provided underground to both buildings have been provided by Aurora and Chorus. Aurora have identified that a transformer will be required at the rear of the existing dwelling on Lot 1, which will form part of the design for the electricity provision to be agreed with Aurora.

In summary, adequate infrastructure can be provided to the building platform to ensure it is appropriately serviced with no adverse effects on the environment, including the surrounding properties, and existing easements.

5.7 Earthworks

An earthworks plan identifies the extent of works required for the creation of the access extension to the building platform, and the mound to the front of the platform. The maximum volume will be 1,050m³ (430m³ cut and 620m³ fill), over an area of 2,000m². The earthworks are within the permitted allowance in the Rural General zone, however the depth of fill exceeds the permitted allowance by 0.1m. Standard dust, erosion and sediment control measures will be put in place for the duration of the earthworks to mitigate any temporary effects. The mound is designed to expand the natural contour of this part of the site, and as such will not create a landform that is out of keeping with the character or topography of the site. For future earthworks associated with the dwelling, the Geotechnical Report provides recommendations for earthworks, including gradient of batter and drainage associated with the overland flow. The temporary and permanent effects of the proposed earthworks will be less than minor on the environment.

5.8 Vehicle Access

Legal access will be provided to the proposed Lot 2 via the existing driveway as approved through the previous subdivision (RM180462), as shown on the scheme plan, with a relatively small extension at the rear of the site. The shared part of the driveway will be owned by Lot 1, providing access through an easement to proposed Lot 2, and the neighbouring farm site- Lot 2 RM180462. The vehicle crossing to the road is existing and does not need to be upgraded for the purpose of this subdivision.



There will be minimal adverse effects on access or the environment given the limited works required, and the addition of one household to the existing access onto the road will have negligible effects.

5.9 Other Matters

As a non-complying activity, potential precedent effects could be considered as a relevant matter. In this case, this site is not unique in this context, in that it forms part of a wider rural farmland environment, and it could be likely that other applications may be lodged similar to this application, as have other similar applications been approved previouslyⁱⁱ. In terms of the effects on the landscape and the rural character, the point at which this precedent becomes undesirable is the same point at which the cumulative effects of development within this vicinity reach tipping point. In other words, it may well be acceptable to grant a number of similar consents yet, without having an adverse effect on the environment. For this reason, I conclude that that aspect of precedent granting of this consent sets is appropriate.

5.10 Conclusion

Overall, the proposed building platform, associated access and infrastructure, with associated mitigation will result in adverse effects on the environment that will be acceptable and do not warrant notification of any sort.

5.11 Proposed District Plan Assessment Matters

Although the PDP assessment matters are under appeal where they relate to development in the Rural zone, they should still be addressed. The following PDP assessment matters are applicable:

21.21.2- Rural Character Landscape

21.21.2.2- Effects on landscape quality and character

21.21.2.3- Effects on visual amenity

21.21.2.4- Design and density of development

21.21.2.6- Cumulative effects of development on the landscape

21.21.3- Other factors and positive effects, applicable in all the landscape

21.21.3.3- Positive effects

For the most part, these provisions seek to achieve the same principles as the relative ODP assessment matters. As such, the assessment in Section 5.3 above applies also to the PDP. Given limited weight can be given to these matters due to the live appeals, no further assessment is required.

ⁱⁱ 178 Maungawera Valley Road, 295 Dublin Bay Road to name two examples.

6.0 OBJECTIVES AND POLICIES

The relevant operative and proposed District Plan objectives and policies, in full, are listed in **Appendix 15** and **Appendix 16**, respectively. The assessment of these objectives and policies are below.

6.1 Operative District Plan

Objectives and policies relevant to this application are found in Section 4 – District Wide Issues, Section 5 – Rural Areas and Section 15 – Subdivision.

6.1.1 District Wide Objectives and Policies

<i>Objective</i>	<i>Policies</i>						
4.2.5- Objective	1(a) – 1(c)	4(a) – 4(c)	6(b) 6(d)	8(a) – 8(b)	9(a) – 9(c)	12	17
4.8- Objective 1	1.4	1.5	1.6				

As assessed by Ms Ward, and in the assessment of effects above, the development is not located in an area that is vulnerable to landscape and visual amenity degradation, and the site and surrounding area has the potential to absorb change. Notwithstanding, the future building within the platform will be designed in accordance with the building controls offered in **Appendix 5**, which will ensure the development will have effects on the landscape or visual amenity values that are appropriate. The location of the building platform will be nestled into the rear of the property, within a natural depression within a raised terrace, with planting raised in front, and planting behind. The future building within the platform will be screened from the road by vegetation to maintain and enhance the naturalness of the environment. There are no other public places the building platform can be seen from. The provisions do not seek all buildings in the VAL to be invisible from the road, and as such the platform is screened as much as necessary to achieve this enhancement. The platform is set well back from the road boundary, to achieve further enhancement of the amenity values as viewed from the road. As assessed above, the effects on the landscape and visual amenity values from the proposed use and development will be adequately mitigated, so the effect on the landscape is acceptable.

With regards to cumulative degradation, this has been assessed by Ms Ward, who concludes that the site has capacity to absorb development, and the proposed building platform will not result in cumulative effects that would push this landscape over to degradation.

The proposed development has been specifically designed to be in harmony with the line and form of the landscape through location and proposed building controls which will complement the colours and features of the landscape. This will in turn ensure that the visual coherence of the landscape is maintained.

The open nature of the rural landscape is maintained through the location of the platform tucked into the far corner of the site, and the use of the existing access. A small extension to the access will be required to the building platform, however this is designed around the natural slope of the land, and tucked into the contour, which will be indiscernible from outside the site. As such, the existing landform is maintained through this use, and no additional cut, fill or batters will affect the landform as a result of access.

With regards to natural hazards, as assessed by RD Agritech, there is small risk to the building platform being affected by natural hazards. Notwithstanding, standard building code provisions will mitigate the earthquake risk to the future building, and specific stormwater design will adequately mitigate the overland flow risk once the building is designed. As such, the risk of damage to human life, property or the environment from natural hazards can be adequately avoided or mitigated.

Overall, the proposal is consistent with and not contrary to the relevant District-Wide objectives and policies.

6.1.2 Rural Areas (Rural General) Objectives and Policies

Objective	Policies						
1	1.1	1.2	1.3	1.4	1.6	1.7	1.8
2	2.1	2.2	2.4				
3	3.1	3.2	3.3	3.5			

The above assessments, and those provided by Ms Ward have identified the proposed development is not inappropriate. The proposal will result in environmental enhancements to the rear of the property through additional indigenous planting within an otherwise scarcely populated planted area utilised for farming. The planting is designed to continue the regenerated vegetation on the neighbouring site, into the subject property. As such, the proposal will result in sustainable management of natural and physical resources. The use of the land for farming activities will continue, and the proposed building platform and subdivision will not inhibit this. The resultant lots will achieve a size large enough to function as separate farm productive lots, whether it be typical sheep/beef farming, or viticulture activities, the new building will provide double the management of the farm compared with the existing scenario. This will ensure a 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. As such, the rural character and use of the land will not be affected by the proposed development.

The building platform will be located 5.0m from the rear boundary, however given the slope of the land, the existing and proposed vegetation, the building controls for future development within the platform, and the location of the neighbouring dwelling, the amenity of the neighbouring properties will not be affected.

As assessed above, the building platform is located close into the rear of the natural slope to the rear of the site, will not be widely visible from the surrounding area, and will not adversely impact upon the character of the rural area; and the rural landscape will be protected. The effects on the landscape values and the potential to absorb change has been previously addressed, and it is considered that the proposal will adequately mitigate any adverse effects on the landscape, and the site can absorb this sensitively designed change. The future building will not result in a skyline or ridgeline breach given it will be nestled into the bottom of the slope behind.

The soils and vegetation cover that exists will not be adversely affected by the proposed development, and the rural capabilities of the site will be maintained. The land has been assessed for grape growing feasibility, which concluded that the soil and size of the site would be adequate and appropriate for viticulture, if a future owner seeks this outcome with the land.

Overall, the proposal is consistent with and not contrary to with the relevant Rural objectives and policies.

6.1.3 Subdivision Objective and Policies

Objective	Policies						
1	1.2	1.4	1.5	1.6	1.9	1.10	1.11
2	2.1	2.2					
5	5.1	5.2	5.5				

The proposed lot will be accessed off the existing driveway, which provides for a safe and efficient access into the site. The additional demand on this access will not result in adverse effects on the road or neighbouring sites that share the access. No additional entrances onto the road are proposed, and as such the existing driveway will be adequate to provide for the safe access into and out of the new site.

The existing water supply to Lot 1 will extend to the new site, and there will be adequate water to provide for domestic and fire fighting requirements from the existing bore on the neighbouring site as explained above. No additional upgrades to Council's systems are necessary as a result of the development.

The RDA wastewater disposal investigation provides certainty that wastewater will be able to be disposed of on site, with at least a secondary system, and a recommended location for the disposal trench/bed is identified, outside any risk area to known bores. As such, the proposed wastewater system will have no adverse on, or off-site effects relating to public health or effects on the environment. No reticulated systems are available for any three-waters services given the rural location. As such, all infrastructure can be provided for privately. Electricity and telecom can be provided to the proposed site and will be done so prior to receiving title.

The applicant is aware that the cost of the subdivision will fall upon them, including development contributions, in accordance with the policy.

The lot sizes are adequate to achieve sufficient open space, and amenity for each lot and neighbouring sites. The density is not out of character of the wider surrounding area along Maungawera Valley Road, and it will not inhibit the rural production activities occurring as assessed above. The layout of the site when viewed in the context of the surrounding area does not lead to a pattern of land uses, given the varying uses and density of the neighbouring sites, and as such will not adversely affect landscape, visual, cultural or other amenity values.

For the reasons mentioned above, the subdivision and development will not affect the safe and efficient function of services and the road.

Overall, the proposal is consistent with the relevant Subdivision objectives and policies.

6.2 Proposed District Plan

Objectives and policies of the Proposed District Plan relevant to this application are found in Section 3- Strategic Direction, Section 6 – Landscapes, Section 21 – Rural Zone, 27 – Subdivision and Section 28 – Natural Hazards. Those with an * are currently under appeal.

6.2.1 Strategic Direction Objectives and Policies

Objective	Policies	
3.2.1	*3.2.1.8	
3.2.5	*3.2.5.2	
Strategic Policies	*3.3.24	*3.3.32

The proposal will result in a diversification of the land use within this rural area, whilst retaining the rural character, use, and landscape. As assessed above, the visual amenity values within the RCL will be maintained as the subdivision is within an area that has the capacity to absorb change without detracting from those values.

Cumulative effects have been discussed above and assessed by Ms Ward. The cumulative effects resulting from this proposal will not result in cumulative effects that would alter the character of the rural environment to the point where the area is no longer rural in character; and the landscape character and visual amenity values of the area will not be materially degraded.

6.2.2 Landscape Objectives and Policies

<i>Policies</i>										
*6.3.1	*6.3.4	*6.3.5	*6.3.7	*6.3.11	*6.3.19	*6.3.22	*6.3.23	*6.3.26	*6.3.28	*6.3.29

The site has been classified as Rural Character Landscape under the PDP, to satisfy Policy 6.3.1. Given the site sizes and layout of the development, the proposal will not result in urban development to an urban density in this rural zone. Nor would the proposal constitute sprawl along roads. Although a future building will be intermittently visible in this location until the vegetation planting matures, the building will sit within a relatively small cluster of dwellings on rural sized properties, of which no other dwelling will be visible in the intermittent vantage points where the proposed building platform would be visible. A consent notice condition offering to contain light spill through light design and direction will ensure the new future dwelling will avoid unnecessary degradation of views of the night sky and landscape character.

Policy 6.3.7 recognises that low-intensity pastoral farming on large landholdings contributes to the District's landscape character, which this proposal seeks to continue. The proposed development will utilise shared access and infrastructure where possible, and the building platform is proposed in a location on the site where it will minimise disruption to natural landforms, farming activities and rural character.

The landscape plan offered as part of the proposal is specifically designed to encourage an ecologically viable result, and that is designed in with the existing landscape character of the site and surrounding area. The planting and development will not have adverse effects on the open landscape character where it is open at present, due to the location of the building nestled into the back of an existing slope, within a depression. This area is a relatively small area of open space, however in the context of the site and vicinity, does not constitute open space that warrants protection from development.

As assessed above, the subdivision will not result in an incremental change that would degrade the landscape quality or rural character. Notwithstanding, additional landscape planting is proposed to visually mitigate the future dwelling to soften the building even more from public places. Although the building will be visible from public places (the adjoining rural road for approximately 1km), it will not be 'highly visible', and the visibility will be intermittent by drivers accessing only Mount Burke Station, the owners of which have provided their APA. As such, this level of visibility is not considered to be an adverse effect that warrants avoiding.

Through these assessments, it is concluded that the proposal is consistent with and not contrary to the proposed objectives and policies in Section 6, and the adverse effects on the landscape can be adequately mitigated and will not result in cumulative effects that will result in a loss of rural character to the point that the vicinity is no longer rural. As such the proposal is not contrary to Policy 6.3.19, which recognises that development is unsuitable in many locations in the RCL, and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan. This application is consistent with and not contrary to the objectives and policies of Section 6.

6.2.3 Rural Objectives and Policies

Objective	Policies				
*21.2.1	*21.2.1.1	21.2.1.3	21.2.1.4	*21.2.1.5	21.2.1.6
21.2.2	21.2.2.2	21.2.2.3			
*21.2.4	*21.2.4.2				

The assessment of the operative district wide objectives and policies above relating to rural areas in 6.1.2 and the assessment matters relating to rural character and landscape values also applies to the proposed rural objectives and policies, as the provisions seek similar outcomes. To avoid repetition, much of this assessment will not be repeated here.

Overall, the proposal seeks to retain the rural character and farming activities on the site, whilst providing an economic benefit for the owners and future owners, and also an opportunity for the maintenance and running of the farm to be split between two parties. This will in turn maintain the productive potential and soil resource and encourage land management practices that benefit the soil and vegetation cover. The proposal will enhance the landscape, ecosystem, nature conservation and rural amenity through the positive landscape opportunities proposed. The building platform is setback an adequate distance from all neighbouring properties except the property to the rear, to protect landscape character, visual amenity and outlook from neighbouring properties. Regarding the property to the rear, there is sufficient distance to the dwelling, topography, planting and design controls proposed for a future dwelling, that will ensure the future dwelling will not be visible and ensure visual amenity and outlook from this property is unaffected.

Native vegetation will be planted as mitigation for the building platform which will need to be managed and maintained in perpetuity.

Any external lighting will be designed in accordance with the Southern Lights Strategy, and a consent notice condition is offered to ensure minimal glare and visibility from outside the property at night; as such the proposal will not create glare to the night sky, public places, or other properties.

The proposal does not result in a conflict between incompatible land uses, as the proposal seeks to establish an additional building platform within a rural block of land and continue the rural use of the site once it is subdivided.

As such, the proposal is consistent with and not contrary to with the proposed objectives and policies in Section 21.

6.2.4 Subdivision Objectives and Policies

Objective	Policies						
27.2.1	27.2.1.15						
27.2.2	27.2.2.7						
27.2.5	27.2.5.4	27.2.5.7	27.2.5.13	27.2.5.14	27.2.5.15	27.2.5.17	27.2.5.18

The assessment of the operative subdivision objectives and policies above in 6.1.3 also applies to the proposed subdivision objectives and policies, as the provisions seek similar outcomes that relate to servicing, access, legal rights, and costs to subdividers.

As such, the proposal is consistent with and not contrary to with the proposed objectives and policies in Section 27.

6.2.5 Natural Hazards Objectives and Policies

Objective	Policy
28.3.1	28.3.1.1
*28.3.2	28.3.2.2

With regards to natural hazards, as assessed by RD Agritech, there is negligible risk to the building platform being affected by natural hazards. Notwithstanding, standard building code provisions and specific stormwater design and overland flow management will mitigate the earthquake risk to the future building. As such, the risk of damage to human life, property and the environment from natural hazards can be adequately avoided or mitigated.

As such, the proposal is consistent with and not contrary to with the proposed objectives and policies in Section 28.

6.3 Weighting

With relevance to this application, the principles of the objectives and policies of both the operative and proposed district plan seek to achieve similar outcomes, specifically in relation to protecting the visual amenity or rural character landscape. As assessed above, the proposal is consistent with and not contrary to both the relevant objectives and policies of the operative and proposed district plan, and as such a weighting exercise is not as critical. Notwithstanding, at the time of writing this AEE, some of the provisions of the PDP were under appeal (those above with an *)- specifically those in the Landscape Chapter and some in the Rural Chapter; and

as such those provisions carry little weight until the appeals are resolved. Therefore, where the provisions relate to these matters, the ODP provisions carry more weight.

Overall, regardless of weight, the proposal is consistent with and not contrary to with the objectives and policies of the ODP and PDP.

6.4 Conclusion

It is considered that the proposal is consistent with and not contrary to the objectives and policies of both the operative and proposed district plans.

7.0 REGULATIONS

7.1 National Policy Statements

There are no relevant National Policy Statements relevant to this application.

7.2 Regional Policy Statements (RPS and PRPS)

The objectives and policies contained within the Otago Regional Policy Statement (RPS) are relevant to the proposal. The full details of the relevant objectives and policies are found in **(Appendix 17)**. Of particular relevance is Objective 9.4.1 and Objective 9.4.3 which seek to promote sustainable management of Otago's built environment, by providing for amenity values and enhancing environmental and landscape quality. The proposal is directly aligned with these objectives as the proposal provides for a built environment that protect amenity values and protects the rural landscape and environment it is located within. Objectives 6.4.1 – 6.4.3 seek to protect Otago's water resources. The proposal involves the provision of water to the new site within the realm of the approved water provision to the existing house. This provision will be split into two, and as such no additional resource is sought as a result of the proposed lot. The proposal aligns with the relevant objectives and policies of the RPS.

It is also appropriate to consider the Proposed Regional Policy Statement (PRPS). The PRPS was notified on the 23 May 2015 and Council issued its decision on 1 October 2016. This decision is subject to appeals and those relevant objectives and policies that have been appealed are identified in full in **Appendix 17**. These objectives and policies seek similar outcomes to the RPS such as protection, maintenance and enhancement of natural and physical resources such as soils and indigenous habitats; however there are also relevant enabling provisions such as Policy 1.1.2 that provides for the economic wellbeing of people and Policy 3.1.12 that encourages and supports activities which contribute to enhancing the natural environment by protection or restoring habitat for indigenous species, regenerating indigenous species, mitigating natural hazards, and linking ecosystems. This

proposal has been well considered to avoid effects on the rural landscape and character, mitigate risk of natural hazards, provide an appropriate land use activity within a rural landscape whilst balancing the neighbour's interests and public views. The building site is intermittently visible travelling along a public road, however this road typically only serves Mount Burke Station after the subject site, whom have provided their written approval to the proposal. Over time as the vegetation matures the visual effects will get less and the positive effects on the environment, rural character and surrounding vegetation will increase.

Overall it is considered that the proposed development is consistent with and not contrary to the intent of the relevant objectives and policies of the Operative and Proposed Otago Regional Policy Statements.

7.3 Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (the NES) apply to activities if the land is covered by the NES, i.e. if any activity or industry on the Hazardous Activities and Industries List (HAIL) is being undertaken, has been undertaken, or is more likely than not to have been undertaken on the piece of land.

The method outlined in Section 6(2) of the regulations has been used to determine whether or not the piece of land is covered by the NES. This involves a review of the information held about the site by the Queenstown Lake District Council (QLDC), Otago Regional Council, and land owners with knowledge of the land. This information is attached as **Appendix 18** and **Appendix 19**, in which the landowner of 28 years (Mr Burdon) advises that there is no record of any HAIL activity on the site, and therefore the NES does not apply to this application.

8.0 THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The relevant matters from Part 2 of the Act have been reproduced below.

- 5 *Purpose*
- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural 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 effects of activities on the environment.*

The proposal will result in the applicant being able to subdivide their site, providing for their social economic and cultural well-being, and providing for future generations in this regard. The proposal will promote the sustainable management of the natural and physical resources associated with the site through the appropriate management of water provision, soil disturbance and the planting of indigenous vegetation.

In summary, the proposal is consistent with Section 5. The proposed development is designed in such a way to avoid (where possible), remedy and mitigate adverse effects on the environment.

6 *Matters of National Importance*

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (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:*
- (d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) *the protection of protected customary rights, sites, waahi tapu, and other taonga:*
- (h) *the management of significant risks from natural hazards.*

The site is not, nor is it adjacent or nearby to an ONL or ONF. There are no known cultural ties to the land and no historic heritage, taonga or customary rights are known that might be affected by the proposal. The risk of natural hazards can be mitigated through foundation design consistent with the building code, and overland flow diversion design, as recommended by a suitably qualified experienced geotechnical practitioner.

In summary the proposal achieves the principles set out in Section 6 and protects physical and natural resources, and the matters of national importance relevant to the proposal.

7 Other Matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to —

- (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:*
- (e) *[Repealed]*
- (f) *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 assessed in full above, the proposal will enable the efficient use and development of natural and physical resources under section 7(b)- the servicing and water supply provision to the new lot is within the realms of that anticipated by the ORC and QLDC; and the effects on the landscape are adequately mitigated. The proposal will maintain and enhance amenity values of the site and surrounding area as described in the assessment above, under section 7(c). It will maintain and enhance the quality of the environment through landscape enhancements under section 7(f) and protect the finite characteristics of the rural landscape and other natural and physical resources in accordance with section 7(g).

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

There are no issues relating to this piece of land or adjacent, to be considered with respect to the Treaty.

Overall the purpose of Part 2 of the Act has been achieved, by way of the location and design of development, environmental protection measures, landscape design and planting for mitigation, providing for the applicant's



social and economic well-being and ultimately protection of natural and physical resources, all of which ensure that the matters in Sections 5 to 8 of the RMA are achieved.

9.0 SECTION 104D OF THE RMA

With respect to the assessment above, the first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create any actual or potential adverse effects which are more than minor in extent.

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered to be contrary to the relevant policies and objectives of the District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

10.0 SECTION 106 OF THE RMA

Section 106 provides the consent authority power to refuse subdivision consent in circumstances where there is a significant risk from natural hazards, or that sufficient provision has not been made for legal and physical access to each proposed allotment.

The assessments above and the related appendices to this report demonstrate that there is not significant risk from natural hazards, and that legal and physical access is provided to each proposed allotment. As such, consent can be granted under s.106 of the RMA.

11.0 SUMMARY

The design of the proposed building platform, curtilage area, subdivision and associated infrastructure and access is considered appropriate to address the site constraints and landscape characteristics as well as the surrounding context. Although the future building will be visible from the nearest road, this view is intermittent, and seen in the context of the surrounding rural area; and this section of road only provides access to Mount Burke Station, whom have provided their written approval. The mitigation planting in the vicinity of the development is sufficient to mitigate the visual effects of the proposal and will enhance the area, including the rural character. Natural hazards can be adequately mitigated to ensure there is no risk to human health and property.

The proposal is consistent with and not contrary to the objectives and policies within the ODP and PDP and meets the purpose of the RMA. Consent can therefore readily be granted in accordance with Section 104B.

APPENDIX 2B - ADOPTED AEE – FURTHER COMMENT FROM PLANNER

From: [Jo.Fyfe](#)
To: [Erin Stagg](#); [EJ Matthee](#)
Subject: RM181225 - Landscape peer review Maungawera Valley Road
Date: Wednesday, 14 November 2018 6:31:53 PM
Attachments: [image004.jpg](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image002.jpg](#)
[image003.jpg](#)

Hi Erin and EJ,

Following your email EJ, and our phone call Erin, I have sought some clarification from Ben Espie on the actual level of effects he was indicating for each of the areas of concern raised. There seemed to be some ambiguous wording which in my opinion were misread. Please see Ben's response below.

In summary, Ben concludes:

- Cumulative effects would be insignificant, and of a very low degree;
- Containment- the building platform and curtilage area are contained by landform;
- The openness of this area can be maintained with a small lot size and boundary location does not have any effect on the rural area.

If need be, the applicant is open to shifting the proposed boundary to enable a 4Ha lot, if necessary, however it is the preference to keep the lot small, for the reasons set out below, and in the AEE.

Please can you consider this clarification of effects and let's discuss tomorrow or Friday.

Warm regards,

Jo

JEA31526 New email footers Jo



From: Ben Espie <ben@vivianespie.co.nz>
Sent: Wednesday, 14 November 2018 4:41 PM
To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: RE: RM181225 - Landscape peer review Maungawera Valley Road

Hi Jo

In relation to the points that you set out below:

Mr Matthee makes comments regarding the cumulative effects of adding a further instance of rural living to the relevant vicinity. He cites my comments in relation to PDP assessment matter 21.21.2.6(a): *"The Maungawera Valley is dominated by farming and agriculture, however, there are many instances of rural living. The proposal will add one more, therefore the overall degree of domesticity will increase. Regarding the importance of this increased domesticity in relation to the vicinity's landscape character, there are a number of relevant mitigating factors as set out in the Ward Report and in this Appendix. Consequently, I consider that the effect will be one of increased human modification but not in a way that will degrade landscape quality, character or openness in any significant way"*.

Also relevant are the comments from the Ward report in relation to ODP assessment matters 5.4.2.2(3)(d)(iii and iv) such as: *"Consequently, I consider that the effect will be one of increased human modification but not in a way that is contrasting or discordant with the existing vicinity. Overall, the landscape character of the relevant vicinity will remain a pleasant, open character defined by rural open space but with a rural living/farm base aspect to it. In this*

regard, I do not consider that the current proposal breaches any threshold of acceptability in relation to cumulative effects” and “I consider that the effects of the proposal on landscape character are essentially an exacerbation of the existing situation. However, as set out in my discussion of visual effects, the actual visual compromise that will stem from this exacerbation will generally be of a very low degree; for many observers it will go unnoticed, particularly once vegetation reaches a certain degree of maturity”.

Mr Matthee’s comment is: “In other words it will degrade the landscape quality, character or openness, but not in a significant way”.

Mr Matthee’s words essentially mean the same thing as Ms Ward’s and mine – there will be a cumulative effect on rural landscape character since one more instance of rural living will be added to the vicinity, however the degree of this cumulative effect will be insignificant; it will be of a very low degree.

I don’t understand Mr Matthee’s first point under his heading of Landscape and Rural Character – cumulative effects of development on the landscape; that there may be uncontained rural residential sprawl within the rural area which could result in a change to this character to one that is rural lifestyle in nature. This concern does not seem to relate to the proposal itself but perhaps to the possibility that further development may be proposed at some time in the future by other landowners. I don’t see that this is an effect of the current application.

In relation to containment, Ms Ward and I both consider that the building platform and curtilage area are contained by landform to a degree. The larger area of proposed Lot 2 is not contained, but outside the curtilage area there is no activity proposed. I cannot see that the lot size or the location of the boundary is of any real relevance. The land management on one side of the boundary is likely to be identical to the land management on the other side of the boundary. In any event, they will be subject to the provisions of the Rural Zone. In many ways, the best way to maintain open, cohesive character is to make the new lot (Lot 2) as small as possible.

Hope this helps,
Ben.

Ben Espie | BA BLA(Hons) | Landscape Planner | VIVIAN+ESPIE LTD



****We are on the move - From Friday 16 November onwards you will find us at 1/211B Glenda Drive, Frankton. All other contact details remain the same.****

1/211B Glenda Drive, Frankton, Queenstown 9300 | PO Box 2514, Wakatipu, Queenstown 9349 | p: +64 3 441 4189 f: +64 3 441 4190 m: 021 168 0254 | www.vivianespie.co.nz

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From: Jo.Fyfe <Jo.Fyfe@jea.co.nz>

Sent: Friday, 9 November 2018 11:25 AM

To: Ben Espie <ben@vivianespie.co.nz>

Subject: RM181225 - Landscape peer review Maungawera Valley Road

Hi Ben,

As discussed this morning, see below. I have highlighted the part that EJ has misunderstood in my opinion. If you do agree with his interpretation of this, totally fine; but if you could please provide some clarification, that would help.

The other sticking point is cumulative effects, and whether the platform is contained within the landscape in this location. Can you please clarify your position on this?

Nick is happy to make the Lot larger if he has to; but not move the platform closer to the house.

Thanks,

Jo

JEA31526 New email footers Jo



From: EJ Matthee <EJ.Matthee@qldc.govt.nz>

Sent: Wednesday, 7 November 2018 5:29 PM

To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>

Cc: Erin Stagg <Erin.Stagg@qldc.govt.nz>

Subject: RM181225 - Landscape peer review

Hi Jo,

Thanks for the below.

Happy to discuss this email over the phone ones you had a chance to digest it. I tried to all first, but was after work.

I have considered the points you have made and I have also asked for further clarification from Kris on the concern I had with regards to the landscape assessment relying on the line of dense Kanuka on the neighbouring property and whether it has implications for the assessment on this neighbour and on the wider environment. She provided clarification on her position in the attached email.

Given all this, I have done an initial assessment and concluded as below (I will only include the key part here):

Landscape and Rural Character – cumulative effects of development on the landscape

The landscape architects are in agreement that the site is within an open rural character landscape(PDP) or Arcadian character landscape(ODP). The proposed development relates to the creation of a rural residential size allotment (primarily for residential rather than for rural productive use) with an associated residential building platform on the edge of what is currently a highly visible open grazing paddock. It is therefore considered that the proposed development has the potential to affect the rural character of the site and surrounding environment and there is a potential that it could result in uncontained rural residential sprawl within the rural area which could result in a change to this character to one that is rural lifestyle in nature.

It should however also be acknowledge that rural living forms part of the Rural Character Landscape (PDP) or the Arcadian landscape (ODP) and that there are many instances of rural living in the valley. Nevertheless, the existing living component and associated lot sizes are mostly still inked to farming and agriculture and the Maungawera Valley is still dominated by farming and agriculture.

The proposal is within a rural paddock, but it borders a defined edge in the landscape created by a line of dense Kanuka on the neighbouring property. Although within a larger open landscape, the line of native Kanuka creates a separation between the open paddock to the north and the more natural landscape uphill to the south. Ms Ward explains that locating proposed future build form adjacent to this obvious edge in the landscape has meant that it is much more able to be visually absorbed into the landscape.

Notwithstanding, the concerns raised above (non-productive use and to small curtilage area to contain domestication), there is a potential for the proposed development to continue the current pattern of development and to remain within a acceptable threshold. Ms MacPherson states:

“ In my opinion, this application remains within the threshold of acceptability only because the proposed building platform is located behind an existing, established dwelling within a landscape where this pattern of development is existing. The pattern of residential development does not extend further north or west along the road.”

Given that it may be within the acceptable threshold, does however not mean that the adverse effects of the proposal on the environment are no more than minor. The assessment matters guide us to also consider the **cumulative effects of development on the landscape.**

ODP:

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

- i. the assessment matters detailed in (a) to (d) above;
- ii. the nature and extent of existing development within the vicinity or locality;
- iii. whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;
- iv. whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;
- v. **the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually significant natural elements, so as to check the spread of development that might otherwise occur either adjacent to or within the vicinity as a consequence of granting consent;**
- vi. whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;
- vii. **whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument** (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).

PDP:

Taking into account whether and to what **extent any existing**, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied;

- a) **the proposed development will not further degrade landscape quality**, character and visual amenity values, with particular regard to **situations that would result in a loss of** valued quality, character and **openness** due to the **prevalence of residential or non -farming activity within the Rural Landscape**.
- b) where in the case resource consent **may be granted to the proposed development but it represents a threshold** to which the landscape could absorb any further development, **whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space**

(Relevant assessment matters in bold and underlined)

It is accepted that the receiving environment (vegetation on the neighbouring property) offers some degree of mitigation within what would otherwise be a completely open landscape and that this vegetation help to contain the subject site on the south side. However, the applicant has not adequately shown that the proposed change of character will be isolated to the north, east or west. Instead these assessments only focussed on the building platform/build form and not on the proposed rural lifestyle/residential section proposed:

Ms Ward states that:

“The topography of the relevant building location itself is contained by existing mounded landform which provides a degree of enclosure. The Landscape Structure Plan in Appendix 2 proposes to native vegetative screening to the east and west of the building platform which will visually interrupt future lines of horizontal built form.”

Ms Fyfe states:

Ms Ward assesses that the building platform site is ‘well contained by landform and not spreading. A curtilage area associated with the dwelling and existing topography will contain development...’; and that Ms Ward does not consider ‘that the current proposal breaches any threshold of acceptability in relation to cumulative effects’.....As mentioned above, the physical development is limited to that of a natural topographical feature, being the central terrace, which will check the spread of development that might otherwise occur within the vicinity.

Ms Fyfe however states that the physical development is limited to that of a natural topographical feature, being the central terrace. This statement is contradicting itself as in essence it means that development will spread over the central terrace, but it states that it will check the spread of development/ contain development (Jo – can you please clarify).

As such it is considered that the proposal would have adverse effect on the rural character of the wider rural area that are more than minor.

Taking into account the existing development in the area and given that the proposed development is within an area that would otherwise form part of an open pastoral landscape/RCL it is considered that the proposal would further degrade visual amenity values with particular regard to situations that would result in a loss of valued openness due to the prevalence of residential or non-farming activity within the Rural Landscape. Mr Espie stated that the effect will be one of increased human modification, but not in a way that will degrade landscape quality, character or openness in a significant way.

Mr Espie states:

The Maungawera Valley is dominated by farming and agriculture, however, there are many instances of rural living. The proposal will add one more, therefore the overall degree of domesticity will increase. Regarding the importance of this increased domesticity in relation to the vicinity’s landscape character, there are a number of relevant mitigating factors as set out in the Ward Report and in this Appendix.

Consequently, I consider that the effect will be one of increased human modification but not in a way that will degrade landscape quality, character or openness in any significant way.

In other words it will degrade the landscape quality, character or openness, but not in a significant way.

As discussed above, Ms MacPherson considered that the landscape may be able to absorb the proposal (disregarding other outstanding issues), but only because it is located behind an existing, established dwelling within a landscape where this pattern of development is existing and that this pattern of residential development does not extend further north or west along the road.

Given this, it can be derived that the proposed development could represent a threshold to which the landscape can’t absorb any further development. The ODP assessment matter guides us to consider legal instruments to control or prevent future subdivision, but none were proposed. The PDP assessment matter guides us to consider whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space. As the site borders private property to the north, east or west (as discussed above), there is no opportunity in this regard.

As such it is considered that the proposal could have adverse effect on the rural character within the wider rural area that are more than minor.

This is a draft to go into my assessment and aims to cover the mayor concern I have with the proposal. At this stage I

think it should be notified as there will be adverse effects on the environment that are more than minor. Effects on the neighbour has also been raised.

Furthermore, in my opinion the proposal as submitted includes three assumptions/opinions, which is either an oversight or I just don't agree with it, but I think it is important:

1. The assessment matters in the PDP has not been adequately considered.

Both ODP and PDP assessment matters needs to be considered. There are key points of differences .The appeal on the PDP provisions does not mean that they can be disregarded in the S95 assessment.

Example:

- Note the shift in wording from compromise (ODP – 5.4.2.2(3)(a)(ii)) to degrade (PDP -12.21.2.2 b). Also within both the wording use is **scale and nature**, not just scale (applicable to point 2 below).
- The PDP has also done away with (ODP – 5.4.2.2(3)(a)(iv):
 - (iv) whether any adverse effects identified in (i) - (iii) above are or can be avoided or mitigated by appropriate subdivision design and landscaping, and/or appropriate conditions of consent (including covenants, consent notices and other restrictive instruments) having regard to the matters contained in (b) to (e) below;
- Also see the change in assessment matter discussed above.

2. The assessments (planning and landscape) were made on the bases that the site could/would still be in productive use.

I consider the information submitted to be a best case scenario. It is also a “cart before the horse” situation. Yes the site might be able to hold a productive vineyard, but there is no regard to other factors such as reverse sensitivity (noise, spray) or for the other elements needed to ‘farm’ it. The expert assessment itself highlight that it would need water from the neighbouring site and fertiliser, therefore relying on off-site supporting infrastructure and potentially management (not covered in the proposal).

The proposed lease of neighbouring station land to contain stock (as outlined in your email below) is also in my opinion unenforceable, unrealistic and unpractical from a farming perspective.

I completely disagree with this statement: “the rural character and use of the land will not be affected by the proposed development” . Even in a best case scenario, where the site could contain a vineyard, it would rely on off site management and infrastructure to support its productive use. Planting a vineyard is also not part of the proposal and it is likely that the site would just be used for rural living/residential (which is what is currently proposed).

3. The assessments only focus on the visual/landscape character effects of the proposal and not the effect on the rural character.

While I acknowledge that rural living forms part of the RCL(PDP) or the Arcadian landscape (ODP) the living component and associated lot sizes are still mostly linked to the farming or at least in this area.

This proposal is for a purely Rural living/residential site within a rural area with no link to the farming or productive use of the site. The site is also proposed within an area that otherwise would form part of an open pastoral landscape/RCL. Given this I consider that **the nature** of the proposal would **degrade** the quality and character of the RCL.

Specific consideration to the cumulative effects of development on the landscape is

important here as outlined above.

I don't think there is much scope to amend the application, that would change the above assessment. Nevertheless, please advise if you would like me to finish the S95 report (estimating 1-2 days work), if you would like to amend the proposal or if you prefer to volunteering notification.

Also some comments in green in the below email.

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI
Planner | Planning & Development
Queenstown Lakes District Council
DD: +64 3 450 0316
ej.matthee@qldc.govt.nz



From: Jo.Fyfe [<mailto:Jo.Fyfe@jea.co.nz>]
Sent: Friday, 2 November 2018 2:58 PM
To: EJ Matthee
Cc: Erin Staggs
Subject: RM181225 - Landscape peer review

See comments in green

I was talking to Erin yesterday about another application and this one came up. I hope you don't mind but I'm going to send her through this information I send you in response to the landscape peer review, with some extra points, like the size of the proposed Lot. Could you please discuss with Erin, and let me know your thoughts next week.

- With regards to the size of the proposed Lot, I acknowledge this is not the typical size of a rural lot, and seems relatively small. However when you're assessing the actual effects associated with this smaller lot, in my opinion there are no adverse effects that would result due to the smaller lot size, in comparison to whether it's a larger lot size, for the following reasons:
 - The District Plan is a discretionary activity for a property in the Rural zone, with no specified minimum lot size. In this regard, the QLDC acknowledges that lots can be of all shapes and sizes provided the rural character, amenity and productive land is not adversely affected;
 - Ben Espie is supportive of the smaller lot size with regards to rural character and amenity;
 - Conditions can be implemented around domestic use, and keeping it tight into the building platform, around the curtilage area (if this is an issue);
 - Conditions can be implemented around fencing between the proposed lot and the neighbouring lots, being post and wire, rural fencing only;
 - If necessary, a consent notice condition can be implemented around any future owner acknowledging they have bought in a rural area, and that they will be expecting rural activities surrounding them (if this is an issue);
 - I have covered off precedent in a previous email, and in my AEE (Erin let me know if you want to see this specifically);
 - With regards to rural production, as indicated in my AEE, the site is prime for viticulture, in terms of its location, sunlight access, and soil. The attachment to the AEE provides specialist input of this. As discussed with EJ, this is information only, to demonstrate that the site and its size, can adequately accommodate rural production. The approval of this lot would not 'create another Gibbston Valley', in my opinion, as you were concerned about, and this is not a reason to refuse or notify. Another option for rural productivity is that there can be a lease of neighbouring station land to contain stock, if that is a wish of the owners. As such, the property size does not limit the operation of rural productivity, and there are ways to ensure the lot size is not visible from outside the property, if this is a concern.

Therefore I do not agree there are adverse effects around a smaller lot in this area, over and above anything that can be adequately mitigated.

See my initial assessment above

In response to Kris McPherson's landscape peer review:

- Para 4- No boundary shelterbelt planting- this can be conditioned and worded appropriately to ensure the effects mentioned in para 5 are not detrimental.

Potentially

- Para 6- Bulk up 'backdrop' planting- There is a huge amount of backdrop planting already in existence, being within the Gillespie's property. Ms MacPherson's issue with the lack of backdrop before the applicant's planting to the rear of the platform matures only makes any sense if the property to the rear (Gillespie) cuts down all the kanuka that they have spent the last 10 years growing. Notwithstanding, consent would be required to remove this vegetation pursuant to Site Standard 5.3.5.1(x), and a variation to Conditions 11 and 12 of RM030427 may be required. This seems unrealistic to say the least.

The planting on the neighbouring property can't be relied on as it is off-site mitigation. I understand your above points, but it is irrelevant to the argument.

More importantly as per my above email the proposal/landscape assessment heavily relies on this "obvious edge in the landscape, being the line of dense kanuka that demarcates the southern boundary". The proposal needs to be considered without the planting on the neighbouring property.

Ms MacPherson's concerns are the effects of the limited backdrop planting within the site (until it matures) on those users of Maungawera Valley Road. It is noted that the only people that use this road past this site have provided APA, as the road only accesses Mount Burke Station after this point. No public access is provided to the lake. Therefore the effects on those users should be disregarded.

It is still a public road and the effects still needs to be considered.

In addition to this point, the property is within an RCL, which allows for a range of uses in the rural area. I am struggling to understand what 'effects' the building platform has that cannot be mitigated, that would have a minor, or more than minor effect to warrant notification.

- Paras 8 – 11. Concerns over the effects on the Gillespie's- As per the comments above, this is all sounds fanciful– the Gillespie's will not see a building on this platform at all. It is highly unlikely the Gillespie's would cut down all their kanuka (with QLDC consent) within the 3 years the onsite backdrop planting takes to mature. The Gillespie's have control over the existing kanuka that screens the applicant's platform. Any retaining can be within the building platform, it does not need to be located between the platform and the boundary. The proposal could achieve a 5m strip to plant kanuka on between the platform and the boundary.

Does not matter if it is fanciful. It is still offsite mitigation

- Para 23- Curtilage area- The curtilage area proposed is 2140m². Ben Espie and I can't see a problem with this at all. It is highly unlikely that the entire building platform will be taken up with built form – there is going to be plenty of room left for the clotheslines and play equipment that Ms MacPherson mentions.

I thought the platform is 700m². So the curtilage area is around 200m² max? Please clarify, otherwise I agree with Kris. Or are you proposing to restrict the building area in the platform?

- Para 25- Reverse sensitivity- I think this is a fanciful argument. If someone is buying a property to construct a dwelling on it in a rural area, they have to be cognisant that rural activities will be going on around them. If you disagree with my point, I can put some thought into a consent notice to advise any potential purchasers, but it seems unnecessary to me.

I agree with Kris. Council prefer not to rely on non-complaint covenants as they are placing a burden on Council to enforce/monitor.

In addition to my points above, although I disagree that this is necessary, there is scope to push the building platform further from the southern boundary by 4m max without generating way more earthworks. This would achieve a 9m setback from the boundary. This is not to say a building will be constructed within the 15m setback, but allowance for it through the building platform should be had. Thought has gone into reducing the depth of the platform, but anything less than the 20m depth will be too narrow, and therefore the 20m depth should be retained.

Also can you please check whether Kris McPherson has actually been out to the site at all? I understand perhaps Helen Mellsop may have undertaken the site visit for the landscape peer review of RM18462?

Yes Kris has confirmed she has been to the site.

Thankyou for your consideration.

Warm regards,

Jo

JEA31526 New email footers Jo



From: EJ Matthee <EJ.Matthee@qldc.govt.nz>
Sent: Wednesday, 17 October 2018 1:13 PM
To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: FW: RM181225 - Landscape peer review

Hi Jo,

Just receive this so thought I will keep you in the loop if you want to have a read.

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI
 Planner | Planning & Development
 Queenstown Lakes District Council
 DD: +64 3 450 0316
ej.matthee@qldc.govt.nz



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APPENDIX 2C - ADOPTED AEE ADDENDUM – 2 APRIL 2019

ADDENDUM TO AEE- 431 MAUNGAWERA VALLEY ROAD

For Nick and Lisa Millar

Council Reference: RM181225

2nd April 2019

The application for subdivision and creation of residential building platform was submitted to the Council on 21st September 2018. The application was publicly notified on 21st December 2018, and one submission received from Alan and Janice Gillespie, who own and reside at the large rural property to the rear of the subject site. As a result of this submission, and points raised by the Council in the s.95 report, amendments have been made to the application, for the Council's consideration prior to a hearing. These changes include:

- Shift of the building platform 10m north, which provides a 15m separation between the building platform and the Gillespie's property;
- Revised Earthworks Plan to reflect the building platform shift;
- Revised Structural Landscape Plan.

The following revised plans are provided in addition to this AEE addendum:

- Scheme Plan prepared by C. Hughes & Associates, titled 'Subdivision of Lot 1 RM180462- N & L Millar, Maungawera Valley Road', Rev.B, dated Feb' 19;
- Earthworks Plan prepared by C. Hughes & Associates, titled 'N & L Millar Subdivision- Earthworks Details', Rev.A, dated March '19;
- Structural Landscape Plan, prepared by Vivian + Espie, titled 'Appendix 2- Structural Landscape Plan, N Millar Proposal- Maungawera Valley Road, Albert Town'. Dated 18.03.19.
- Addendum Landscape and Visual Effects Memo, prepared by Ben Espie of Vivian + Espie, dated 2nd April 2019.

This AEE addendum seeks to address any additional effects from the altered plan, and points raised by the QLDC in their s.95 assessment.

The application is a non-complying activity. As such, under s.104D, the Council need to be satisfied that even if they consider the adverse effects to be more than minor, consent can still be granted if the application is not considered to be contrary to the relevant objectives and policies. In this addendum I will focus on the relevant objectives and policies, on points of disagreement with the Council. It is noted that the shift of the building platform does not change the assessment of the objectives and policies in the AEE dated September 2018.

Landscape and Amenity Values

Landscape and amenity values have been addressed by Mr Espie, who has addressed the comments from Ms McPherson previously. Ultimately the revised plan will have similar, or less adverse effects on landscape and amenity values than the previous version.

Rural Character/Productive Land

Lot Size / Rural Amenity and Character

As the applicant has offered a condition stating no boundary planting, the only demarcation of the lot size if viewed from outside the site would be the fence line. As mentioned by Mr Espie, the fence line will be only rural style post and wire fencing. This is a permitted, and an anticipated feature on rural land. As such, there will be no obvious impact whether the lot is 2 Ha, or 10 Ha. A condition of this is offered by the applicant, as explained below.

The Operative District Plan (ODP) and Proposed District Plan (PDP) have adopted a discretionary regime, with no minimum site size in the Rural zone. The objectives and policies do not express that rural lifestyle sized properties are inappropriate in the rural environment, nor do they imply they will adversely affect the rural amenity of the area. When assessing the application as a whole, the proposal will improve the rural amenity of the area, as there will be additional planting within the site, that would not otherwise be planted. There will be a dwelling partially visible from Maungawera Valley Road (for approx. 1km) once the platform is constructed upon, however this will be mitigated through design, mounding and planting; and therefore, would maintain the rural amenity of the area. This is not contrary to Objective 21.2.1 of the PDP.

Productivity

Policy 21.2.1.1 of the Rural chapter of the PDP seeks to enable farming activities. The proposal is not contrary to this policy, as the existence of a dwelling simply does not prevent farming activities.

The lot size does not preclude rural activities such as those surrounding operating on the site. In fact, it is highly likely that activities such as grazing cattle, sheep and horses will be an anticipated use for the site. Such uses are consistent with Policy 21.2.2.1 of the Rural chapter of the PDP which seeks to allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner, and not contrary to Policy 21.2.2.2 which seeks to maintain the productive potential of the soil resource. It also seeks to encourage land management practices that benefit soil and vegetation cover. The planting proposed around the building is relatively substantial, which otherwise would not be present on this site. As such, the proposal is not contrary to this policy.

Notwithstanding, if the lot size is the difference between the QLDC support and not, the applicant is prepared to increase Lot 2 to 4Ha, however this is not the preference.

Overall, opportunities for rural activities on the land are not compromised by the lot size. Despite the lot size, the rural character and amenity is not compromised, and future occupants can still operate farming activities and rural productive land uses. As such, the revised proposal is not contrary to the relevant objectives and policies.

Reverse Sensitivity

For clarity, viticulture is not proposed on Lot 2, but was provided as an example of a rural production activity, viable on a 2Ha site. As such, this use should not be assessed on the neighbours any more than grazing stock should be.

The additional separation distance from the building platform and the Gillespie's property to the south together with a proposed 15m buffer of planting which wraps around the western side of the platform is considered sufficient in mitigating reverse sensitivity effects of the neighbouring rural land to the proposed dwelling.

To the west, this neighbour (Mt Burke Station) has provided APA to the proposal. Tim Burdon of Mt Burke Station has advised he has no plans to develop his part of the land directly adjoining the proposed platform or change the current pastoral system. This consists of:

- Grazing, shifting and feeding stock
- Cultivation
- Solid fertiliser application
- Mowing grass

The revised landscape plan shows a 9.2m planted buffer between the building platform and boundary. This is considered sufficient to mitigate any adverse effects of the above uses.

The only relevant policy relating to reverse sensitivity in the ODP, which relates to defining an urban growth boundary through a plan change¹. The only relevant policy relating to reverse sensitivity in the PDP is 27.2.2.8 in the subdivision chapter, which relates to subdivision within the National Grid Corridor.

Policy 21.2.1.3 of the Rural chapter in the PDP seeks to avoid adverse effects on landscape character, visual amenity, outlook from neighbouring property through buildings being set back a minimum distance from internal boundaries. And it goes on to seek to avoid adverse effects on established and anticipated activities. The intention of this policy is clearly not aimed at protecting reverse sensitivity, otherwise it would have stated so. But instead it seeks to mitigate effects on neighbours. The building platform is set back a complying distance from the southern boundary, but 5m short of the western boundary internal setback. This neighbour has provided APA for the proposal, and as such, is supportive of the adverse effects that arise from this setback.

Policy 1.3 of the District Wide chapter of the ODP seeks to ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings. The surrounding sites currently operate successful rural productive activities, and all have dwellings nestled within those sites, including the subject site, where the dwelling is located at the front of the property. It is therefore established that dwellings within these rural areas are not compromising the rural productive use; nor are they considered inappropriate. As such, the proposal is not contrary to this policy, and would not be compromising rural activities on neighbouring sites.

There are no relevant objectives and policies relating to reverse sensitivity to this proposal. The proposal is not contrary to the relevant objectives and policies applicable to the points of concern of the QLDC, and therefore the application would meet the second s.104D test and should be granted.

Conditions offered by the applicant:

In addition to those recommended conditions of consent in Appendix 5 of the proposal, the following conditions and consent notices are offered with the application:

- Any future building within the building platform will have a maximum finished level of 366.5m as per the Earthworks Plan prepared by C. Hughes & Associates, titled 'N & L Millar Subdivision- Earthworks Details', Rev.A, dated March '19; and
- Any future building within the building platform will have a maximum of 4.5m height limit; and
- Any built form, including the dwelling, associated buildings, tanks, clothes lines and car parking are not visible from the Gillespie dwelling at the time of the consent.
- No boundary shelterbelt planting.

Jo Fyfe- Planner

John Edmonds and Associates

¹ District Wide Chapter- Policy 7.6.5

APPENDIX 3 - RELEVANT CONSENT HISTORY DOCUMENTS



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104
RESOURCE MANAGEMENT ACT 1991

Applicant:	N and L Millar
RM reference:	RM180462
Application:	<p>Application pursuant to Section 88 of the Resource Management Act (RMA) to undertake a two lot subdivision and establish a residential building platform (RBP).</p> <p>Land use consent is also sought to establish a residential building platform, and to breach standards in relation to providing water for fire fighting purposes.</p>
Location:	431 Maungawera Valley Road, Wanaka
Legal Description:	Section 7 Block V Lower Wanaka Survey District and Section 5-6 Block VI Lower Wanaka Survey District held in Computer Freehold Register OT10A/551
Operative District Plan Zoning:	Rural General
Proposed District Plan (Stage 1 Decisions Version) Zoning:	Rural
Activity Status:	Non-complying
Date	25 May 2018

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 3 of this report. This decision is made by Sarah Gathercole, Senior Planner, on 25 May 2018 under delegated authority pursuant to Section 34A of the RMA.

2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 108 of the RMA. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Sarah Gathercole, Senior Planner as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

Resource Consent is sought to undertake a two lot subdivision, establish a building platform around the existing dwelling on proposed Lot 1, and amalgamate the balance lot (Lot 2) with the adjacent farm lot (Sec 5 Blk VI Lower Wanaka SD).

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Sections 1-3 of the report entitled '*Application for Subdivision Nick and Lisa Millar Maungawera Valley Road, Wanaka*', prepared by Matthew Suddaby of C Hughes and Associates Ltd, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report.

2. ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General and the proposed activity requires resource consent for the following reasons:

Land Use

- A **discretionary** activity resource consent for the construction of a building not located within an approved residential building platform. The proposed water tank would not be located within the approved building platform.

Subdivision

- A **discretionary** activity resource consent pursuant to Rule 15.2.3.3(vi) for the proposed subdivision and establishment of a residential building platform.
- A **non-complying** activity pursuant to Rule 15.2.3.4(i) as the proposal does not comply with zone standard 15.2.6.3iii(b) in regard to the creation of an allotment without an approved Residential Building Platform. It is proposed to create a lot without a residential building platform and to amalgamate that lot with an existing lot without a residential building platform.

DECISIONS VERSION (STAGE 1) OF THE PROPOSED DISTRICT PLAN (2018)

Council notified its 'decisions on submission' version of the Proposed District Plan on 5 May 2018. The subject site is zoned Rural and the proposed activity requires resource consent for the following reasons:

Land Use

- A **restricted discretionary** activity resource consent pursuant to Rule 21.7.5 as it is not proposed to erect a water supply of 45,000l for fire fighting. The applicant proposes to install a 30,000l water tank. Council's discretion is restricted to the extent to which SNZ PAC 4509:2008, adequate water supply, the accessibility of the water connection point and whether the extent of the building is assessed as being low fire risk.
- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the proposed identification of a residential building platform not less than 70m² and not greater than 1000m², being 670m².
- A **discretionary** activity resource consent pursuant to Rule 21.4.11 for the construction of any building not otherwise provided for. It is proposed to erect a water tank outside of the approved building platform.

Subdivision

- A **discretionary** activity resource consent pursuant to Rule 27.5.11 for the proposed rural subdivision.
- A **non-complying** activity resource consent pursuant to Rule 27.7.12 as the proposal does not comply with Rule 27.7.10 in relation to the establishment of a residential building platform. It is proposed to create a lot without a building platform and amalgamate to an existing lot without a building platform.

PROPOSED DISTRICT PLAN (STAGE 2)

Council notified the Proposed District Plan (Stage 2) on 23 November 2017. However no rules that have immediate legal effect pertain to the subject application.

As the application was lodged prior to 5 May 2018, the activity status of this application continues to be processed, considered, and decided as an application for the type of activity that it was for, or was treated as being for, at the time the application was first lodged

Overall, the application is considered to be a **non-complying** activity.

2.2 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.

3. SECTION 95A NOTIFICATION

3.1 Step 1 – Mandatory public notification

The applicant has not requested public notification of the application (s95A(3)(a)).

Public Notification is not required in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The application does not include exchange to recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

3.2 Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not a controlled activity; or a restricted discretionary or discretionary subdivision or residential activity; or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB; therefore, public notification is not precluded.

The proposal is not a prescribed activity (95A(5)(b)(i-iv).

3.3 Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.1 below:

3.3.1 Assessment of Effects On The Environment (S95D)

3.3.2 Mandatory Exclusions From Assessment (s95D)

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- B: *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b) (the permitted baseline, refer section 3.3.3 below).*
- C: *The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

Person (owner/occupier)	Address (location in respect of subject site)
Mt Burke Station Limited	Owner of the subject site (Section 7 Block V Lower Wanaka Survey District and Section 5-6 Block VI Lower Wanaka Survey District held in Computer Freehold Register OT10A/551)

3.3.3 Permitted Baseline (S95D(B))

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 all subdivision and the construction of buildings require resource consent in this zone. Therefore the permitted baseline is considered to be of limited assistance.

3.3.4 Assessment: Effects On The Environment

Taking into account sections 3.3.2 and 3.3.3 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

The relevant assessment matters are found in Sections 5 and 15 of the District Plan and have been considered in the assessment below.

The applicant has provided a landscape assessment prepared by Mr Ben Espie of Vivian + Espie (attached as Appendix 3). Mr Espie identifies the site as being located within a Visual Amenity Landscape (VAL). Council's Consultant Resource Management Engineer, Ms Kris MacPherson has reviewed Mr Espie's report (attached as Appendix 4) and agrees that the subject site is located within a VAL.

The relevant assessment matters include:

Assessment Matter 5.4.2.2(3), which directs Council to have regard to the effects on natural and pastoral character, visibility, form and density of development, cumulative effects and rural amenity.

Assessment Matter 15.2.3.6(b) directs Council to have regard to the extent to which the proposed subdivision and establishment of a residential building platform maintains and enhances rural character, landscape values, visual amenity, the life supporting capacity of soil, vegetation and water, infrastructure and traffic and public access to and along lakes and rivers; the extent to which the proposal may adversely affect adjoining neighbours; the extent to which the proposed development may be serviced; and the extent to which the proposed development may be affected by or exasperate natural hazards.

The Assessment of Effects provided at section 6 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted in part for the purposes of this report, with the following additional assessment:

Landscape Matters

Mr Espie has reviewed the proposal in relation to landscape matters. Mr Espie considers that the proposal will not result in any changes to the landscape that are not currently enabled or existing. Although the existing farm building could be demolished and rebuilt in the future as a controlled activity as a result of this application, Mr Espie considers that, provided the proposed design control conditions are complied with, no additional adverse effects on the landscape would result from such a renovation.

Overall, therefore, Mr Espie considers that adverse effects on natural and pastoral character, form and density, rural amenity visual effects and cumulative effects would be negligible.

Ms MacPherson has reviewed Mr Espie's report and agrees with his conclusions overall. Ms Macpherson has recommended a number of changes to the volunteered conditions. Ms Macpherson's recommendations are accepted. The applicant has agreed to the proposed conditions.

It is noted that the proposed water tank would be located outside of the approved RBP. However the water tank would be small in scale and is an anticipated element within a rural development of this nature. Further, the proposed tank will be located within close proximity to the proposed dwelling. For these reasons the location of the proposed water tank is considered to be appropriate and adverse effects in this regard are anticipated to be no more than minor.

Overall, adverse effects in relation to landscape matters are considered to be less than minor.

Rural Character

The proposed development would create a small rural allotment with an area of 11.3ha (proposed Lot 1). The balance lot (proposed Lot 2) would be amalgamated with the adjacent farm block (Sec 5 Blk VI Lower Wanaka SD), creating a 147ha block without a building platform.

In relation to the small lot with the proposed RBP, it is noted that the dwelling and associated RBP would be located in the northern portion of the site, retaining the remainder of the site for pastoral/productive purposes. While the site is relatively small, the properties to the north and south are pastoral in nature and larger than 100ha. Therefore it is considered that the small lot site is appropriate in this instance and will have adverse effects on rural character that are no more than minor.

In relation to the creation of the balance lot, it is noted that the large farm lot with which it would be amalgamated is already existing without an RBP. The addition of the balance lot would not have an adverse effect in relation to the ability to farm the block and therefore on rural character. Therefore adverse effects in this regard are considered to be less than minor.

Overall, adverse effects on rural character are considered to be no more than minor.

Servicing and Access

Council's Land Development Engineer Cam Jones has reviewed the proposal in relation to servicing and access (attached as Appendix 5). Mr Jones' assessment is considered to be comprehensive and adopted for the purpose of this report.

Mr Jones is satisfied with the proposed access arrangement. Mr Jones has recommended conditions in relation to the formation of the proposed Right of Way (ROW).

It is proposed to install a new bore to service the existing dwelling and proposed RBP. Mr Jones is satisfied a bore can be drilled with sufficient water supply and has recommended conditions be included in relation to the maintenance and monitoring of the water supply and the quality of the water.

The applicant proposes to install a 30,000l water tank which is in accordance with Council's MOU with the fire service. Mr Jones is satisfied this is sufficient and has recommended a condition in relation to this matter.

Mr Jones is satisfied that the other services are adequately provided and has recommended consent notice conditions to ensure to address servicing should the existing building be demolished and a new one constructed.

The applicant has agreed to the proposed conditions.

Overall, adverse effects in relation to servicing and access are considered to be no more than minor.

3.3.5 Decision: Effects On The Environment (S95A(2))

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4.0 EFFECTS ON PERSONS (s95B)

Section 95B(1) requires a decision whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

4.1 Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

4.2 Step 2: if not required by step 1, limited notification precluded in certain circumstances

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification.

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity.

4.3 Step 3: if not precluded by step 2, certain other affected persons must be notified

The proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.

The proposal therefore falls into the 'any other activity' category and the effects of the proposal on any persons are assessed in accordance with section 95E in section 4.1 below to determine if limited notification is required.

4.3.1 Assessment Of Effects On Persons (s95E)

4.3.2 Permitted Baseline (s95E(2)(a))

The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. In this case the permitted baseline is found within section 3.3.3 above.

4.3.3 Assessment: Effects on Persons

Taking into account the exclusions in section 95E(2) and (3) of the RMA and 4.3.2 (Permitted Baseline) above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor:

The properties located at 287 and 365 Maungawera Valley Road are located adjacent to the subject site. However it is not proposed to amend the built form on the site. The new lot would still be rural in appearance and use, and the new boundary is not considered to have noticeable effects on the rural amenity or views obtained by these properties. Further, it is considered that the proposed subdivision would not have adverse effects in relation to reverse sensitivity to the adjacent farming operations since no new residential development is proposed.

Given the above, it is considered that adverse effects on the owners or occupiers of 287 and 365 Maungawera Valley Road of the proposed development will be less than minor.

4.3.3 Decision: Effects on Persons (s95B(1))

In terms of Section 95E of the RMA, no person is considered to be adversely affected.

4.4 Step 4 – Further Limited Notification in Special Circumstances

Special circumstances do not apply that require limited notification.

5.0 OVERALL NOTIFICATION DETERMINATION

Given the decisions made above in sections 3 and 4 above, the application is to be processed on a non-notified basis.

6.0 S104 ASSESSMENT

6.1 EFFECTS (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 3 of this report. Conditions of consent can be imposed under s108 of the RMA as required to avoid, remedy or mitigate adverse effects.

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

The relevant operative objectives and policies are contained within Parts 4, 5 and 15 of the District Plan.

Operative District Plan

District Wide: Nature Conservation Values

The objectives and policies in relation to nature conservation values seek to protect and enhance the ecological function of and maintain the diversity of indigenous flora and fauna in the district. In addition, they seek to preserve the natural character of the District's lakes and their margins.

It is considered that the proposed development is not contrary to these objectives as it is considered that the proposed development will not affect the natural character of the site, or have an effect in relation to nature conservation values as the subject site and surrounding area is already highly modified and of little conservation value.

District Wide: Landscape and Visual Amenity

The objectives and policies in this section encourage development to occur in areas with greater potential to absorb change without detracting from the landscape and visual amenity values of the area.

Relevant objectives include Objectives 4.2.5.1 and 4.2.5.2, which seek to avoid subdivision and development in those parts of the visual amenity landscapes that are vulnerable to degradation; to avoid remedy or mitigate adverse effects of developments that are highly visible from public places or places frequented by members of the public; to mitigate the loss of natural character and to discourage linear tree planting. Although the proposed development is a subdivision, no additional residential development or built form would be generated by the application. Therefore adverse effects in relation to visibility are considered to be avoided and the proposed development is considered to be not contrary to these objectives and associated policies.

The proposal will not result in the incremental domestication of the landscape. It is therefore considered that the proposed activity in its current form would not contribute to the cumulative degradation of the landscape and the proposal is considered to be not contrary to Objective 4.2.5.8.

Overall, I consider that the proposal is not contrary to the District Wide Objectives and associated policies in relation to Visual Amenity Landscapes, Natural Character and Visual Amenity.

Rural General: Character and Landscape Value

The District Wide landscape objectives and policies have been considered above.

Objective 1 seeks to protect the character and landscape value of the rural area. It is considered that the rural character of the area would not be affected by the development. For these reasons I consider the proposed development not contrary to this Objective and associated policies.

The subdivision and the rural use of the subject site will not result in a loss of the life supporting capacity of soils as the dwelling on the site is existing and the remainder of the land can continue to be used for rural productive purposes. . Therefore, it is considered that the proposed development is not contrary to Objective 2 – Life supporting Capacity of Soils.

It is considered that the proposed development would not have adverse effects on rural amenity that are more than minor. As such, it is considered that the proposed development would not be contrary to Objective 3.

Overall, it is considered that the proposed development is not contrary to the objectives and policies of the Rural General chapter of the Operative District Plan.

Subdivision and Development

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. Overall it is considered that the proposed development is therefore not contrary to the objectives and policies of Part 15 of the Operative District Plan.

Proposed District Plan

Council notified the Proposed District Plan, Stage 1 of on 26 August 2015, and Stage 2 on 23 November 2017. Stage 1 contains objectives and policies with immediate legal effect, pursuant to section 86A(2) of the RMA. However there are no relevant provisions in Stage 2.

Chapter 3 Strategic Directions

The objectives and associated policies found in this chapter of the Plan seek to protect the natural character of the District's landscapes and to direct subdivision to locations that can absorb change.

Objective 3.2.4 seeks to protect the natural environments of the District and Objective 3.2.5 seeks to retain the District's distinctive landscapes. The proposal will not adversely affect the character or landscape quality of the area. Therefore the proposal is considered to be consistent with this objective.

Objective 3.2.1.4 seeks to enable owners of rural properties to diversify provided a sensitive approach to landscape is taken. I consider that a sensitive approach to landscape has been taken and therefore the proposal is consistent with the intent of this Objective.

Policy 3.3.32 directs Council to only allow land use change in those landscapes that can absorb development. The proposed development will not result in land use change and therefore is considered to be consistent with this policy.

In relation to landscape values, Objective 3.2.5.1 seeks to protect the natural character of Outstanding Natural Landscapes and Features. The application site is located adjacent to an ONL but no additional residential development or built form is proposed. Therefore the proposal is considered to be consistent with this objective and associated policies.

Given the above assessment, overall it is considered that the proposed development is not contrary to the objectives and policies of the Strategic Directions chapter of the Proposed District Plan.

Chapter 6 Landscapes

The proposed site is located in location that has been mapped as located within a Rural Landscape. There have been no submissions in relation to the mapping of this site as a Rural Landscape.

The relevant objectives and policies in this chapter seek to protect ONLs and Rural Landscapes from inappropriate development. Adverse effects on rural character and in relation are considered to be no more than minor.

Policy 6.3.7 seeks to enable the continuation of low-intensity pastoral farming on large land holdings.

Policy 6.3.23 directs Council to ensure that incremental subdivision and development does not degrade landscape quality or character.

Policy 6.3.28 directs Council to have regard to effects on the open character of the landscape where it is open at present.

As the proposal will not result in additional residential development and will enable the continued use of Mt Burke Station as a large station, it is considered the proposal is consistent with these policies.

Overall, it is considered that the proposed development is not contrary to the objectives and policies in Chapter 6 of the PDP.

Chapter 21 Rural Zone

The relevant objectives and policies in this chapter seek to enable farming and other permitted activities whilst protecting landscape, rural and ecological values. The proposal relates to a farming activity. For the above reasons it is considered that the proposed development would not be contrary to the objectives and policies of the rural zone.

Chapter 27 Subdivision and Development

The objectives and policies in this chapter seek to create quality environments. It is considered that the proposed subdivision will meet this requirement, and therefore is considered to be consistent with these objectives and policies.

Overall, the proposed development is considered to be not contrary to the objectives and policies of the Operative and Proposed District Plans.

6.3 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES (s104(D))

With respect to the assessment above, the first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create any actual or potential adverse effects which are more than minor in extent.

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is considered to be not contrary to the relevant policies and objectives of the District Plan or the Proposed District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

6.4 OTHER MATTERS – SUBDIVISION (s106)

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 sufficient legal access has been provided and adverse effects in relation to natural hazards have been properly addressed and mitigated. Therefore it is considered appropriate to grant this subdivision consent.

6.5 PART 2 OF THE RMA

As in this case the relevant District Plan provisions are valid, have complete coverage and are certain, the above assessment under s104 matters, which give substance to the principles of Part 2, illustrates that the proposed activity accords with Part 2 of the Act.

6.6 DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** to N and L Millar subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 220 of the RMA.

7.0 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.

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 if all conditions have been met.

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.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Erin Stagg on phone (03) 441 0499 or email erin.stagg@qldc.govt.nz.

Report prepared by

Decision made by



Erin Stagg
SENIOR PLANNER



Sarah Gathercole
SENIOR PLANNER

- APPENDIX 1 – Consent Conditions**
- APPENDIX 2 – Applicant's AEE**
- APPENDIX 3 – Applicant's Landscape Assessment**
- APPENDIX 4 – Council's Landscape Review**
- APPENDIX 5 – Engineering Report**

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - *'Proposed Subdivision of Sections 5, 6 and 7 Block VI, Lower Wanaka SD Maungawera Valley Road'* prepared by C Hughes and Associates Ltd Job No 5595 Plan W937 Issue C Date February 2018

stamped as approved on 18 May 2018

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

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

Engineering

General

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

Note: The current standards are available on Council's website via the following link:
<http://www.qldc.govt.nz>

To be completed before Council approval of the Survey Plan

4. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include an appropriate easement in gross for the existing overhead electricity lines on the property.

Amalgamation Condition

5. The following shall be registered with Land Information New Zealand (CSN **XXXXXX**):
 - *"That Lot 2 hereon and Section 5 Block VI Lower Wanaka Survey District be held in the same Computer Freehold Register"*

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

6. 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 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 formation of right of way 'B' (as shown on the subdivision scheme plan) that complies with the guidelines provided in QLDC's Land Development and Subdivision Code of Practice. The right of way shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width.
- d) The provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 1 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).
- e) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
- f) In the event that the test results required in Condition 4(e) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
- g) Provide written evidence of an existing electricity connection to the buildings on Lot 1.
- h) Provision of a minimum 20,000 litre static firefighting water reserve within a 30,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance. Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Accidental Discovery Protocol

7. If the consent holder:

- a) does not have an archaeological authority from Heritage New Zealand Pouhere Taonga *and* 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 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 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

8. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles of the proposed Lot 1 by way of Consent Notice pursuant to s.221 of the Act.
- a) All future buildings on Lot 1 shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
 - b) No part of any building on Lot 1 shall exceed a height of 4.7m.
 - c) The exterior cladding and roofing of any building on Lot 1 shall appear appropriately recessive with an LRV of less than 30% and shall be in the natural range of browns, greens or greys.
 - d) At the time a dwelling is erected on Lot 1, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the dwelling. Consent for this may also need to be obtained from the Otago Regional Council.
 - e) At the time a dwelling is erected on Lot 1, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

The FENZ connection point/coupling/fire hydrant/tank must be located so that it is clearly visible and/or provided with appropriate signage to enable connection of a fire appliance. Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note:

Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new dwelling.

Advice Notes

1. The consent holder is advised that it may be necessary to undertake chemical and bacterial tests of the water supply to ensure that the water supply complies with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The testing must be carried out by a Ministry of Health recognised laboratory. Refer to:
<http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>

For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>

APPENDIX 2 – APPLICANT’S AEE

C. HUGHES & ASSOCIATES LTD

Surveying and Resource Management • Central Otago



CROMWELL
17A Murray Tce
PO Box 51 T 03 4450376
Cromwell 9342 F 03 4450375
cromwell@chasurveyors.co.nz

WANAKA
80 Ardmore St
PO Box 599 T 03 443 5052
Wanaka 9343 F 03 443 5062
wanaka@chasurveyors.co.nz

Directors: Tony Cox
Matthew Suddaby

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

Application for Subdivision

Nick and Lisa Millar

Maungawera Valley Road, Wanaka

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1.0 INTRODUCTION

We seek consent, on behalf of our clients to subdivide a 11ha parcel containing an existing farm building and woolshed from a 158ha rural property. A residential building platform is proposed around the farmhouse. No building platform is proposed on the balance property, which is to remain in the ownership of Mt Burke Station Limited. MBSL's main holding is a 9963ha high country pastoral lease.

We are applying for the subdivision as a non-complying activity, due to not providing a building platform on the balance parcel.

No additional built development is proposed, and accordingly we request that this application is considered on a non-notified basis.

2.0 THE SITE

The subject land comprises the following:

- Section 7 Block V, Lower Wanaka Survey District and Sections 5-6 Block VI, Lower Wanaka SD (158.5862ha), comprised in Certificate of Title OT10A/551 held by Mt Burke Station Limited

The land is located at 431 Maungawera Valley Road, Wanaka.

The site consists of parcels on both sides of Maungawera Valley Road. The majority of the land is productive cropping and grazing land used by Mt Burke Station Limited to support their pastoral lease property. The land is generally flat but rises up the sides of Maungawera Valley on the northern and southern peripheries.

We understand that historically it was an independent small holding until purchased by Mt Burke in the mid 1980s.

There is a modest roughcast 1950's farmhouse located on Section 7, as well as a garage and some dilapidated outbuildings. A small woolshed and covered yards are located on the eastern boundary of Section 7. The farm house has been used by Mt Burke Station farm staff and has also been rented out to tenants (as it currently is).

There are three farm sheds in poor condition which are located on Section 7 between the entry driveway and the eastern boundary.

There are shelter belts on the periphery of the property, and there are numerous mature amenity trees around the farm house. Isolated willows have become established in the wetter gullies.

The land is fertile and has been cleared and cultivated over many years.

The entirety of the property is zoned Rural General.

The property fronts Maungawera Valley Road. This is a council owned and maintained road. It is sealed until approximately 500m from the gateway. There are formed gateways into the paddocks, and there is a formed, metalled driveway leading to the farmhouse.

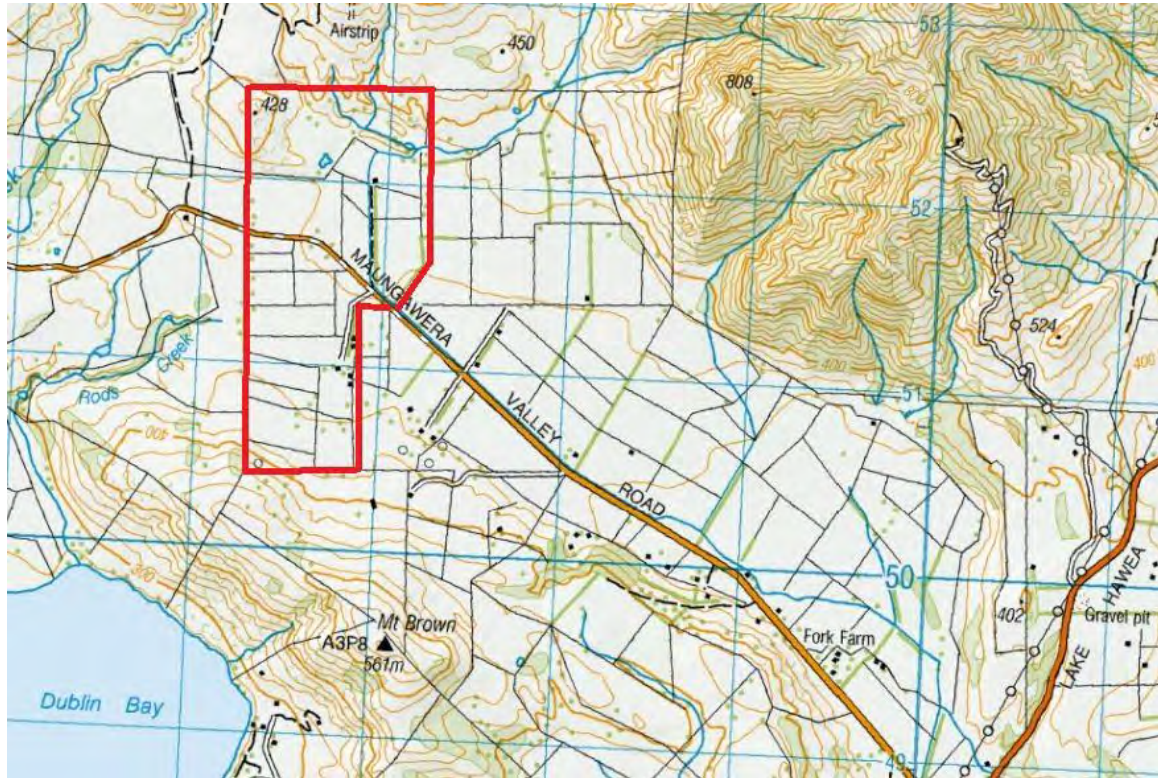


Figure 1: Subdivision location

3.0 **PROPOSED SUBDIVISION**

The proposal is to subdivide the 158ha property into three lots, two of which will be amalgamated.

The proposed total areas of the lots are as follows:

- Lot 1: 11.3ha
- Lot 2: 61.1ha

Lot 2 is to be amalgamated with Section 5, Block VI Lower Wanaka SD (86.14ha), giving a total area of 147.24ha.

3.1 ***Building Platforms***

It is proposed to define a residential building platform around the existing farm house, garage and outbuilding. The area of this platform is 670m².

The landscape architect has suggested two conditions of consent relating to the building platform, which we support:

- No part of any building within the building platform identified on lot 1 shall exceed the height of the apex of the existing dwelling.
- The exterior cladding and roofing of any built form within the building platform identified on lot 1 shall accord with the QLDC Guide to Suitable Building Colours And Materials In Rural Zones.



Figure 2: Farmhouse

3.2 *Boundary location*

Lot 1 (11.1ha) is proposed to be subdivided from Mt Burke Station to be sold to the applicant. This land is neither critical cropping or grazing land, and the farmhouse and small woolshed is also surplus to the requirements of the farm. The boundaries follow existing fence lines and have been positioned in accordance with the requirements of Mt Burke Station and the applicant.

3.3 *Services & Access*

A right of way access to the farmhouse (A) is proposed over Lot 2, and a right of way for farming purposes (B) is proposed over Lot 1.

Right of Way A will have a legal width of 6.0m and will consist of a 3.5m metalled formation, with provision for stormwater drainage. There is already a well-established

driveway, and we anticipate that only minor works will be required to bring it to Council's right of way standards.

Right of Way B is being provided for the convenience of Mt Burke Station. This right of way is for farming purposes and follows a lightly used farm track beside a fenceline. This right of way will have a legal width of 6.0m, and the applicant proposes to construct this to the minimum standard acceptable to Council.

Presently there is a bore located on Lot 2 which supplies stock water to Mt Burke Station. Mt Burke wishes to retain exclusive use of this bore. To complete the subdivision, the applicant will install a new bore and water reticulation system to supply the farmhouse. The applicant has met with South Drill who have confirmed the high probability of successfully obtaining water from the Maungawera Valley aquifer. The bore and reticulation will be installed following consent approval.

A new 30 000litre tank and firefighting connections will be installed to the south of the farmhouse to provide firefighting protection for the farmhouse.

An on-site wastewater system exists for the farmhouse.

Electricity and landline telecommunications also exist to the dwelling. Chorus confirmation is attached. We have had phone and email correspondence with Aurora Energy staff and are awaiting the official confirmation letter from Aurora Energy Ltd. This will be forwarded as soon as it becomes available.

3.4 *Consent notices and Encumbrances*

3.4.1 *Electricity Agreement 475117*

This agreement dates from 1977 and is a form of an easement over the electricity lines on the property. As part of the subdivision easements in gross in favour of Aurora Energy Limited will be created.

There are no other existing consent notices or encumbrances.

3.5 *Natural Hazards*

The Council's GIS Natural Hazards database indicates that the part of the subject site is potentially susceptible to Liquefaction and Alluvial Fan hazards.

We note that the land containing the proposed residential building platform and the woolshed and covered yards does not have any identified natural hazards.

3.6 *NES (Contaminants in Soil)*

On the subject land, no HAIL activities are being, have been, or are more likely than not to have been, undertaken on that land.

Historical uses of the land have been low intensity pastoral farming. There is a woolshed on the property, but there is no sheep dipping site. The woolshed is disused, as Mt Burke Station has another, larger shed and yards on their leasehold property.

We have provided a statement from the land owner for the past 28 years confirming that no HAIL activities have occurred on the site.

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

To undertake this site investigation we utilised the following information:

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

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

3.7 Proposed landscaping

The existing dwelling has been established for many years. In this time many exotic trees (both deciduous and evergreen) have been planted around the house for shade, shelter and landscaping. No specific additional landscape planting is proposed; however, we anticipate that the applicants will continue to maintain the trees and gardens around the dwelling.

There are several shelter belts located elsewhere on the property, and these are integral to the protection of the property from prevailing winds.

The Vivian Espie Landscape Assessment states:

The proposal will not bring any new elements, activities or patterns to the landscape. As such, I consider that it will have no adverse effects on landscape character, views or visual amenity.¹

For this reason, we do not consider any additional landscape planting is necessary at the time of subdivision.

4.0 CONSULTATION

Mt Burke Station Ltd, as landowners have been actively involved in the subdivision planning process, and their affected party approval is attached.

¹ Vivian Espie Report 6 Dec 2017 para.8.

As no new buildings are proposed, no other persons are considered to be adversely affected by the proposed subdivision and therefore no additional consultation has been undertaken.

5.0 **DISTRICT PLAN PROVISIONS**

Under the Operative District Plan, the property is zoned Rural General.

The proposed District Plan identifies the land as Rural.

The application requires consent for the following:

- a ***discretionary*** subdivision activity pursuant to Rule 15.2.3.3(vi) for subdivision and the identification of building platforms in the Rural General zone; and
- a ***non-complying*** subdivision activity pursuant to Rule 15.2.3.4 for subdivision that does not comply with standard 15.2.6.3(iii)(b) which specifies that every allotment created in the Rural General zone shall have one residential building platform approved at the time of the subdivision. Proposed Lot 2 is to be amalgamated with the other existing lots that make up the freehold part of Mt Burke Station, and is to be farmed in conjunction with the leasehold part of the station (9963ha). The main homestead and farm base for Mt Burke Station is located at the western end of Maungawera Valley Road on leasehold land.

Overall, the application is for a **Non-complying subdivision** activity.

6.0 **EFFECTS ON THE ENVIRONMENT**

6.1 ***Permitted Baseline and existing environment***

When determining the actual and potential effects of an activity, a consent authority may disregard an adverse effect if a rule in the Plan permits an activity with that effect. This is the permitted activity baseline and includes any lawful activities occurring on the site, any permitted (not fanciful) activities and any activities authorised by unimplemented resource consents.

In the Rural General zone the permitted baseline includes rural productive activities, planting of exotic tree species, fencing, earthworks up to 1000m³ volume, 2m maximum fill height and cuts for access tracks up to one metre.

The existing environment includes the existing dwelling, outbuildings, woolshed and covered yards. It also includes the established fencelines, driveway and tracks and pattern of land use

6.2 **Actual and Potential Effects**

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

- Landscape and Character
- Infrastructure & Earthworks
- Rural Amenity
- Natural Hazards
- Positive effects
- Affects on District Plan

6.3 **Landscape and Character**

A landscape assessment has been completed by Ben Espie of Vivian Espie. The report describes the existing landscape character as *"a rural farming environment"*²

The report goes on to describe the Maungawera Valley as a picturesque and peaceful environment, heavily modified by decades of vegetation clearance followed by relatively intensive farming leaving scant evidence of original ecological patterns.³



Figure 3: View south from Maungawera Valley Road

² Vivian Espie Report 6 Dec 2017 para.6.

³ Vivian Espie Report 6 Dec 2017 para.6.

In his report, the landscape architect considers the landscape categorisation of the site. He notes that

Past resource consent processes associated with the ODP have categorised the valley as being separate from the Outstanding Natural Landscape (ONL) of Lake Wanaka and the surrounding mountains and have categorised the valley as being part of a visual amenity landscape (VAL). The PDP (Map 18) also categorises the valley as being separate from the relevant ONL.⁴

The landscape architect then continues to state

"I consider that the current proposal will not bring any changes to the landscape that are not currently enabled. Effectively, landscape character will remain as per the status quo."⁵

6.4 Infrastructure & Earthworks

As detailed in the application, electricity and telephone infrastructure already exist to the farmhouse.

The site is self sufficient for water supply and wastewater/stormwater disposal, placing no demand on Council infrastructure. A bore fed water supply to the house and paddocks currently exists, however a new bore is proposed to give lot 2 exclusive supply.

A new 30 000litre tank with appropriate fittings will be installed as a static firefighting supply.

The operational wastewater septic tank and drainfield system is contained within the boundaries of Lot 1 and has appropriate separation from the bore.

An existing metalled driveway to the farmhouse exists with excellent sight lines up and down Maungawera Valley Road. It is proposed that this entrance is shared with the framing operation on Mt Burke Station and as such will maintain the safety and efficiency of the roading network.

A proposed right of way for farming purposes is proposed over an existing lightly used farm track up the fenceline boundary between Lots 1 and 2. As this is only required as a common farm vehicle access, the applicants propose to construct this using the lowest standard of construction acceptable to Council's engineers.

In the event that a metalled driveway is required over area B, the hill side is gently sloped, and minimal earthworks would be required. Sediment run-off is unlikely to become an issue given the location of the right of way within the centre of a large property. Any necessary earthworks would be of a far less scale than the cultivation which is annually carried out on the nearby cropping paddocks.

⁴ Vivian Espie Report 6 Dec 2017 para.7.

⁵ Vivian Espie Report 6 Dec 2017 para.11.

6.5 Rural Amenity

The visual amenity of the site will be unaltered by the proposal. The existing buildings will remain, and no additional domestication is proposed. The landscape architect raises the possibility that the new owner of Lot 1 may manage the property differently to the current management. As the block has been separately fenced for many years, the use could be changed at any time. Any potential future use would comply with the District Plan rules, and so would be appropriate and anticipated. The landscape architect summarises his position on visual amenity as: *"I consider that when assessed in relation to the existing environment, the proposal will not have any adverse effects on views or visual amenity"*.

6.6 Natural Hazards

The Council's GIS Natural Hazards database indicates that the part of the subject site is potentially susceptible to Liquefaction and Alluvial Fan hazards, however the land containing the proposed residential building platform, woolshed and covered yards does not have any identified natural hazards.

Given that no new built development is proposed, the identified natural hazards on the site will cause no increase in actual or potential effects on the environment.

6.7 Positive Effects

The proposal offers significant positive effects to the applicant and Mt Burke Station.

Mt Burke Station has a farmhouse that is surplus to the requirements of its farming operation. The subdivision will allow the farm house and a small area of land to be disposed of, generating capital that potentially can be reinvested into the farm in a more productive way. The subdivision allows Mt Burke to retain the majority of the productive/grazing land and to continue to use this as part of its productive farming operation.

The applicant has the opportunity to purchase a small holding and enjoy rural living, without requiring either the time or financial commitment of a larger farm.

6.8 Effects on District Plan

Standard 15.2.6.3(iii)(b) requires that every allotment created in the Rural General zone shall have one residential building platform approved at the time of the subdivision. Alternatively, if no platform is proposed, then the plan requires that the land shall be subject to a restrictive covenant, consent notice or other legal instrument that prohibits buildings in the future, protects nature conservation values or maintains and enhances open space.

It is neither reasonable nor practical to require a 147ha rural property to be encumbered with a legal instrument restricting all forms of built development in perpetuity. 147ha is a significant area, and it is quite possible that a building platform could be identified, should it be required. However, the land owner already has a well-established homestead as located on pastoral lease and does not want (a) the expense of locating and reporting on a suitable platform as part of a consent application, and (b) does not want the expense of

creating water, electricity, telephone and access to such a platform. At this time, the landowner simply wishes to retain the status quo; that is a large area of arable land which is managed in conjunction with the 10 000ha pastoral lease.

Subdividing a rural property without a building platform is an unusual, but by no means unique situation, and triggers the non-complying rule. The reason for the non-compliance is genuine, as the main homestead associated with the 147ha balance lot is located on leasehold land, and so cannot be amalgamated. As noted above, there may well be scope for a platform on Lot 2 or Section 5, however Mt Burke is not interested in pursuing this at this time. Approval of this application will not affect the integrity of the District Plan, instead the Plan recognises through its non-complying provisions, that there are circumstances where a rural property without a building may be appropriate and sustainable. This is such a situation.

7.0 EFFECTS ON PERSONS

Any potential adverse effects on other parties are negligible. Neighbouring properties are unlikely to perceive any change in land ownership. Even potential renovation of the farmhouse and outbuildings would not be apparent, due to the screening from Maungawera Valley Road.

Open space is unaltered and the subdivision design remains compatible with the surrounding pattern of development. Any potential effects on persons in terms of rural amenity, views and outlook are likely to be positive.

There is no adverse effect on those in the neighbourhood, nor the wider community. There are not considered to be any effects on other parties in terms of social, economic or cultural values.

8.0 OBJECTIVES AND POLICIES

The relevant objectives and policies are contained within Part 4 (District Wide), Part 5 (Rural Areas) and Part 15 (Subdivision, Development & Financial Contributions) of the Operative District Plan.

8.1 *Operative District Plan*

Part 4 – District Wide

The key issues in Section 4 are those concerned with landscape and visual amenity under section 4.2.5. These policies and objectives seek to avoid inappropriate development in areas highly visible from public places and visible from public roads, to mitigate adverse effects through planting, and allow development in areas with the ability to absorb change.

The proposed subdivision avoids potential adverse landscape and visual amenity effects, given there is no additional building proposed. The proposed building platform matches the bulk and location of the existing residential buildings on the site and is already well screened from Maungawera Valley Road by the extensive mature amenity planting.

Should any controlled activity application be made in the future to replace the existing farmhouse, then the site can absorb the development, and the proposal is therefore not contrary to these policies and objectives.

Part 5 – Rural Areas

The application is consistent with the Part 5 objectives and policies which relate to character and landscape value, and rural amenity. The nature and scale of the proposed subdivision is in keeping with the surrounding land use patterns and will not detract from the pastoral character of the area.

Part 15 – Subdivision, Development & Financial Contributions

Part 15 of the Proposed District Plan is concerned with appropriate servicing of the site, the cost of services, reserves contributions and amenity protection. The proposed subdivision is in accordance with the relevant objectives being:

the provision of services (Objective 1) and;

the maintenance and enhancement of amenity values (Objective 5).

The proposal will result in a new dividing boundary but will have no effect on existing services or the site's ability to provide for the continued rural use. The proposal is therefore consistent with the subdivision objectives and policies.

Overall, the application is consistent with the policies and objectives of the Operative District Plan.

8.2 *Proposed District Plan*

The site is zoned Rural in the Proposed District Plan. Accordingly, the application has been assessed in relation to the Policies and Objectives contained within Part 21 (Rural) and Chapter 27 (Subdivision & Development).

The proposal maintains the productive potential of soil resources. Development is avoided in areas that are unsuitable and overall the rural character and amenity are maintained.

The subdivision design is consistent with Chapter 27 in that it responds to the local context and landforms. Physical and visual effects are minimal. Overall, the proposed activity is not contrary to the relevant objectives and policies of the Proposed District Plan.

9.0 SECTION 104 ASSESSMENT

9.1 *Effects (s104(1)(a))*

Actual and potential effects on the environment have been outlined in Section 5 of this report.

9.2 Relevant Provisions (s104(1)(b))

The proposal is not contrary to any relevant provisions of National or Regional Policy Statements, National Environmental Standards or other regulations.

9.3 Objectives and Policies of District Plan (s104(1)(b)(vi))

The proposal is in accordance with the relevant objectives and policies as outlined in Section 7 of this report.

9.4 Section 104D

Section 104D of the Act requires that in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if the adverse effects on the environment will be minor or, the application is not contrary to the objectives and policies of the District Plan.

The application has a non-complying category due to the lack of a proposed platform on Lot 2. Rule 15.2.6.3(iii)(b) of the District Plan requires the creation of a building platform on every lot at the time of subdivision. Proposed Lot 1 contains a platform around an existing dwelling and accessory building but no building platform has been proposed for Lot 2.

The background to this rule is the notion that creation of a Rural General lot without a proposed building platform creates potential for a future dwelling application, and the landscape effects as such need to be considered by Council at the time of subdivision. However the rule fails to recognise the unusual situation of a balance freehold property which is very closely associated with a rural dwelling, but cannot be amalgamated due to specific land tenure. It is unreasonable and impractical to require a subdividing owner to identify and service a building platform for a property where none has been required in the previous 20 years of ownership, and none is required for the foreseeable future.

Admittedly, there is the potential that there may be a future residential proposal for the balance property, and this would not be unreasonable given the site area of 147ha. Our submission is that this can be managed at the time, and the assessment for a building platform can be judged on its merits against the objectives and policies of the District Plan.

Regardless, the assessment of effects above has concluded that the application would not have more than minor adverse effects and that the proposal is overall, not contrary to the relevant objectives and policies of the District Plan. Therefore, the threshold test of Section 104D is able to be satisfied and Council may grant resource consent.

9.5 Part 2 of the RMA

The proposal will promote the purpose and principles of the Act. The subdivision is a minor adjustment of boundaries which utilises land in an efficient and sustainable manner.

10.0 SUMMARY

This application is for a rural subdivision of a 150ha rural property in the Maungawera Valley. An 11ha block containing a 670m² building platform around an existing farmhouse and outbuildings is proposed, while the balance is to remain as bare land. The farmhouse is surplus to the requirements of the main farm, however the 147ha balance, consisting of fertile grazing and cropping land is important for the viability of the high country station, and is to be retained and farmed as part of the 10 000ha Mt Burke Pastoral Lease.

Mt Burke have no use for a building platform on the balance property, and have no interest in either identifying a platform, nor in creating access and services to it. The homestead associated with the property is located on the pastoral lease land.

The application exemplifies efficient use of the natural and physical resources. The land owner has a farm house which is surplus to the requirements of the main farm. This is to be sold off as a small holding, while the balance is to be retained as productive farmland associated with a 10000ha high country pastoral lease.

As part of the application we have supplied written approval from the land owner and have demonstrated that any adverse effects on the environment will be no more than minor.

We therefore submit this application for your Council's consent and await a response in due course. If any further information or clarification is required, please contact the undersigned.

Yours faithfully
C. HUGHES & ASSOCIATES LTD



Matthew Suddaby
Director
Registered Professional Surveyor
(RPSurv)

11.0 ATTACHMENTS

- 01 Form 9**
- 02 Scheme Plan**
- 03 Plan showing extents of Mt Burke Station Pastoral Lease**
- 04 Title**
- 05 Landscape assessment**
- 06 Landscape assessment visual supplement**
- 07 Correspondence Aurora**
- 08 Correspondence Chorus**
- 09 NES statement from Tim Burdon**
- 10 Written approval Mt Burke Station Ltd**

APPENDIX 3 – APPLICANT’S LANDSCAPE ASSESSMENT

LANDSCAPE AND VISUAL EFFECTS ASSESSMENT REPORT

PROPOSED SUBDIVISION – MOUNT BURKE STATION

Ben Espie (Landscape Planner)

vivian+espie

6th December 2017

INTRODUCTION & DISCRIPTION OF THE PROPOSAL

- 1 This report identifies and quantifies the landscape and visual effects likely to arise from a proposal to subdivide Sec 7 Lot V Lower Wanaka SD into two lots as per the plan attached to this report as Appendix 1. Proposed Lot 1 is to be 11.3ha and is to contain an existing farmhouse and accessory buildings. Proposed Lot 2 is to be 61.1ha and is to continue to be amalgamated with other existing lots that make up the freehold part of Mount Burke Station. This freehold part of Mount Burke Station is 147ha and is farmed in conjunction with the leasehold part of the station. Overall the station is a very large farming operation taking in over 10,000ha. The main homestead and farm base for the station is at the western end of Maungawera Valley Road on the leasehold part of the station.

- 2 The farming operation of Mount Burke Station is to continue as it currently does, hence proposed Lot 2 will not change in its use or management; it will continue to be managed seasonally in accordance with agricultural practice as part of the broader farming operation. Proposed Lot 1 is fenced along the proposed lot boundaries and has been so for many years. It has been used for some decades by the station as a small grazing block. The farmhouse on this block was built in the 1950s and has been used by farm staff and has also been rented out to tenants (as it currently is). A building platform (pursuant to the provisions of the District Plan) is proposed around the footprint of the existing farmhouse. The current proposal will mean that proposed Lot 1 will become a separate saleable title.

- 3 The proposed activities sit within the Rural General Zone of the Operative District Plan (**ODP**) and the Rural Zone of the Proposed District Plan (**PDP**). I understand that the proposed subdivision constitutes a non-complying activity pursuant to both the ODP and the PDP since a lot is being created without a building platform on it (proposed Lot 2). The PDP has been notified and subject to submissions and further submissions. Hearings on Stage One of the PDP (which is the relevant stage in this instance) have been held but no decisions have been issued. No certainty can therefore be placed on the provisions of the PDP. In my assessment, I have given some

consideration to the provisions of the PDP but have taken more guidance from the ODP. In any event, the relevant PDP provisions are generally similar to the relevant ODP provisions.

LANDSCAPE CHARACTER

- 4 The subdivision is proposed on the south side of the Maungawera Valley, towards the valley's western end. Like the geomorphology of the Wanaka/Hawea area in general, the Maungawera Valley's landform has been created by successive glacial advances and retreats. This has resulted in a broad valley, the floor of which is roughly 1.5 kilometres wide. The southern wall of the valley is formed by the rounded and relatively convoluted topography of the lower reaches of Mount Brown. The northern wall of the valley is formed by steep slopes that lead up to Mount Maude. Again, the lower slopes of this valley wall are relatively rounded in form, while the upper peaks and ridges become more jagged. In terms of geology, the floor of the valley has deeper, more fertile soils made up of deposited tills and gravels, while the walls have shallower soils covering schistose bedrock. These geomorphological aspects are typical of the Wanaka/Hawea area.
- 5 In terms of ecology, the valley has been very modified by many decades of vegetation clearance followed by relatively intensive farming. Consequently, there is scant evidence of original ecological patterns. The valley's land is relatively fertile and hence has been rigorously cultivated and managed. Verdant paddocks, coniferous shelterbelts and stands of deciduous amenity trees have taken the place of indigenous vegetation. Notwithstanding this, remnant clumps and stands of kanuka and grey shrub species persist in gullies and hollows as one climbs the valley's walls. This remnant vegetation becomes a scattering over the upper north-facing slopes of Mount Brown (to the south of the subject site) and is relatively dense over some slopes of Mount Maude.
- 6 Regarding how the valley is valued by people, it generally displays the landscape patterns of a rural farming environment. The experience of travelling in the valley is a picturesque and pleasant one. It is relatively quiet and unpopulated, green and verdant, and farming activity is often evident at close quarters. It is evident to any observer that one has left State Highway 6 and is now in a more peaceful, agricultural valley. The rolling slopes of Mount Brown to the south and the more dramatic peaks of Mount Maude to the north provide the setting for the activities of the valley itself.
- 7 Past resource consent processes associated with the ODP have categorised the valley as being separate from the Outstanding Natural Landscape (ONL) of Lake Wanaka and the surrounding

mountains and have categorised the valley as being part of a visual amenity landscape (VAL)¹. The PDP (Map 18) also categorises the valley as being separate from the relevant ONL. I agree with these categorisations.

- 8 The proposal will not enable any new activities, patterns or elements in the landscape that are not currently enabled. As mentioned above, proposed Lot 1 will become a separate saleable title and will be able to accommodate a family or household on its own. However, this is effectively the current situation in any event. The farmhouse has been rented to tenants for some years.
- 9 There is some potential that a new owner of Lot 1 may manage the lot differently to its current management and this may produce some character change. However, I note that:
 - Proposed Lot 1 has been a separately fenced block for many years. Mount Burke Station could change its use at any time;
 - Any potential new use of proposed Lot 1 would necessarily conform with the outcomes provided for by the ODP and/or PDP and therefore are inherently appropriate and anticipated;
 - Given that proposed Lot 1 is a fenced 11.3ha block of rolling country, I consider it very unlikely that it will be used for anything other than grazing.
- 10 The proposal includes restrictions associated with the identified building platform such that any new built form on this platform can effectively only replace the existing farmhouse building; new built form cannot be larger or higher.
- 11 Overall, I consider that the current proposal will not bring any changes to the landscape that are not currently enabled. Effectively, landscape character will remain as per the status quo.

VIEWS AND VISUAL AMENITY

- 12 The landscape character of the site's vicinity and the Maungawera Valley generally are described above. In a visual sense, the landscape is enjoyed from the public road of Maungawera Valley Road and also from the various private landholdings in the valley. Part of Maungawera Valley Road allows views to the area of the proposed subdivision. The private land to the north of Maungawera Valley Road that allows views to the relevant area is within Mount Burke Station.

¹ RM010719 (Stout & Harrington), RM030427 (Gillespie) and RM040549 (Sutherland and Follis).

- 13 As has been discussed above, the proposal will not bring any new activities, patterns or elements to the landscape that are not currently enabled. The relevant land will remain as per the status quo.
- 14 A potential exception to the above is that the renovation or rebuilding of the existing farmhouse would be enabled as a controlled activity (pursuant to the ODP) if the current proposal proceeds. Under the status quo, I understand that this would be a discretionary activity, although, if a renovation/rebuilding project did not increase the size or height of the farmhouse building it is hard to see such an application being problematic. As set out above, the current proposal includes restrictions such that the farmhouse building may not increase in size or height or be externally coloured in a way that is not visually recessive. Therefore, I cannot see any activities being enabled that deviate from the status quo in any significant way.
- 15 Overall, I consider that when assessed in relation to the existing environment, the proposal will not have any adverse effects on views or visual amenity.

CONCLUSIONS

- 16 The proposed subdivision will alter the tenure of land in that a 11.3ha block of Mount Burke Station will become a separately saleable title. The block has been fenced separately for many years and it contains an existing farm house that has been (and currently is) rented to tenants. The proposal will not bring any new elements, activities or patterns to the landscape. As such, I consider that it will have no adverse effects on landscape character, views or visual amenity.

Ben Espie

vivian+espie

6th December 2017

APPENDIX 4 – COUNCIL’S LANDSCAPE REVIEW

Memo

FILE REF: RM 180462 - N&L Millar - 431 Maungawera Rd, Wanaka

TO: **Erin Stagg**, Senior Planner, Planning & Development, QLDC

FROM: Kris MacPherson – Registered NZILA Landscape Architect

DATE: 19 April 2018

SUBJECT: **Landscape assessment review**

INTRODUCTION

1. An application has been received for resource consent to subdivide Sec 7 Lot V Lower Wanaka SD into two lots. The proposed Lot 1 is proposed to contain an existing house and ancillary buildings on 11.3ha. Lot 2 is proposed to be 61.1ha and constitutes the remainder of the current lot - the freehold portion of Mt Burke Station. This application is non-complying overall under the Queenstown Lakes Operative District Plan (ODP) because only a building platform on Lot 1 is proposed.
2. On Lot 1, the area currently containing the house and ancillary buildings is proposed to be that building platform and the maximum building height is set at the height of apex of the existing house. The proposal for the building platform is accompanied by additional constraints on building colour and materials.
3. No building platform is identified for Lot 2 which is proposed to continue to operate as part of the large farming operation that includes the leasehold portion of Mt Burke Station. The farming business operates on a combined area of over 10,000ha and has a main homestead and farm base on the leasehold portion of the station.
4. The existing lot is zoned Rural General under the Operative Queenstown Lakes District Council (QLDC) District Plan and Rural under the Proposed District Plan (PDP).
5. This memo provides a review of landscape and visual effects assessment of the activity as described in applicant's Landscape and Visual Effects Assessment report written by B. Espie from Vivian & Espie Ltd (dated December 2017) and other supplied documentation.

6. This review evaluates the adequacy of the submitted assessment and specifically addresses the following aspects:
- Whether the assessment methodology is appropriate and robust;
 - Whether the analysis and classification of the landscape context of the site is robust and corresponds to the landscape attributes and values;
 - Whether any key issues or considerations have been missed in the assessment;
 - Whether the assessment has correctly interpreted the nature and magnitude of visual and landscape effects;
 - Whether the conclusions of the assessment are credible and justifiable;

ASSESSMENT REVIEW

7. *Assessment Methodology* - the assessment methodology provided is adequate for the proposal. Mr Espie argues that until final decisions are made on Section 1 of the Proposed District Plan (PDP) one may have cognisance of these assessment criteria but the ODP is prime. This seems a reasonable argument given that at the time of writing his report, the PDP was less imminent than now is the case. This review is undertaken on that understanding and his assessment makes reference to the PDP at relevant points.
8. *Analysis and Classification of the Landscape context of the site* - the application site and context are concisely and adequately described. I agree with his analysis of the landscape and his classification of the site and surrounding landscape as a Visual Amenity Landscape.
9. The appropriate landscape categories are determined for the context. Given the 'formalisation' nature of this proposal - that is no physical changes are proposed for the site - the indirect nature of the assessment relative to specific criteria within the QLDC OPD is acceptable.
10. *Key Issues and Considerations that have been missed* - Matters not traversed by the assessment portion of the assessment report are:
11. The potential effects of NOT locating a building platform on the second lot - large Lot 2:
I do not consider this omission impactful on the final conclusion of the report. There is an assurance that the lot's current use as a portion of grazing land for the large farming operation will continue and the base for these operations will be the existing buildings on the leasehold portion of the Mt Burke station. Therefore no change to the current patterns and visual amenity will occur.
12. In my opinion the absorption capacity of the 61.1ha lot is high enough that the landscape values will not be transformed by such an activity if appropriately located. The district plan provisions of the day will ensure that establishment of the platform is appropriate.
13. The potential effects of the establishment of a right of way over Lot 2 to provide for access to Lot 1 are not assessed: The right of way proposes to provide a 6m wide road with a 3.5m gravel formation and drainage. I do not consider this omission impactful on the final conclusions of the report. The proposed right of way traces the current gravel driveway and then an existing, narrower, less-formalised farm track. I do not consider there will be additional landscape and visual effects from this portion of the proposal.

14. The potential effects of installation of the water tank to service Lot 1 are not assessed: The water tank is an appropriate element within the Rural Zone. It unlikely to be visible to the public from Maungawera Road and I do not consider there will be additional landscape and visual effects from this portion of the proposal.
15. *The Nature and Magnitude of Visual and Landscape Effects* - I agree with Mr Espie that there would be no adverse effects on the landscape character or on views or visual amenity from the proposal.
16. The Lot 1 is currently discrete visually because of the planting and fencing currently on the site. The proposed constraints over the building platform on Lot 1 will reduce the potential effects of changes to the residence in the future.
17. I agree that the non-establishment of a building platform on Lot 2 will not have visual or landscape effects but the current character of the area will be maintained.
18. *Conclusions of the Assessment are credible and justifiable* - I consider the conclusions met by Mr Espie are credible within the scope that he makes them (as discussed above).

RECOMMENDATIONS

Should consent be granted I recommend that the following conditions be included:

1. Proposed Lot 1 buildings' height - That the mitigation proposals regarding buildings' height be amended such that the consent notice condition state that the maximum height of buildings within the platform be defined in metres from existing ground level rather than relying on the apex of the existing house. This gives more certainty to the condition should the existing house be removed without its height being confirmed.
2. Proposed Lot 1 - That the mitigation proposals regarding building colour be amended such that the consent notice condition state that; exterior materials and colours of any new building within the approved residential building platform shall appear appropriately recessive (less than 36% light reflectance value) in the context of the surrounding landscape over all seasons of the year, and shall be in the natural range of browns, greens or greys.

Kris MacPherson
BLA
Registered NZILA Landscape Architect

Reviewed by:



Helen Mellsop
BLA, BHB, Dip Hort (Distinction)
Registered NZILA Landscape Architect

APPENDIX 5 – ENGINEERING REPORT

ENGINEERING REPORT

TO: Erin Stagg

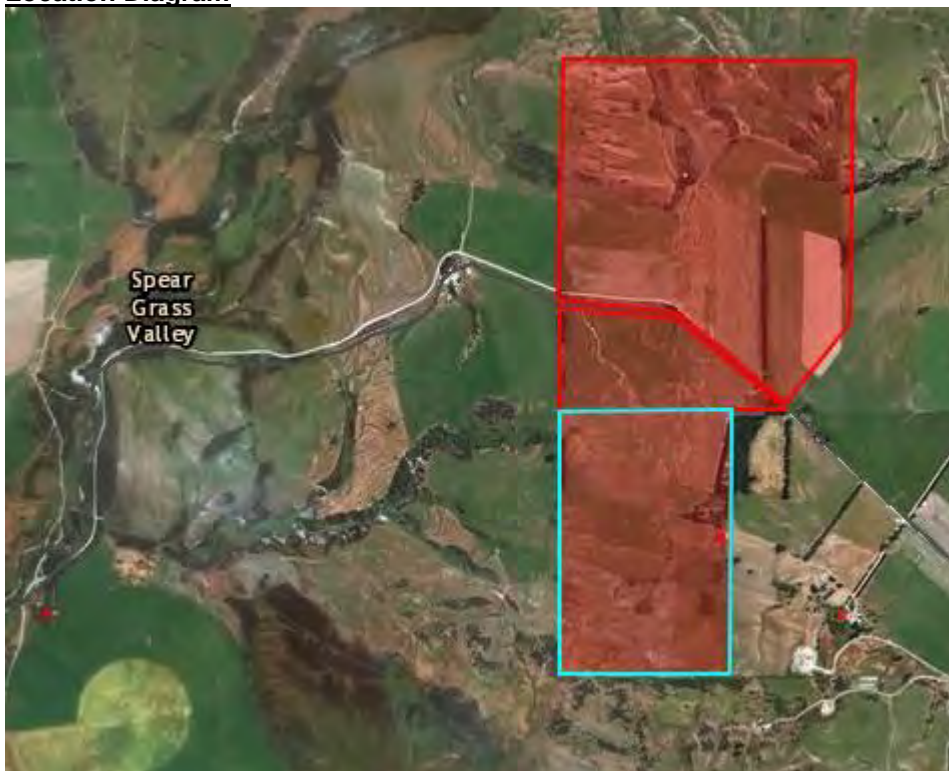
FROM: Cameron Jones

DATE: 09/05/2018

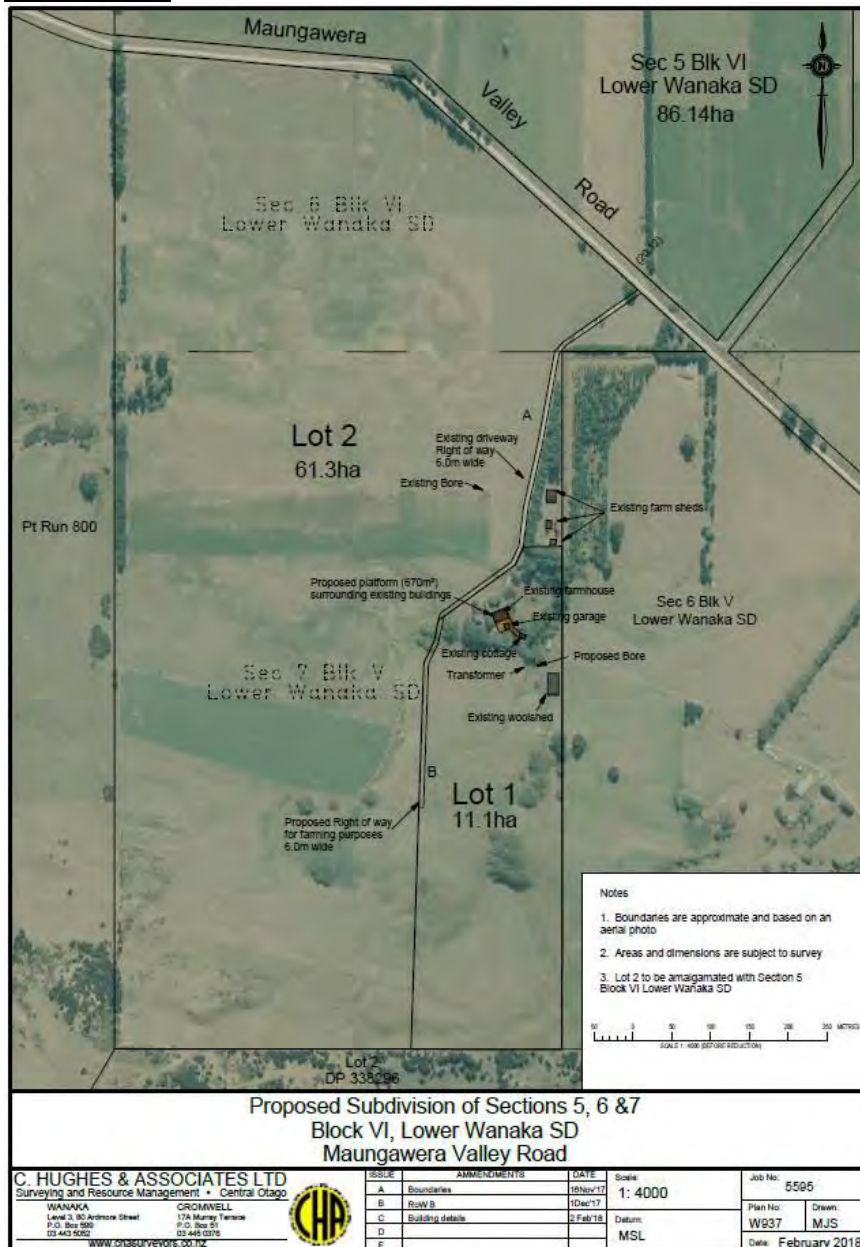
APPLICATION DETAILS	
REFERENCE	RM180462
APPLICANT	N & L Millar
APPLICATION TYPE & DESCRIPTION	Consent is sought to undertake a two lot subdivision and establish a building platform around the existing dwelling.
ADDRESS	431 Maungawera Valley Road, Wanaka
ZONING	Rural General
LEGAL DESCRIPTION	Section 7 Block V, Lower Wanaka SD Sections 5-6 Block VI, Lower Wanaka SD
SITE AREA	158.5862 Ha
ACTIVITY STATUS	Non-Complying

Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	None relevant.
	Date of site visit	10/04/2018

Location Diagram



Scheme Plan



Comments

	Existing Use	Agricultural allotment with an existing dwelling and auxiliary buildings as shown in scheme plan.
	Neighbours	Subject site is bisected by Maungawera Valley Road, otherwise surrounded by farmland.
	Topography/Aspect	Relatively flat.

ENGINEERING			COMMENTS	Condition
TRANSPORT	Access	Means of Access	<p><u>Access</u></p> <p>The existing access way is an approximately 4m wide gravel formation within a 6m wide easement. I am satisfied that this is fit for purpose, and I make no recommendations in this regard.</p> <p>The applicant proposes that a right of way be formed through Lot 1 for farming purposes. The existing formation of this access is two gravel wheelpaths. The proposed right of way easement is 6m wide, in accordance with Council requirements. I recommend a condition that this piece of access be formed in AP40, 3.5m wide, in accordance with Council's standards.</p>	X
		Vehicle crossing	<p><u>Vehicle crossings</u></p> <p>The existing vehicle crossing is unsealed, which is appropriate given that Maungawera Valley Road is unsealed at this location. I am satisfied that the vehicle crossing otherwise complies with Council requirements for length, break-over angles, and sight distances. I make no recommendations in this regard.</p>	

ENGINEERING			COMMENTS	Condition
EARTHWORKS	Extent	Description	Minor earthworks as required to form the right of way within easement 'B.'	

SERVICES	Existing Services		The dwelling currently obtains water from a bore located within Lot 2. Wastewater is disposed of to an existing septic tank system, and stormwater is disposed of to ground. There are existing power and telecommunications connections.	
	Water	Potable	<p>As Mt Burke Station wants to retain exclusive use of the existing bore on Lot 2, the applicant proposes to install a new bore to supply water to the dwelling. Confirmation has been provided from Southdrill that the full permitted extraction of 25,000 litres per day is likely to be obtainable, given the successful bores in the vicinity.</p> <p>I recommend a condition that a water supply is provided to the building platform and that evidence is provided to Council as to how the supply will be monitored and maintained on an ongoing basis, prior to 224c certification.</p> <p>A condition is recommended to ensure that chemical and bacterial tests for the new bore are submitted for review.</p> <p>An advice note is recommended to advise the lot owners that they are responsible for monitoring the water supply,</p>	X X X

	Fire-fighting	<p>The applicant proposes to install a compliant water tank with static firefighting reserve for the existing dwelling. I recommend an appropriate condition to ensure that a compliant firefighting water supply is provided in compliance with Council requirements prior to s224c certification.</p> <p>I recommend that a consent notice with regard to providing a static firefighting reserve should a new dwelling be constructed within Lot 1, in the event that the existing dwelling is demolished and replaced.</p>	<p>X</p> <p>X</p>
	Effluent Disposal	<p>The dwelling is currently serviced by an existing septic tank system. As this system is existing and unaffected by the proposal, I am satisfied that it requires no further assessment at this time.</p> <p>I recommend that a consent notice be registered on Lot 1, ensuring that any future dwelling is provided with a wastewater disposal system that complies with NZS1547:2012, in the event that the existing dwelling is demolished and replaced.</p>	X
	Stormwater	Stormwater is currently disposed of to ground. Given the size of the proposed lot, I am satisfied that this is a feasible solution for any future buildings, and the design of the systems will be dealt with under the Building Consent process.	
	Power & Telecoms	Confirmation has been provided from Aurora and Chorus, confirming that a power supply is feasible and a telecommunications connection exists. I assume that a power connection exists, but I recommend a condition that confirmation of a power connection to the building platform on Lot 2 be provided prior to 224c.	X
	Management Company	Not required.	
	O&M Manuals	Not required.	

NATURAL HAZARDS	Hazards on or near the site	Council's GIS shows that the northern part of the site is subject to an alluvial fan hazard. This hazard does not extend to the proposed building platform. I make no recommendations in this regard.	
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PROJECT INFORMATION	Developers Engineering Representative	As easements need to be created and the access upgraded I recommend a condition to ensure that an engineering representative is named. An appropriate condition is recommended in this respect.	X
	Notice of commencement	Not required.	
	Traffic Management Plan	Not required.	
	Design Certificates	Not required.	
	Completion Certificates	Not required.	
	As built	As built are required for the private water supply. An appropriate condition is recommended in this respect.	X

TITLES	Consent Notices	There are no existing consent notices on the titles. I recommend consent notices with regard to water supply, firefighting static reserve, and wastewater disposal. These are discussed further in the relevant sections herein.	X
	Easements	A condition is recommended to ensure all necessary easements are granted or reserved. This shall include an appropriate easement for the power lines through the site.	X
	Road Names on title plan	Not required.	
	Building platforms	Digital location on survey plan required.	X
	Amalgamation Condition	I recommend the following amalgamation condition: “Lot 2 is to be amalgamated with Section 5 Block VI Lower Wanaka SD.”	X

RECOMMENDED CONDITIONS

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

General

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

Note: The current standards are available on Council's website via the following link:
<http://www.qldc.govt.nz>

To be completed before Council approval of the Survey Plan

2. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. This shall include an appropriate easement in gross for the existing overhead electricity lines on the property.

Amalgamation Condition

3. The following shall be registered with Land Information New Zealand (CSN XXXXX):
 - “That Lot 2 hereon and Section 5 Block VI Lower Wanaka Survey District be held in the same Computer Freehold Register”

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

4. 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 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 formation of right of way ‘B’ (as shown on the subdivision scheme plan) that complies with the guidelines provided in QLDC's Land Development and Subdivision Code of Practice.

The right of way shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width.

- d) The provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 1 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008).
- e) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
- f) In the event that the test results required in Condition 4(e) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.
- g) Provide written evidence of an existing electricity connection to the buildings on Lot 1.
- h) Provision of a minimum 20,000 litre static firefighting water reserve within a 30,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained

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

Ongoing Conditions/Consent Notices

5. 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 dwelling is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The proposed wastewater system shall be subject to Council review and acceptance prior to implementation and shall be installed prior to occupation of the dwelling. Consent for this may also need to be obtained from the Otago Regional Council.
 - b) At the time a dwelling is erected on Lot 1, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note:


Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 11km from the nearest FENZ Fire Station the

response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new dwelling.

Recommended Advice Notes

1. The consent holder is advised that it may be necessary to undertake chemical and bacterial tests of the water supply to ensure that the water supply complies with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The testing must be carried out by a Ministry of Health recognised laboratory. Refer to:
<http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>

Prepared by:

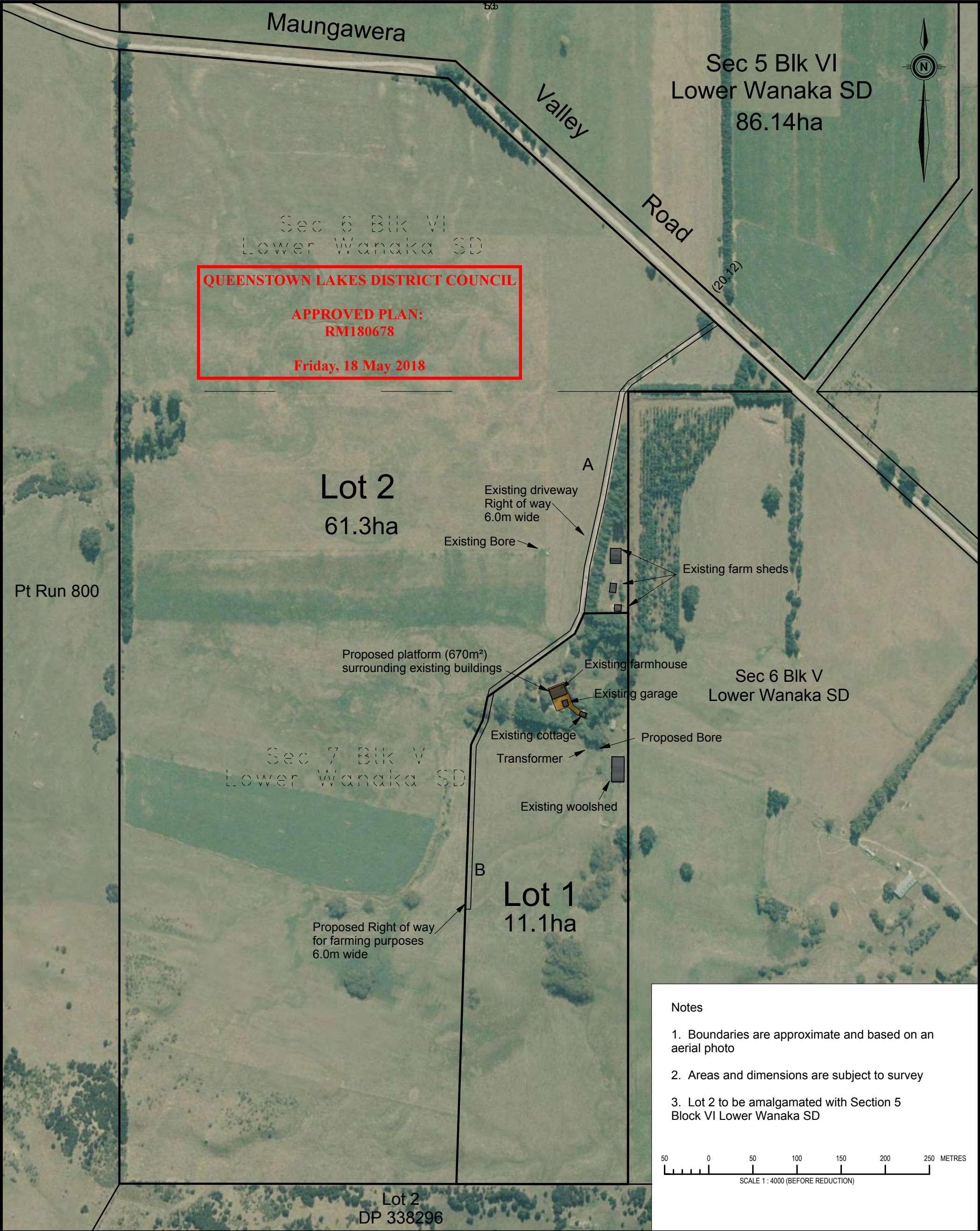


Cameron Jones
LAND DEVELOPMENT ENGINEER

Reviewed by:



Lyn Overton
SENIOR LAND DEVELOPMENT ENGINEER



Proposed Subdivision of Sections 5, 6 & 7
Block VI, Lower Wanaka SD
Maungawera Valley Road

C. HUGHES & ASSOCIATES LTD
Surveying and Resource Management • Central Otago

WANAKA
Level 3, 80 Ardmore Street
P.O. Box 599
03 443 5052

CROMWELL
17A Murray Terrace
P.O. Box 51
03 445 0376

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ISSUE	AMMENDMENTS	DATE
A	Boundaries	16Nov'17
B	RoW B	1Dec'17
C	Building details	2 Feb'18
D		
E		

Scale:
1: 4000

Datum:
MSL

Job No:
5595

Plan No:
W937

Drawn:
MJS

Date: **February 2018**

APPENDIX 4 - LANDSCAPE PEER REVIEW REPORT

Memo

FILE REF: RM 181225 - N&L Millar - 431 Maungawera Rd, Wanaka

TO: E. Matthee, Planner, Planning & Development, QLDC

FROM: Kris MacPherson – Registered NZILA Landscape Architect

DATE: 16 October 2018

SUBJECT: Landscape assessment review

INTRODUCTION

1. An application has been received for resource consent to subdivide Lot 1 of Sec 7 Lot V Lower Wanaka SD into two lots. The existing Lot 1 was consented for subdivision, off the Mt Burke Station, earlier this year. It contains an existing house and ancillary buildings, pasture and vegetation on 11.3ha. The proposed, amended Lot 1 will be 9.1ha and will have the southern or rear 2.01ha subdivided off to create proposed Lot 2. There will be easements for access to the rear lot over Lot 1.
2. Both lots were part of Mt Burke Station whose farming operations continue on the land to the west and who have provided affect party authority for the proposed subdivision.
3. On Lot 1, the house and ancillary buildings constitute the building platform with a maximum building height set at the height of the ridgeline of the existing house as part of previous consent RM180462.
4. A building platform of 700m² is identified for Lot 2 together with a curtilage area, screening mound and accessway. The building platform is accompanied by additional constraints to building height, colour and materials.
5. The existing lot is zoned Rural General under the Queenstown Lakes District Council (QLDC) Operative District Plan (ODP) with a Visual Amenity Landscape (VAL) underlying classification. Under the Proposed District Plan (PDP) it is zoned Rural with an underlying Rural Character Landscape (RCL) classification.
6. This application is discretionary overall under the ODP and PDP because of the additional residential activity proposed on Lot 2, the volumes of earthworks and because of the incursion of the proposed building platform into the internal boundary setback area.

7. Affected Persons Approval (APA) of the application has been given by properties directly east, west and southwest of the subject site. However the affected party #287 to the southeast has not signed an APA.
8. This memo provides a review of the landscape and visual effects assessment of the proposal as described in applicant's Landscape and Visual Effects Assessment report (dated September 2018) written by Ms K Ward & the addendum by Mr B Espie: both from Vivian & Espie Ltd and other supplied documentation. I have also been requested to comment on reverse sensitivity matters and the adequacy of the curtilage area.
9. I will evaluate the adequacy of the submitted assessment and specifically addresses the following aspects:
 - Whether the assessment methodology is appropriate and robust;
 - Whether the analysis and classification of the landscape context of the site is robust and corresponds to the landscape attributes and values;
 - Whether the key issues or considerations have been missed and if assessment has correctly interpreted the nature and magnitude of the visual and landscape effects;
 - Whether the conclusions of the assessment are credible and justifiable;

ASSESSMENT REVIEW

1. *Assessment Methodology* - the assessment methodology provided is adequate for the proposal. Ms Ward is clearly familiar with the site and surrounding landscape. The report and the addendum by Mr B. Espie are clear and together they cover both the ODP and PDP matters.
2. *Analysis and Classification of the Landscape context of the site* - the subject site and context are concisely and adequately described. I generally agree with her analysis of the landscape as open, pastoral and quiet. I also agree with her description of this portion of Maungawera Valley Rd as being settled, farmed, managed and occupied. A series of subdivisions along the road has set up a rhythm of large front and rear properties of the south side of the road.

Key Issues and Assessment Interpretations - Under the ODP the assessment criteria for VAL areas include:

Effects on Natural & Pastoral Character

3. I generally support the assessment made by Ms Ward regards the low level of adverse effects on the landscape character by the designed proposal. But specifically I do consider there are potential will be changes to the landscape for those observing it from the south. I describe these fully in Para.6. I consider the vegetation proposals use species that will support the natural and pastoral character of this landscape.
4. An omission is any discussion on the size of the subdivided Lot 2. It is small when compared to the size of other lots in the vicinity. I consider the size of the lot would only ever be a problem if it is made visible through boundary shelterbelt planting in the future. This is a real possibility and would emphasise the small size of the Lot 2.
5. Boundary plantings on Lot 2, in the future are a real possibility and such an activity would exemplify the small size of Lot 2 and reduce the sense of openness of the broader pastoral character of the area. The size of the existing subdivision lots appears to be larger and unless Council considered boundary planting could be prohibited effectively through consent conditions, then there is the potential for future adverse effects on the rural and landscape character of the vicinity.

Visibility of Development

6. I agree with Ms Ward that the mitigation planting on the constructed mound will provide effective screening from members of the public on the road and that it is appropriate for the location. But I do not agree that an effective backdrop planting is provided. There will be temporary adverse visual effects for the public until the vegetation is 2m in height. This could take up to 3 years. Until that time the top of the walls and the roof of the building will be seen in public views - I assess this as a low effect on views because of the distance from the road and the orientation of the views.
7. In my opinion the constructed mound should be planted the season prior to the dwelling being constructed. In this way the temporary adverse visual effects for the public can be reduced in duration from 3 to 2 years.
8. For private views from the neighbouring properties to the south, the screening that is possible along the southern boundary is not adequate to protect the privacy and the visual amenity experience for the neighbour at #287. This neighbour has not provided APA for the subdivision and the potential visual effects must be considered in full.
9. The limited curtilage proposed around the building platform means that effective screening for potential domestic outdoor activities on the proposed property becomes more crucial. Currently views across the proposed property from the south are of a completely rural environment. The existing house at Lot 1 on #431 is surrounded by mature trees and therefore unseen.
10. A house on Lot 2 will be a completely new element in the landscape. If well embedded by topography and vegetation this will only have a minor adverse impact on their views. But if stark and abutting the boundary, the proposed building could moderately adversely affect the neighbours' experience of the landscape.
11. The proposed building platform on Lot 2 is positioned very close (5m) from the southern or rear boundary of Lot 2 shared with the 287 Maungawera Rd. The explanation for this location is the natural lay of the land, which in this location, provides a pre-made hollow and hump that can contain the platform and future building, and will reduce their visibility from the road and neighbouring properties.
12. The earthworks plan shows staged re-shaping of the land is needed despite this. Basically the natural minor hump to be is pushed to the east and north and made higher and steeper. Within the 5m setback to the boundary, a 500 mm wide cutoff trench is proposed.
13. In addition, excavation of the building platform up to 1.9m deep is also required to achieve the flat platform. So retaining gabions are proposed within this 5m wide setback area as well. There is very little remaining space to plant any buffer vegetation and only very limited access to the rear of any building constructed along the southern edge of this platform for livability and maintenance.
14. The width of the setback along the southern side of the building platform is too narrow. I consider only one row of any vegetation will be possible for privacy and screening between neighbours and farm activities. This will reduce the setback's potential effectiveness as a tool to embed the building into the landscape and to provide mitigation for views from #287.

Form & Density of Development

15. In my opinion the building platform proposal makes some use of the existing natural topography to ensure it is not highly visible but there will be modifications made to that natural topography to move, extend and re-contour the mound.
16. Another justification for the location of the building platform is that it utilises the existing accessway. While this is true; the proposed accessway extension wends into the upper centre of the lot. It truncates the pasture area and requires some earthworks. It will be visible from the private road that constitutes the lower accessway and will also intrude onto rural pasture.

17. The opportunity has not been taken to aggregate built development. Ms Ward states that locating the building near the existing Lot 1 house has no advantage. However, this appears to be a location that would achieve full use of the remaining pastoral areas on the subject site, have low visibility from the road and neighbouring properties as well as cluster utilities, accessway and buildings in the landscape. Thereby clustering development in an area with a higher potential to absorb development while retaining areas which are more sensitive in their natural or Arcadian pastoral state.

Cumulative Effects

18. In my opinion, this application remains within the threshold of acceptability only because the proposed building platform is located behind an existing, established dwelling within a landscape where this pattern of development is existing. The pattern of residential development does not extend further north or west along the road.
19. I consider that the potential cumulative adverse effects of potential and probable boundary vegetation planted in the future need to be avoided by way of a consent condition that prohibits such activity to manage cumulative effects of the proposal. Refer also Para 4 & 5.

Rural Amenities

20. I agree with the Ms Ward that the proposed subdivision maintains adequate and appropriate visual access to open space and views across the pastoral landscapes for members of the public. Boundary fence line planting would reduce the wide views and reduce the sense of broad, open pastoral landscape. This matter may be able to be managed through consent conditions but would require on-going monitoring.
21. In her assessment Ms Ward states that the ODP rural amenity mitigation and avoidance criteria (5.4.2.2(3)e(ii) & (v)) have been achieved. I consider that further degradation of the VAL could occur without controls on the fence line planting, and the southern setback being widened.
22. The development as proposed may also lead to degradation or domestication of landscape because of the somewhat unrelated matter - that of liveability in the landscape. I will simply comment that the curtilage area proposed is very limited in size and some of it is in fact the rear of the proposed mound - clearly this is to manage wider, adverse landscape effects.
23. However the long-term management of domestication of the rural landscape must be considered here. Where will laundry be hung and play equipment sited? There appears to be little provision made for these activities should the entire building platform be covered with buildings and carparking. I recommend the size and topography of the curtilage area is reconsidered.
24. My opinion is that the proposal compromises the ability to undertake agricultural activities on surrounding land because the building platform is not set back adequately from property boundaries and I vary from Ms Ward on this.
25. There could be changes to farming operations on the #287 farm or on Mt Burke Station to the west. My concern is that certain rural farming activities may affect the amenity and privacy for those on Lot 2 to the degree that conflict occurs. Dairying or intensive horticulture for instance might generate noise or chemical use unwelcome to the Lot 2 residents.
26. If a building was erected right on the southern edge of the proposed building platform then only a single line of kanuka could be planted to buffer the properties. Goats, horses and cows could easily reach this distance and damage (eat) the plants. In my experience, a gap to plants of 2m is required to proof against plant damage by cows. This proposal does not provide for that. I consider the setback too limited to future-proof a variety of potential scenarios.
27. In terms of the PDP, I agree with Mr Espie that the outcomes sought for Rural Character Landscapes align mostly with those in the ODP VAL and so I will not dwell on them.

28. On the matter of the privacy and amenity of those in the dwelling on Lot 2 (PDP 21.5.1) I do differ from him. I don't consider that Council can be assured that this proposal will achieve quality privacy for those on Lot 2. More distance from the southern boundary is required to achieve effective mitigation using vegetation given the other infrastructure the proposal requires for the south side of the building platform.
29. In PDP 21.5.1 Council has restricted discretion regarding rural amenity, landscape character and the privacy and outlook from adjoining properties. I have discussed these matters in Para 8, and under the Rural Amenity sub-heading 20. I don't consider these matters to be adequately resolved by the proposal.
30. Further, PDP 21.2.4.2 aims to minimise conflict between non rural and farming activities. The proposed south setback distance of 5m does not manage such potential conflicts as I discuss in Para 25 & 26.
31. If the building platform and mound were created 10-15m from the southern boundary many issues of concern could be resolved. A mound could still be formed, a cut off drain may no longer be required, the accessway would not need to track so centrally on the lot, some activity space could be provided behind the building platform if desired and potential reverse sensitivity issues would have more options for solution in the future.
32. This underscores PDP 21.21.3.1 assessment matter where the applicant is invited to resolve such matters through more specific design that demonstrates that the proposed development is appropriate. I consider that if the applicant is dedicated to this location on the site, then more specific design is an appropriate mechanism to manage some of the concerns raised in this memo.

Conclusions of the Assessment are credible and justifiable -

33. I disagree with Ms Ward and I consider that in a rural setting the non complying 5m setback is too narrow to achieve any effective buffer in a VAL and RCL to manage future issues
34. I agree with the conclusions made by Ms Ward regards the designed visual effects of the proposal. I consider the vegetation proposals use species that will sit well in this landscape.
35. I do not consider that the proposed curtilage adequately provides for the domestic requirements of the future residents.

RECOMMENDATIONS

Prior to consent being granted I recommend:

1. That the applicant reassesses the location selected for the building platform because it does not manage or mitigate against potential reverse sensitivity issues effectively. Also it does not provide adequate space for planting or screening to achieve privacy between the southern neighbours and the residents.
2. That the curtilage proposed for those inhabiting a building on Lot 2 be designed to achieve adequate area for domestic outdoor activities to prevent 'spill' of such activities into the rural landscape in the future.

Should consent be granted I recommend:

3. That proposed mound and south boundary planting occurs the planting season prior to building construction commences on the site.

4. That a condition to consent is included to prevent long term hedgerow or shelterbelt planting along the southern and western boundaries of the site in order to maintain the openness of the RCL rural landscape in the vicinity.
5. That conditions listed on the Vivian & Espie landscape plan relating to planting are included in the consent conditions should the consent be granted.
6. That conditions relating to planting and lighting in the JE&A AEE report (page 30) are included in the consent conditions should the consent be granted.
7. That conditions setdown in the JE&A AEE report regarding the building height and finishes are included in the consent conditions.

Prepared by:

Kris MacPherson

BLA

Registered NZILA Landscape Architect

Reviewed by:



Helen Mellsop

BLA, BHB, Dip Hort (Distinction)

Registered NZILA Landscape Architect

APPENDIX 5 - LANDSCAPE FURTHER COMMENT

From: kris mac pherson [mailto:kris.macp57@gmail.com]
Sent: Friday, 21 December 2018 1:27 PM
To: EJ Matthee
Subject: Re: FW: RM 181225 Millar - Landscape peer review - updated comment

Hi EJ,

As the proposal stands in the application, I consider that the environment does not have the capacity to absorb the adverse effects of domestication inherent in the proposal.

These are referred to in my report: Para 20-24.

have a happy Christmas break
 regards Kris M

On Thu, Dec 20, 2018 at 5:16 PM EJ Matthee <EJ.Matthee@qldc.govt.nz> wrote:

Hi Kris,

Merry Christmas.

I am almost finish with this one, but just one more point for clarification please:

Notwithstanding the affects you have described below, you explain in the form and density assessment that you do not consider that the opportunity has been taken to aggregate built development.

Form & Density of Development

15. In my opinion the building platform proposal makes some use of the existing natural topography to ensure it is not highly visible but there will be modifications made to that natural topography to move, extend and re-contour the mound.
16. Another justification for the location of the building platform is that it utilises the existing accessway. While this is true; the proposed accessway extension wends into the upper centre of the lot. It truncates the pasture area and requires some earthworks. It will be visible from the private road that constitutes the lower accessway and will also intrude onto rural pasture.
17. The opportunity has not been taken to aggregate built development. Ms Ward states that locating the building near the existing Lot 1 house has no advantage. However, this appears to be a location that would achieve full use of the remaining pastoral areas on the subject site, have low visibility from the road and neighbouring properties as well as cluster utilities, accessway and buildings in the landscape. Thereby clustering development in an area with a higher potential to absorb development while retaining areas which are more sensitive in their natural or Arcadian pastoral state.

Just so it is clear. [Do you think the proposed location can absorb the development?](#)

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI

Planner | Planning & Development

Queenstown Lakes District Council

DD: +64 3 450 0316

ej.matthee@qldc.govt.nz



www.qldc.govt.nz

From: kris mac pherson [mailto:kris.macp57@gmail.com]

Sent: Monday, 12 November 2018 8:15 AM

To: EJ Matthee

Subject: Re: RM 181225 Millar - Landscape peer review - updated comment

Morena EJ,

I have written into the email below but if you would like an attached document please let me know

to clarify the points raised above :

- What is the degree of effect on openness? as above Public views to proposal - the linear boundary planting will have adversely effect the open, rural character of the landscape to a minor degree, when considered with the front mound as well
- Will the residential activity be contained by topography? this is a matter for debate however without a detailed plan of the proposed dwelling I must assume that the 700m2 building platform is entirely taken up with water tanks and vehicular parking and dwelling. If that is the case then in my opinion ancillary domestic activities would have to sprawl into the rural land surrounding the proposal.
- What is the degree of effect on the quality of the landscape? As discussed the size of the proposed lot reduces its capacity to manage activities such that the adverse effects are kept to a low level. The location of the building platform reduces the amount of backdrop and curtilage available to manage adverse effects. The re-shaped mound and its planting will assist in mitigating the actual dwelling's adverse effects somewhat. In my opinion, the potential adverse effects on the quality of the landscape, as the proposal is currently presented, are moderate. However should a detailed plan for the building and ancillary domestic activities be provided, or the building platform re-located; re-assessment of the adverse landscape effects may be more positive.

regards Kris M

On Fri, Nov 9, 2018 at 1:32 PM EJ Matthee <EJ.Matthee@qldc.govt.nz> wrote:

Hi Kris,

Thanks for the email below.

I just had my senior review my initial assessment, but we need clarification/your professional opinion on the following please:

- What is the degree of effect on openness?
- Will the residential activity be contained by topography?
- What is the degree of effect on the quality of the landscape?

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI

Planner | Planning & Development

Queenstown Lakes District Council

DD: +64 3 450 0316

ej.matthee@qldc.govt.nz

From: kris mac pherson [mailto:kris.macp57@gmail.com]

Sent: Wednesday, 31 October 2018 9:25 AM

To: EJ Matthee

Subject: RM 181225 Millar

Morena EJ,

I have considered your comments and these are point I would make.

Public views to proposal - these are from the north west travelling on Maungawera Rd travelling towards Wanaka.

From this vantage point the openness of the pastoral landscape up to the south is key to the character of the vicinity as it combines with the open rural landscape to the north of the road to provide broad vistas of the lush agrarian landscapes.

There is a proposed 10m wide Manuka barrier along this boundary for the extent of the building platform. This will be effective for screening the proposed platform from views further from the subject. It will be cohesive with the established manuka plantings to the south of the subject site

However two points:

1. the linear boundary planting will reduce to a minor degree , the open character of the landscape when considered with the front mound as well.
2. the mound's highest point is at the eastern end (2m) away from the public view so that the most expanse of the 4.5m high building (and activity on the small curtilage) will be visible for a short amount of time for members of the public.

Private views from the south - there are only private views from this direction.

As you rightly note, the manuka plantings adjacent to the subject site boundary are on the neighbouring property. As I have written in my report (Para 6) the narrowness of the planting proposed along this edge makes it not visible or effective. The location of the building platform 5m from the boundary precludes effective screen planting along this area.

I agree with you that if the proposal is considered NOT including the attributes of the vegetation on the neighbours property then the 3m approx of the rear wall and the roof will be exposed to view s from the neighbouring property.

Should this area be used as curtilage for ancillary domestic uses then the adverse effects from loss of privacy, loss of rural landscape character from over-domestication will be moderate.

Over domestication and loss of rural character (cumulative effects)

there is a risk given the size of the building platform & the limited curtilage that ancillary infrastructure and elements required for reasonable living will spill out of the proposed areas.

A more defined proposal setting out viable rural lifestyle operation and a suitably sized house and garage might go some way to Council understanding the actual proposal in the VAL landscape. Particularly given the small size of the proposed Lot which is part of the problem when proposing a location for the building platform and still allowing for use of the rural land.

These are my additional comments at present.

Let me know if you would like me to amend my report or await your direction.

I am most interested in your final decision on this one -

regards Kris M

--

Kris MacPherson

0274 728718

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Kris MacPherson

0274 728718

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Kris MacPherson
0274 728718

APPENDIX 6 - LPR ADDENDUM

Addendum

FILE REF: RM181225 - BSTGT

TO: **E.J. Matthee** – Planner, Planning and Development, QLDC

FROM: Kris MacPherson – Registered NZILA Landscape Architect

DATE: 11 April 2019

SUBJECT: **Landscape Commentary to Applicant's Scheme Amendments**

INTRODUCTION

1. The Queenstown Lakes District Council (QLDC) has received an amended proposal from the applicant on October 2018.
2. I have reviewed the information submitted as part of the amended proposal. I will comment on the amended proposal, the changes from the initial proposal and the response from Mr B Epie from Vivien Epsie Landscape Architects.

RESPONSE

1. The building platform has been relocated such that there are no longer breaches to the southern internal boundary setback. There remains a similar breach of about 5m to the western setback boundary as previously.
2. There are changes to the planting such that a swathe of on-site planting, within the southern internal setback area, and a relocated 1.5m mound to the north of the building platform with planting to approximately 500mm proposed for its southern side. The proposed accessway extension also has some planting mitigation proposed for it.
3. I consider that the proposed planting along western setback breach adequate to mitigate the breach. A potential building will not be visible in that direction in the day, the proposed planting grows to about 6m whilst the building envelope is 4.5m high and at a lower ground level.
4. Effects on Natural & Pastoral Character - I support Mr Espie's assessment that the low level of adverse effects on landscape character continue with this proposal. I consider that the condition offered in the AEE Addendum, regarding no shelterbelt planting to be adequate regarding prevention of lineal planting in the landscape associated with boundaries. However I would advise this be made more explicit and *shelterbelt planting* is changed in the condition to read *boundary, fence line or lineal planting*.

5. Visibility of the Development - I agree that the mound, planting and 4.5m high max building envelope will be effective in reducing the visibility of the proposed development especially when combined with the proposed cladding palette controls. The dwelling will now have a planted backdrop on site which will further assist it to embed in the landscape.
6. The closest audiences will be directly outside the subject site - about 700m from the building platform. I do not consider there will be adverse visual effects for this audience from the building platform proposed or any potential building compliant with the proposed controls.
7. I consider that on Maungawera Rd, the public will be able to register the buildings on Lot 1, the dwelling on an adjacent property (I am unable to clarify whether this is a Ruddenklau dwelling or Gillespie) as well as a potential building on Lot 2 from a distance of about 1.7km. These views are possible around the north corner of the road heading towards Mt Burke Station as well. The proposed building will sit lower than the Gillespie dwelling but higher than the existing dwelling.
8. At these distances, the registering of all buildings in a moving view will be difficult unless the viewer is stationary or unless viewed at night when lights emanating from all three dwellings will register. I do not consider these effects adverse because of distance.
9. Once formed, the accessway will be another instance of visible tracking across the open ground. Such activity is permitted in the rural zone but the number of such elements increases with each development. I do not consider that this accessway proposal will have more than low adverse visual effects.
10. Form & Density of Development - the applicant has not taken the opportunity to aggregate development despite there being such an opportunity. I stand by my comments in Para 17 of my peer review memo October 2018 on this matter.
11. Rural Amenities - the amended proposal successfully addressed my concerns regarding fence line planting and the southern setback breach.
12. A curtilage area is now located in a reasonable location on the revised landscape plan. I agree with Mr Espie that it is highly unlikely that the potential building will cover over half the building platform and that some of this area may be available for domestic activities as well. The areas of kanuka identified on the landscape plan, along the accessway, will assist in mitigating against views or awareness of domestic activities on the curtilage area.
13. I consider it important that domestic garden plants are contained on the curtilage area as well as hard elements.
14. For this reason, identifying the length and depth of planting required along the accessway is important. As is on-going plant replacement for 5 years, together with the other maintenance matters set down on the amended landscape plan. I consider that the southern setback and treatment addresses potential on Lot 2 privacy and sensitivity issues.
15. Summary - I consider that despite the small size of the lot and its elevated position, the amendments made to the proposal, combined with the APAs received from neighbours reduce adverse landscape and visual effects to low.

Prepared by:

Kris MacPherson

BLA

Registered NZILA Landscape Architect

APPENDIX 7 - ENGINEERING REPORT

ENGINEERING REPORT

TO: EJ Matthee

FROM: Cameron Jones

DATE: 24/10/2018

APPLICATION DETAILS	
REFERENCE	RM181225
APPLICANT	Nick & Lisa Millar
APPLICATION TYPE & DESCRIPTION	Consent is sought for a two lot subdivision and establishment of a new building platform.
ADDRESS	431 Maungawera Valley Road
ZONING	Rural general
LEGAL DESCRIPTION	Lot 1 RM180462 Current CFR: Sec 7 Blk V, Lower Wanaka SD Sec 5-6 Block VI, Lower Wanaka SD
SITE AREA	Lot 1: 11.1 Ha Current CFR: 158 Ha
ACTIVITY STATUS	Non-complying

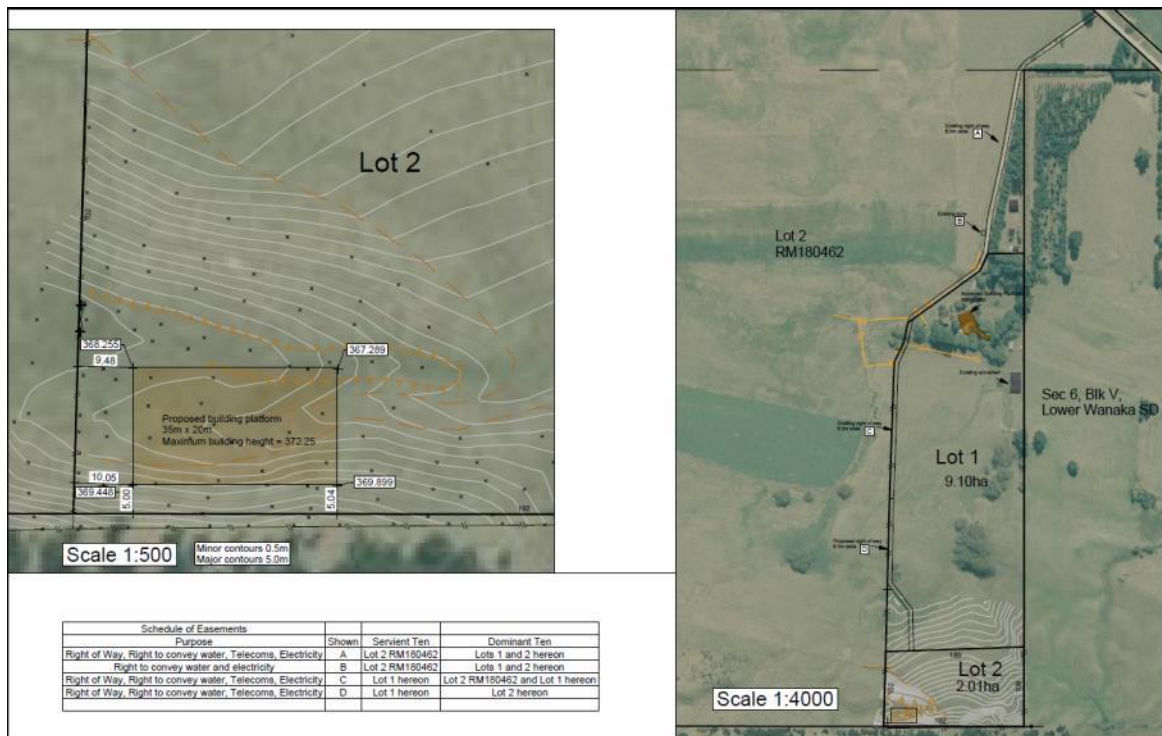
Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	RM180462 (previous subdivision).
	Date of site visit	26/09/2018

Comments		
	Existing Use	Agricultural allotment with an existing dwelling and auxiliary buildings as shown on scheme plan, below.
	Neighbours	Subject site is bisected by Maungawera Valley Road (Lot 1 RM180462 is entirely to the south), otherwise surrounded by farmland.
	Topography/Aspect	Mostly relatively flat; moderately sloping towards the north at the southern end of the site.

Location Diagram



Scheme Plan



ENGINEERING			COMMENTS	Condition
		Means of Access	<p><u>Access</u></p> <p>The access way to the existing dwelling is an approximately 4m wide gravel formation within a 6m wide easement. I am satisfied that this is fit for purpose and I make no recommendations in this regard.</p> <p>The applicant proposes to construct a 3.5m wide access way to the building platform location. A 6m wide right of way easement will be created over the access within Lot 1. I am satisfied that this formation meets the requirements of figure E1 of Council's Land Development and Subdivision Code of Practice. The applicant has provided a longitudinal section of the access, showing that the maximum gradient is 6.4%, less than the 20% maximum specified in the Code of Practice.</p> <p>I recommend a condition that a right of way and access be constructed to the proposed building platform prior to registration of the building platform/224c certification. This shall include provision for stormwater disposal from the carriageway. This shall include provision for passing every 100m.</p>	X
	Access	Vehicle crossing	<p><u>Vehicle crossings</u></p> <p>The existing vehicle crossing is unsealed, which is appropriate given that Maungawera Valley Road is unsealed at this location. I am satisfied that the vehicle crossing otherwise complies with Council requirements for length, break-over angles, and sight distances. I make no recommendations in this regard.</p>	

ENGINEERING			COMMENTS	Condition
EARTHWORKS	Extent	Description	Earthworks as required to establish services and access to Lot 2, and landscaping.	
		Cut /Fill Volume (m3)	Cut: 430m ³ Fill: 620m ³	
		Total Volume (m3)	1,050m ³	
		Area Exposed (m2)	2,000m ²	
		Max Height Cut/Fill (m)	Max cut: 0.8m Max fill: 2.1m	
		Prox. to Boundary	Given the distance from the proposed earthworks to the nearest boundary, I am satisfied that no instability will result beyond the lot's boundaries. Nonetheless, I recommend a condition that no earthworks extend beyond the lot boundaries.	X
	Stability	Geotech assessment by	RDA Consulting	
		Report reference	' <i>Geotechnical Assessment Report</i> ' (RDA reference 50738, dated 21 August 2018).	
		Report Comment	The report presents the results of several test pits and Scala penetrometer tests, providing geotechnical design inputs for future dwelling construction. A hazards assessment is also provided, discussed further in the relevant section herein. I recommend that the earthworks are undertaken in accordance with the RDA report.	X

		Rock breaking	Not anticipated.	
		Rock blasting		
		Preconstruction survey	Not required.	
		Retaining	None proposed, nor anticipated.	
		Recommendations on cut/batter slopes	As per the RDA report.	X
		Fill certification/specific foundation design required	No fill is proposed within the building platform at this stage, but fill will likely be required to establish a level building area at the time a dwelling is constructed.	
		Engineers supervision	Required.	X
		Uncertified fill covenant	Not required.	
		Schedule 2a Certificate	Required for overland flow protection, discussed further in the hazards section below.	X
		Clean fill only	Not required.	
	Site Management	Report reference	Appropriate conditions are recommended to ensure that the site management is undertaken in accordance with the 'Guide to Earthworks in the Queenstown Lakes District' brochure and the site management recommendations in the RDA Report.	X
		Specific sedimentation management	Not required.	
		Specific stormwater management		
		Neighbours	I am satisfied that the earthworks are feasible and no adverse effects will result on neighbouring sites.	
		Traffic management	I am satisfied that traffic management will not be necessary.	
		Construction crossing	Not required.	
		Revegetation	An appropriate condition is recommended to ensure all exposed areas are stabilised or re-vegetated at the completion of earthworks.	X

SERVICES	Existing Services	The existing dwelling obtains water from a bore located within Lot 2 RM180462. Wastewater is disposed of to an existing septic tank system, and stormwater is disposed of to ground. There are existing power and telecommunications connections.	
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		<p>A new bore has been established on Lot 2 RM180462, which is to be used to supply water to both proposed allotments. ORC consent has been provided for the construction of this bore, and this includes a bore log, confirming that approx. 1.8 l/s can be taken from this bore. This equates to approx. 150,000 litres per day, and I am therefore satisfied that this bore can produce adequate water for the subdivision.</p> <p>Laboratory test results have also been provided, demonstrating compliance with the NZ Drinking Water Standards. The laboratory advises that the pH of the water is lower than recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Overall, I am satisfied that potable water can be provided, and I recommend an advice note regarding the low pH and high nitrate content of the water.</p>	
	Water	<p>Potable</p> <p>The applicant proposes to install pipework as required to supply water to Lot 2. Given the elevation of the building platform relative to the rest of the site, pumping is likely to be required. I am satisfied that this is feasible.</p> <p>I recommend a condition that a supply of at least 2,100 be provided to the building platform on Lot 2 prior to registration of the building platform/224c certification.</p> <p>I recommend a condition that chemical and bacterial tests for the water supply be submitted for review prior to registration of the building platform/224c certification.</p> <p>I recommend a consent notice condition advising lot owners that they are responsible for monitoring the water supply. I recommend that this include an advice note with regard to the low pH and high nitrate content in the water.</p>	<p>X</p> <p>X</p> <p>X</p>
		<p>Fire-fighting</p> <p>Council's engineering report for RM180462 recommended the installation of a 20,000 litre static firefighting water reserve within a 30,000 litre tank for the existing dwelling on Lot 1. However, Rule 21.7.5 of the Proposed District Plan has since taken effect, requiring a 45,000 litre static firefighting reserve. I therefore recommend that a 45,000 litre static firefighting reserve be provided within a 55,000 litre tank (or equivalent) for the existing dwelling prior to 224c certification.</p> <p>I recommend an appropriate covenant/consent notice condition in this regard for Lot 2.</p>	X
	Effluent Disposal	<p>The dwelling on Lot 1 is currently serviced by a septic tank system. As this system is existing and unaffected by the proposal, I am satisfied that it requires no further assessment at this time.</p> <p>The applicant has provided a site and soils assessment from RDA Consulting. This assessment confirms that on-site effluent treatment and disposal will be feasible at the time a dwelling is constructed. The report identifies a perched water table near the building platform location, and advises that ORC consent may be required if the disposal field is within 50m of the ephemeral streams (overland flow paths) on-site. Regardless, due to the size of Lot 2, I am satisfied that there is adequate space for the required disposal field, and I accept RDA's assessment that on-site disposal will be possible.</p> <p>I recommend a covenant/consent notice condition with regard to the need to install an on-site wastewater treatment and disposal system at the time a dwelling is constructed.</p>	X

	Stormwater	<p>The RDA geotechnical assessment report states the following regarding stormwater disposal:</p> <p><i>'Due to the very low soakage rate measured on site and the shallow depth to bedrock it is not recommended to dispose the stormwater runoff to conventional soakage trenches. An alternative is to dispose the stormwater from the roof to an existing overland flow path. To avoid the risk of flooding neighbouring sites, riprap should be installed at the discharge area to decrease the energy of the stormwater flow and planting of vegetation through the watercourse that will mitigate the runoff.'</i></p> <p>I accept this assessment, and I recommend a consent notice condition for Lot 2 regarding the need to design the stormwater disposal system in accordance with these recommendations.</p>	X
	Power & Telecoms	The applicant has provided letters from Aurora and Chorus, confirming that power and telecommunications connections are feasible, respectively. I recommend appropriate conditions that these connections be made prior to registration of the building platform/224c certification.	X

NATURAL HAZARDS	Hazards on or near the site	<p>Council's GIS shows that the northern portion of the site is at risk due to an alluvial fan. Given the distance to the building platform (approx. 600m) and the elevation of the building platform above the rest of the site, I am satisfied that this poses little risk to the building platform.</p> <p>However, the proposed building platform is within a small gully, and RDA Consulting has provided an assessment of the risk due to overland flow through the platform.</p>	
	Hazard assessment by	RDA Consulting	
	Report reference	'Geotechnical Assessment Report' (RDA ref 50738, dated 21 August 2018).	
	Report on Hazards	<p>The RDA report states that the gully in which it is proposed to locate the building platform does function as an ephemeral stream during heavy rain, and that ponding was observed during their site visit. RDA recommends that at the time a dwelling is constructed a cut-off drain be constructed to the west and south of the dwelling to divert any overland flow during rain events. As there is a perched groundwater table in the building platform location, this trench would also function to divert groundwater flows.</p> <p>I accept that protecting a future dwelling with a cut-off drain is feasible. However, I believe that this drain should be installed prior to 224c certification to ensure that it is placed correctly. This will also mean that the access way will be protected from scour between 224c certification and the time a dwelling is constructed, as the top section of the access is also within the overland flow path.</p>	X
	ORC	ORC consent may be required for the cut off drain as it could be considered a defence against water. An advice note is recommended in this respect.	X
	Supervision of works	Not required.	
	Certification mitigation of	I recommend a condition that a Schedule 2A certificate be provided prior to 224c certification, demonstrating that the building platform area is safe to build on.	X

PROJECT INFORMATION	Developers Engineering Representative	Required for water infrastructure and new access way design and construction.	X
	Notice commencement of	Not required.	
	Traffic Management Plan	Not required.	
	Design Certificates	Not required.	
	Completion Certificates	Not required	
	As built	Required for water infrastructure.	X

TITLES	Consent Notices	There are no existing consent notices on the title. I recommend consent notice conditions with regard to water supply, static firefighting water reserve, wastewater disposal, stormwater design, and overland flow protection on Lot 2. These are discussed further in the relevant sections herein.	X
	Easements	A condition is recommended to ensure all necessary easements are granted or reserved.	X
	Road Names on title plan	Not required.	
	Building platforms	Digital location on survey plan required.	X
	Amalgamation Condition	The current CFR is for several amalgamated allotments. The parent lot for this subdivision is Lot 1 approved under RM180462, and that consent also required the amalgamation of the balance of the CFR. No amalgamation condition is proposed as part of the current application, but, following discussions with the planner, it was decided the most appropriate way to deal with this would be to include a condition that this consent cannot be given effect to until 224c certification has been granted for RM180462. I therefore recommend that the planner include an appropriate condition in this regard.	

DECISION A – LAND USE BUILDING PLATFORM RECOMMENDED CONDITIONS

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

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd 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. 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 and the recommendations in Section 8 of the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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.
4. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the proposed building platform that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of the building platform, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report (RDA ref 50738, dated 21 August 2018).
 - c) The provision of an access way to the building platform that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

5. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
6. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
7. 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.
8. No earthworks, temporary or permanent, are to breach the boundaries of the site.

New Building Platform to be registered

9. 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 platform (as per C Hughes & Associates Ltd plan titled 'Subdivision of Lot 1 RM180462, N & L Millar, Maungawera Valley Road', Plan No. W1078, Revision A, dated 5/9/18). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register 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 registration of the building platform on the Computer Freehold Register

10. 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 development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (4) above.
- d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
- e) In the event that the test results required in Condition (9d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the development's water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

- ii) A covenant condition shall be registered on the Computer Freehold Registers for the lot, subject to the approval of Council. The covenant shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the covenant condition shall be reviewed and approved by Council's solicitors prior to registration.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for

reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.

- i) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- j) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Covenants

Advice note: In the event that the RM181125 subdivision consent 224c application is lodged for the development prior to the registration of the building platform for this land use consent, then covenant conditions may be addressed by way of an alternative effective legal instrument such as a consent notice, rather than a s108 covenant.

11. At the time that the building platform is registered on the Computer Freehold Register 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 in accordance with the recommendations in the RDA Consulting report provided as part of the application for RM181125 (dated 21 August 2018). The proposed stormwater system shall be subject to the review of 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) A covenant condition pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for the subject lot providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 4(b) above. The final wording of the covenant condition 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.
- d) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.
- e) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- f) In the event that the Schedule 2A certificate issued under Condition (10h) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- g) At the time that a residential unit is erected on the lot, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- h) At the time a residential unit is erected on the lot, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS

4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

Advice Note:

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

Decision B below

DECISION B – SUBDIVISION RECOMMENDED CONDITIONS

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

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd 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. 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 and the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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.
4. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platforms on Lots 1 & 2 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lot 2, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report (RDA ref 50738, dated 21 August 2018).
 - d) The provision of a right of way and access to the building platform on Lot 2 that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

5. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).

6. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
7. 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.
8. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

9. 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

10. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
 - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
 - c) The completion and implementation of all certified works detailed in Condition (4) above.
 - d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
 - e) In the event that the test results required in Condition (10d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

 - ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.

- f) The consent holder shall provide evidence to the satisfaction of the Subdivision Planner at Council as to how the water supply will be monitored and maintained on an ongoing basis.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- 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 boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

Provide written evidence of an existing electricity connection to the buildings on Lot 1.

- 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 boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

Provide written evidence of an existing telecommunications connection to the buildings on Lot 1.

- i) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.

- j) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby

couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above.

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- k) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

11. 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 in accordance with the recommendations in the RDA Consulting report provided as part of the application for RM181125 (dated 21 August 2018). The proposed stormwater system shall be subject to the review of 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) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for Lot 2 providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 4(b) above. The final wording of the consent notice instrument shall be checked and approved by the 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.
- d) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.

- e) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- f) In the event that the Schedule 2A certificate issued under Condition (10i) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- g) At the time that a residential unit is erected on Lot 2, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- h) At the time a residential unit is erected on Lot 2, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

Advice Note:

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at Council.
 2. The consent holder is advised to obtain any necessary consents (if required) from the Otago Regional Council for the cut of drain (defence against water).
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Prepared by:



Cameron Jones
LAND DEVELOPMENT ENGINEER

Reviewed by:



Lyn Overton
SENIOR LAND DEVELOPMENT ENGINEER

APPENDIX 8 - ENGINEERING ADDENDUM

ENGINEERING REPORT ADDENDUM

TO: EJ Matthee

FROM: Cameron Jones

DATE: 11/04/2019

APPLICATION DETAILS	
REFERENCE	RM181225
APPLICANT	Nick & Lisa Millar
APPLICATION TYPE & DESCRIPTION	Consent is sought for a two lot subdivision and establishment of a new building platform.
ADDRESS	431 Maungawera Valley Road
ZONING	Rural general
LEGAL DESCRIPTION	Lot 1 RM180462 Current CFR: Sec 7 Blk V, Lower Wanaka SD Sec 5-6 Block VI, Lower Wanaka SD
SITE AREA	Lot 1: 11.1 Ha Current CFR: 158 Ha
ACTIVITY STATUS	Non-complying

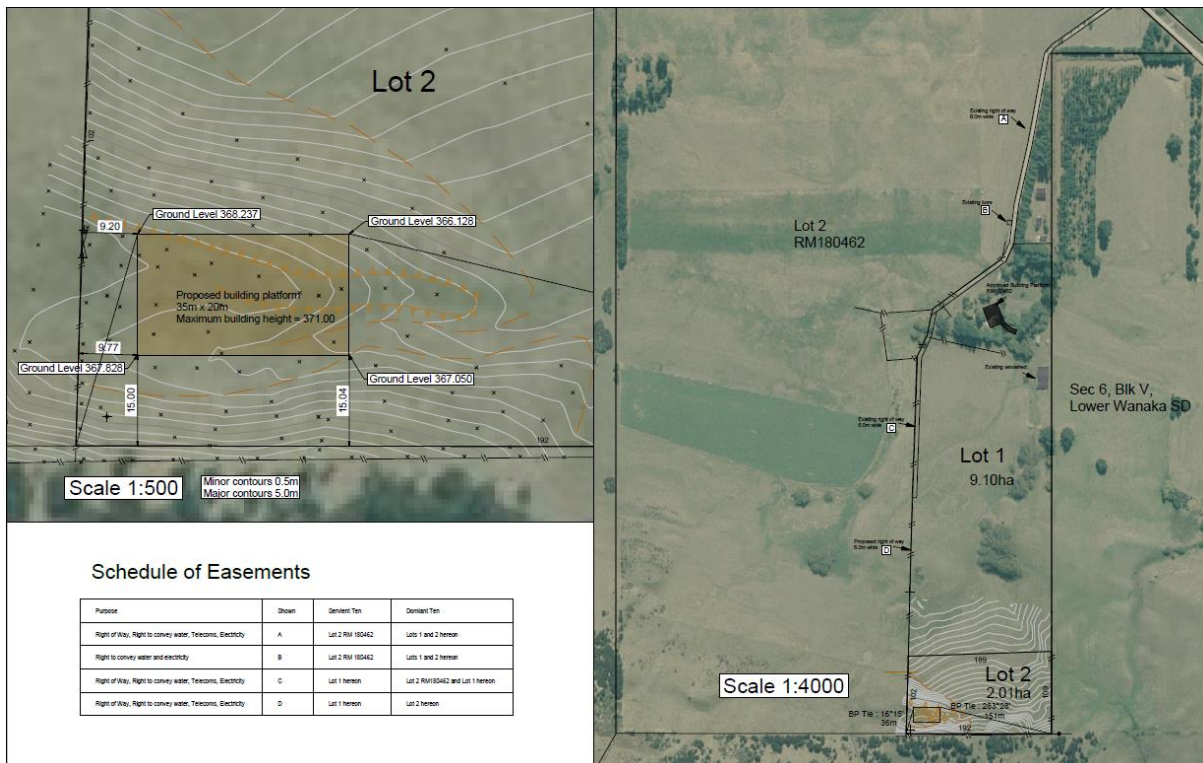
Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	RM180462 (previous subdivision).
	Date of site visit	26/09/2018

Comments		
	Existing Use	Agricultural allotment with an existing dwelling and auxiliary buildings as shown on scheme plan, below.
	Neighbours	Subject site is bisected by Maungawera Valley Road (Lot 1 RM180462 is entirely to the south), otherwise surrounded by farmland.
	Topography/Aspect	Mostly relatively flat; moderately sloping towards the north at the southern end of the site.

Location Diagram



Amended Scheme Plan



Amended Proposal

The amended plans show the proposed building platform approximately 10m to the north of its previous location. I adopt the findings of my previous report, with the following changes:

- The applicant now proposes more significant earthworks in order to lower the building platform and construct a taller bund to the north of the platform.
- An amended alignment for the stormwater cut off drain, with a more detailed design being provided.

Increased Earthworks

The amended proposal includes a total of 3,060m³ of earthworks (comprised of 1,440m³ of cut and 1,620m³ of fill), compared to 1,050m³ as previously proposed. It appears that the maximum slope proposed is less than 1(V):2(H), complying with Council's Land Development and Subdivision Code of Practice. Overall, I am satisfied that the proposed amendments to the earthworks can be adequately controlled by the conditions I previously recommended.

Amended Stormwater Design

As the building platform has been relocated, the proposed stormwater cut-off drain design has been amended, effectively translating the drain's location to the north along with the platform. The applicant has provided a letter prepared by RDA Consulting (RDA ref 50738, dated 10 April 2019) with these changes, and I accept the expert advice that this will protect the building platform from inundation, pending detailed design approval. I recommend that this letter be incorporated into the condition previously recommended regarding the cut-off drain's detailed design.

DECISION A – LAND USE BUILDING PLATFORM RECOMMENDED CONDITIONS

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

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd 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. 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 the recommendations in Section 8 of the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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.
4. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and

information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:

- a) Provision of a minimum supply of 2,100 litres per day of potable water to the proposed building platform that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
- b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of the building platform, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report and letter (RDA ref 50738, dated 21 August 2018 and 10 April 2019).
- c) The provision of an access way to the building platform that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

5. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
6. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
7. 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.
8. No earthworks, temporary or permanent, are to breach the boundaries of the site.

New Building Platform to be registered

9. 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 platform (as per C Hughes & Associates Ltd plan titled 'Subdivision of Lot 1 RM180462, N & L Millar, Maungawera Valley Road', Job No. 5595, Plan No. W1078, Revision C, dated April 2019). The consent holder shall register this "Land Transfer Covenant Plan" on Computer Freehold Register 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 registration of the building platform on the Computer Freehold Register

10. 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 development to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).

- b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (4) above.
- d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
- e) In the event that the test results required in Condition (9d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the development's water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

- ii) A covenant condition shall be registered on the Computer Freehold Registers for the lot, subject to the approval of Council. The covenant shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the covenant condition shall be reviewed and approved by Council's solicitors prior to registration.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.
- i) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where

pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- j) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- k) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Covenants

Advice note: In the event that the RM181125 subdivision consent 224c application is lodged for the development prior to the registration of the building platform for this land use consent, then covenant conditions may be addressed by way of an alternative effective legal instrument such as a consent notice, rather than a s108 covenant.

11. At the time that the building platform is registered on the Computer Freehold Register 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 in accordance with the

recommendations in the RDA Consulting report provided as part of the application for RM181125 (dated 21 August 2018). The proposed stormwater system shall be subject to the review of 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) A covenant condition pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for the subject lot providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 4(b) above. The final wording of the covenant condition 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.
 - d) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.
 - e) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
 - f) In the event that the Schedule 2A certificate issued under Condition (10h) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
 - g) At the time that a residential unit is erected on the lot, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- h) At the time a residential unit is erected on the lot, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

Advice Note:

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

Decision B below

DECISION B – SUBDIVISION RECOMMENDED CONDITIONS

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

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd 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. 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 the RDA Consulting report (RDA ref 50738, dated 21 August 2018) 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.
4. Prior to commencing any works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for all development works and information requirements specified below. An 'Engineering Review and Acceptance' application shall be submitted to the Manager of Resource Management Engineering at Council and shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platforms on Lots 1 & 2 that complies with/can be treated to consistently comply with the requirements of the Drinking Water Standard for New Zealand 2005 (Revised 2008). This shall include a booster pump if required.
 - b) The provision of stormwater management and secondary flow paths and/or setting of appropriate building floor levels to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lot 2, and no increase in run-off onto land beyond the site from the pre-development situation. This shall include a drainage cut-off trench, as per the recommendations in the RDA Consulting report and letter (RDA ref 50738, dated 21 August 2018 and 10 April 2019).
 - d) The provision of a right of way and access to the building platform on Lot 2 that complies with the guidelines provided for in QLDC's Land Development and Subdivision Code of Practice for Figure E1. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. This shall include:
 - i) Provision shall be made for stormwater disposal from the carriageway.
 - ii) Provision shall be made for passing every 50 metres or where considered necessary, such as high spots or bends on the road or bends.

To be monitored throughout earthworks

5. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).

6. The earthworks, batter slopes and site management shall be undertaken in accordance with the recommendations of the report by RDA Consulting (RDA reference 50738, dated 21 August 2018).
7. 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.
8. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

9. 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

10. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision to the Subdivision Planner at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
 - b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Subdivision Planner at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
 - c) The completion and implementation of all certified works detailed in Condition (4) above.
 - d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply that clearly demonstrate compliance with the Drinking Water Standards for New Zealand 2005 (Revised 2008). The chemical test results shall be no more than 5 years old, and the bacterial test results no more than 3 months old, at the time of submitting the test results. The testing must be carried out by a Ministry of Health recognised laboratory (refer to <http://www.drinkingwater.esr.cri.nz/mohlabs/labmain.asp>).
 - e) In the event that the test results required in Condition (10d) above show the water supply does not conform to the Drinking Water Standards for New Zealand 2005 (Revised 2008) then a suitably qualified and experienced professional shall provide a water treatment report to the Subdivision Planner at Council for review and certification. The water treatment report shall contain full details of any treatment systems required to achieve potability, in accordance with the Standard. The consent holder shall then complete the following:
 - i) The consent holder shall install a treatment system that will treat the subdivision water supply to a potable standard on an ongoing basis, in accordance with Drinking Water Standards for New Zealand 2005 (Revised 2008). The design shall be subject to review and certification by Council prior to installation and shall be implemented prior to the issue of section 224(c) certification for the subdivision.

OR

 - ii) A consent notice shall be registered on the relevant Computer Freehold Registers for the lots, subject to the approval of Council. The consent notice shall require that, prior to occupation of the residential unit an individual water treatment system shall be installed in accordance with the findings and recommendations contained within the water treatment report submitted for the RM181225 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.

- f) The consent holder shall provide evidence to the satisfaction of the Subdivision Planner at Council as to how the water supply will be monitored and maintained on an ongoing basis.

The legal documents that are used to set up or that are used to engage the management company are to be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.

- 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 boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

Provide written evidence of an existing electricity connection to the buildings on Lot 1.

- 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 boundary of Lot 2 and that all the network supplier's requirements for making such means of supply available have been met.

Provide written evidence of an existing telecommunications connection to the buildings on Lot 1.

- i) All earthworks, geotechnical investigations and cut-off drain construction shall be carried out under the guidance of a suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate on completion covering all land within the development, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the development for reference by future lot owners. The certificate and any supporting information shall be submitted to the Manager of Resource Management Engineering at Council.

- j) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

Underground tanks or tanks that are partially buried (provided the top of the tank is no more than 1 metre above ground) may be accessed by an opening in the top of the tank whereby

couplings are not required. A hardstand area adjacent to the tank is required in order to allow a FENZ appliance to park on it and access to the hardstand area must be provided as above.

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

- k) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

11. 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 in accordance with the recommendations in the RDA Consulting report provided as part of the application for RM181125 (dated 21 August 2018). The proposed stormwater system shall be subject to the review of 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) A consent notice condition pursuant to s.221 of the Resource Management Act 1991 shall be registered on the Computer Freehold Register for Lot 2 providing for the performance of any ongoing requirements for protection of secondary flow paths or minimum floor levels for buildings, where deemed necessary by Council to satisfy Condition 4(b) above. The final wording of the consent notice instrument shall be checked and approved by the 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.
- d) At the time a residential unit is erected on the lot, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by RDA Consulting, dated 17/08/2018. 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. Consent for this may also need to be obtained from the Otago Regional Council.

- e) The wastewater disposal field shall be blocked off to vehicular traffic and stock. This shall be achieved through use of a physical barrier, such as fencing or other suitable measures that will prevent vehicles and stock from passing over the disposal area.
- f) In the event that the Schedule 2A certificate issued under Condition (10i) contains limitations or remedial works required, then a s108 covenant shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- g) At the time that a residential unit is erected on Lot 2, the owner for the time being is to treat the domestic water supply by filtration and disinfection (if required) so that it complies with the Drinking Water Standards for New Zealand 2005 (revised 2008).

Advice note: The owner is advised that previous test results have indicated that the water has a lower pH than is normally recommended, which can affect the taste of the water and make it more likely to corrode pipework. Nitrate is also higher than recommended, which can pose a risk to infants. Treatment is recommended to remedy these issues.

- h) At the time a residential unit is erected on Lot 2, domestic water and firefighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static firefighting reserve within a 55,000 litre tank (or equivalent). Alternatively, a 7,000 litre firefighting reserve is to be provided for each residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

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

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new residential unit.

Advice Note:

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

Prepared by:



Cameron Jones
LAND DEVELOPMENT ENGINEER

Reviewed by:



Lyn Overton
SENIOR LAND DEVELOPMENT ENGINEER

APPENDIX 9 – RELEVANT OBJECTIVES AND POLICIES

RELEVANT OBJECTIVES AND POLICIES (IN FULL) - OPERATIVE DISTRICT PLAN

SECTION 4: DISTRICT WIDE

4.1.4 Nature Conservation Values

Objective 1

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.

Policies:

1.1 To encourage the long-term protection of indigenous ecosystems and geological features.

1.3 To manage the sensitive alpine environments from the adverse effects of development.

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.

1.17 To encourage the retention and planting of trees, and their appropriate maintenance.

4.2 Landscape and Visual Amenity

Objective 4.2.5:

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

Policies:

1. Future Development

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

4. Visual Amenity Landscapes

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

- (b) To mitigate loss of or enhance natural character by appropriate planting and landscaping.
- (c) To discourage linear tree planting along roads as a method of achieving (a) or (b) above.

8. Avoiding Cumulative Degradation

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

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

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
 - providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads

12. Transport Infrastructure

To preserve the open nature of the rural landscape by:

- encouraging the location of roads, car parks and tracks along the edges of existing landforms and vegetation patterns.
- requiring that all construction be with minimum cut and fill batters and that all batters be shaped in sympathy with, existing landforms.

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 Natural Hazards

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:

1.4 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.

SECTION 5- RURAL AREAS**Objective 1 - Character and Landscape Value**

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

Policies:

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

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

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

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

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

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

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.

Objective 3 - Rural Amenity

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

Policies:

3.1 Recognise permitted activities in rural areas may result in effects such as noise, dust and traffic generation, which will be noticeable to residents in the rural areas.

3.2 Ensure a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values.

3.3 To avoid, remedy or mitigate adverse effects of activities located in rural areas.

3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.

SECTION 15- SUBDIVISION

Objective 1 – Servicing

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

Policies:

- 1.2 To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments.
- 1.4 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 firefighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 1.6 To ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with Council's Long Term Community Plan Development Contributions Policy.
- 1.9 To ensure, upon subdivision or development, that anticipated land uses are provided with means of treating and disposing of sewage in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.
- 1.10 To ensure, upon subdivision or development, that all new lots or buildings are provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available.
- 1.11 To ensure adequate provision is made for the supply of reticulated energy, including street lighting, and communication facilities for the anticipated land uses, and the method of reticulation is appropriate to the visual amenity values of the area.

Objective 2- Cost of Services to be met by subdividers:

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

Policies:

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

- stormwater collection, treatment and disposal;
- trade waste disposal;
- provision of energy;
- provision of telecommunications.

2.2 Contributions will be in accordance with Council's Long Term Community Plan Development Contributions Policy.

Objective 5 - Amenity Protection

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

Policies:

- 5.1 To ensure lot sizes and dimensions to provide for the efficient and pleasant functioning of their anticipated land uses and reflect the levels of open space and density of built development anticipated in each area.
- 5.2 To ensure subdivision patterns and the location, size and dimensions of lots in rural areas will not lead to a pattern of land uses, which will adversely affect landscape, visual, cultural and other amenity values.
- 5.5 To minimise the effects of subdivision and development on the safe and efficient functioning of services and roads.

SECTION 22- EARTHWORKS

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.

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.

RELEVANT OBJECTIVES AND POLICIES (IN FULL) - PROPOSED DISTRICT PLAN

Those with an * are currently under appeal.

SECTION 3: STRATEGIC DIRECTION

Objective 3.2.1

The development of a prosperous, resilient and equitable economy in the District.

Policy:

* 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.

Objective 3.2.4

The distinctive natural environments and ecosystems of the District are protected.

Policy:

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.

Objective 3.2.5

The retention of the District's distinctive landscapes.

Policy:

* 3.2.5.2 The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.

Strategic Policies:

3.3.22

Provide for rural living opportunities in 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.

* 3.3.32 Only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded.

SECTION 6: LANDSCAPES

6.3 Policies:

Managing Activities in the Rural Zone:

* 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.

* 6.3.11 Encourage any landscaping to be ecologically viable and consistent with the established character of the area.

Managing Activities in Rural Character Landscapes:

*6.3.19 Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan.

*6.3.20 Encourage plan changes applying Rural Lifestyle and Rural Residential Zones to land as the appropriate planning mechanism to provide for any new rural lifestyle and rural residential developments in preference to ad-hoc subdivision and development and ensure these zones are located in areas where the landscape can accommodate the change.

*6.3.21 Require that proposals for subdivision or development for rural living in the Rural Zone take into account existing and consented subdivision or development in assessing the potential for adverse cumulative effects.

*6.3.22 have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads.(3.2.1.1,3.2.1.7,3.2.5.2,3.3.21,3.3.24-25,3.3.32).

*6.3.23 Ensure incremental changes from subdivision and development do not degrade landscape quality or character, or important views as a result of activities associated with mitigation of the visual effects of proposed development such as screen planting, mounding and earthworks. (3.2.1.1, 3.2.1.8, 3.2.5.2, 3.3.21, 3.3.24, 3.3.32).

*6.3.26 Avoid adverse effects on visual amenity from subdivision, use and development that:

- a) is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan);or
- b) forms the foreground for an Outstanding Natural Landscape or Outstanding Natural Feature when viewed from public roads.

*6.3.28

In the upper Clutha Basin, have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.

*6.3.29

Encourage development to utilise shared accesses and infrastructure, and to locate within the parts of the site where it will minimise disruption to natural landforms and to rural character. (3.2.1.1, 3.2.1.8, 3.3.21, 3.3.24, 3.3.32).

SECTION 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:

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

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

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

21.2.1.8 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:

21.2.2.2 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 recognised wilding exotic trees with the potential to spread and naturalise.

Objective 21.2.4:

* Situations where sensitive activities conflict with existing and anticipated activities are managed to minimise conflict between incompatible land uses.

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.

SECTION 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.

Policy:

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.

Objective 27.2.2

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

Policy:

27.2.2.7 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.

Objective 27.2.5

Infrastructure and services are provided to new subdivisions and developments.

Policies:

27.2.5.4 Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.

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

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.

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.

SECTION 28 - NATURAL HAZARDS**Objective 28.3.1:**

The risk to people and the built environment posed by natural hazards is managed to a level tolerable to the community.

Policy:

*28.3.1.1 Ensure assets or infrastructure are constructed and located so as to avoid or mitigate:

- a) the potential for natural hazard risk to human life to be exacerbated; and
- b) the potential risk of damage to property and infrastructural networks from natural hazards to the extent practicable, including consideration of the locational, technical and operational requirements of regionally significant infrastructure.

SECTION 25 – EARTHWORKS (PROPOSED – STAGE 2 REVIEW)**25.2.1 Objective**

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;
- e. The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga;
- f. heritage sites, precincts and landscape overlays;
- g. 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.

Operative Regional Policy Statement: 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.
- 5.4.5 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.

PARTIALLY OPERATIVE REGIONAL POLICY STATEMENT: RELEVANT 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 several appeals on this decision has been resolved. On 12 December 2018, Council approved these provisions to become operative from 14 January 2019

<https://www.orc.govt.nz/media/6808/rps-version-2019-05-17-tracked-text-draft-partially-operative-plus-approved-sections.pdf>

- Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management decisions
- Objective 2.2 Kāi Tahu values, interests and customary resources recognised and provided for
- Objective 3.1 The values (including intrinsic values) of ecosystems and natural resources are recognised, and maintained, or enhanced where degraded.
- 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.
- Objective 3.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded.
- Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes: 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 that contribute to the high value of the natural feature, landscape or seascape.

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

Objective 4.3 Infrastructure is managed and developed in a sustainable way.

Objective 5.3 Sufficient land is managed and protected for economic production

- Policy 5.3.1 Manage activities in rural areas, to support the region's economy and communities, by:
- a) Enabling primary production and other rural activities that support the production;
 - b) Minimising the loss of significant soils;
 - c) Restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects;
 - d) Minimising the subdivision of productive rural land into smaller lots that may result a loss of its productive capacity or productive efficiency;
 - e) Providing for other activities that have a functional need to locate in rural areas,

Objective 5.4 Adverse effects of using and enjoying Otago's natural and physical resources are minimised.

APPENDIX 10 - EMAILS FROM FIRE SERVICE

From: Smalls, John <John.Smalls@fireandemergency.nz>
Sent: Thursday, 6 June 2019 6:23 PM
To: Jo.Fyfe; EJ Matthee; Mawhinney, Mark
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi all,

As per Jo's message below this is FENZ standard recommendation. The planting of vegetation will not impact this.

Regards

John Smalls
 Fire Risk Management Officer

Central/North Otago Area
 Five Mile, Building 1
 34 Grant Road, Frankton 9300

PO Box 2360, Wakatipu, Queenstown 9349



M: 027 223 4901
 P: 03 441 4550
john.smalls@fireandemergency.nz
www.fireandemergency.nz

From: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Sent: Thursday, 6 June 2019 5:16 PM
To: EJ Matthee <EJ.Matthee@qldc.govt.nz>; Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>
Cc: Smalls, John <John.Smalls@fireandemergency.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

For the record, this is the standard condition which provides for an either / or:

- a) Provision of a minimum of 45,000 litre static firefighting reserve within a 55,000 litre tank (or equivalent) for the existing dwelling on Lot 1. Alternatively, a 7,000 litre firefighting reserve is to be provided for the residential unit in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family residential units. In the event that the proposed residential units provide for more than single family occupation then the consent holder should consult with Fire and Emergency New Zealand (FENZ) as larger capacities and flow rates may be required.

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

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must

have a minimum formed width as required by Council's standards for rural roads (as per Council's Land Development and Subdivision Code of Practice). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

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

Firefighting water supply may be provided by means other than the above if the written approval of the Fire and Emergency New Zealand Fire Risk Management Officer is obtained for the proposed method. The firefighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

Advice Note: Fire and Emergency New Zealand considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new residential unit. Given that the proposed residential unit is approximately 11km from the nearest FENZ Fire Station the response times of the New Zealand **Volunteer** Fire Brigade in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in the residential unit.

Regards,

Jo



JO FYFE
BSc, Assoc.NZPI
planner - wanaka
022 158 8509 | 03 450 0009
jo@jea.co.nz | www.jea.co.nz
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

The content of this email is confidential and may be legally privileged. If it is not intended for you, please email the sender immediately and destroy the original message.

From: EJ Matthee <EJ.Matthee@qldc.govt.nz>
Sent: Thursday, 6 June 2019 1:03 PM
To: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>
Cc: Smalls, John <John.Smalls@fireandemergency.nz>; Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi mark and John,

Mark - Tanks for that.

John – As discussed and given the below, can you please confirm whether a sprinkler system inside the house would be necessary or whether the standard firefighting water supply would be sufficient.

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI

Planner | Planning & Development
Queenstown Lakes District Council
P: +64 3 450 0316
E: EJ.Matthee@qldc.govt.nz



From: Mawhinney, Mark [<mailto:mark.mawhinney@fireandemergency.nz>]
Sent: Thursday, 6 June 2019 12:08 PM
To: EJ Matthee <EJ.Matthee@qldc.govt.nz>
Cc: Smalls, John <John.Smalls@fireandemergency.nz>; Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Elias. Apologies for the confusion. We don't generally see conditions being imposed on house sites regarding vegetation fire risk. While this is a big step forward there is some merit in considering the specifics of the site when deciding what conditions, if any need to be imposed. This site while in a traditionally dry Central Otago environment is also on a relatively flat profile with limited existing surrounding vegetation. The risk profile for this site is not high.

To confirm/clarify. Fire and Emergency (FENZ) are not saying, for this site, there needs to be a 10m restriction on plantings near a house. What we would encourage home owners to consider is that plants planted closer than 10 metres should be made up of less flammable plant species. We also encourage owners to think about the materials they build with if plantings are going to be closer than 10m. For example if you have a window with tussock close to it there is a strong likelihood that a fire in the tussock will break the glass and then enter the house.

We also recommend home owners are proactive in protecting their house from a fire by way of fire suppression equipment. In this case a sprinkler system that irrigates the plantings but can also act as a fire suppression tool in the event of a fire. Any sprinkler system in Manuka plantings will need to be able to apply water over the whole plant not just at ground level.

The above are not conditions rather recommendations from FENZ as best practice for any home owners to consider when building houses.

For further information/advice we recommend two website: www.FireandEmergency.co.nz and .
<http://www.rfs.nsw.gov.au/ourstory/home#event-69105>

I hope the above makes sense

Regards, Mark

Mark Mawhinney
Otago, Deputy Principal Rural Fire Officer



M: - (027) 530 4590

E: - mark.mawhinney@fireandemergency.nz

Whakaratonga Iwi (serving the people)

He Waka Eke Noa - Working collaboratively

From: EJ Matthee [<mailto:EJ.Matthee@qldc.govt.nz>]
Sent: Tuesday, 4 June 2019 2:38 PM
To: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>; Smalls, John <John.Smalls@fireandemergency.nz>
Cc: Jo.Fyfe <Jo.Fyfe@jea.co.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Mark and John,

The reason why we are asking your input is because the proposed vegetation offered for landscape mitigation does not comply with the recommendation around planting vegetation a safe distance away from the house and the proposed vegetation is made up of highly flammable plant species.

In short can you guys please clarify:

1. In your email below (30 May) you stated: *"I don't believe that a sprinkler system on the house is the most cost effective way of going about protecting the house. I would however recommend decent overhead irrigators for the plantings."* However, in your latest email you state that: *"It appears that the sprinkler is not for the vegetation but for the house itself".*; and you recommended they comply with the planting setback: *"I don't believe there needs to be any restrictions on this consent other than a general recommendation around planting vegetation a safe distance away from the house"*

If the proposal does not comply with the planting setback, would sprinklers effectively mitigate against fire risk? If so, should the sprinklers be on the vegetation, inside the house or on the roof of the house?

2. Do you know how much water would be required?

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI
 Planner | Planning & Development
 Queenstown Lakes District Council
 P: +64 3 450 0316
 E: EJ.Matthee@qldc.govt.nz



From: Mawhinney, Mark [<mailto:mark.mawhinney@fireandemergency.nz>]
Sent: Tuesday, 4 June 2019 11:17 AM
To: EJ Matthee <EJ.Matthee@qldc.govt.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Elias. Yes caught up with John Smalls this morning. It appears that the sprinkler is not for the vegetation but for the house itself. Best to call john but from what I understand when you build a house you need to have a certain amount of tank water for firefighting and or an internal sprinkler? So the sprinkler was for the inside of the house.

Re the vegetation I don't believe there needs to be any restrictions on this consent other than a **general recommendation around planting vegetation a safe distance away from the house.** The recommended distance is **10 metres** and anything closer than this should be made up **of less flammable plant species.** The site is not a high risk area and does not contain significant areas of vegetation that would pose undue risk. So any information to the landowner for this site regarding vegetation fire risk can be of an informative nature. We recommend new home owners should follow our firesmart guidelines available on our website.

Johns cell is 0272234901.

Cheers

Mark Mawhinney

Otago, Deputy Principal Rural Fire Officer



M: - (027) 530 4590

E: - mark.mawhinney@fireandemergency.nz

Whakaratonga Iwi (serving the people)

He Waka Eke Noa - Working collaboratively

From: EJ Matthee [<mailto:EJ.Matthee@qldc.govt.nz>]
Sent: Tuesday, 4 June 2019 10:17 AM
To: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Mark,
 Hope you had a good long weekend.
 Just want to touch base to check how you got on with this.

Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI

Planner | Planning & Development
 Queenstown Lakes District Council
 P: +64 3 450 0316
 E: EJ.Matthee@qldc.govt.nz



From: Mawhinney, Mark [<mailto:mark.mawhinney@fireandemergency.nz>]
Sent: Thursday, 30 May 2019 4:11 PM
To: EJ Matthee <EJ.Matthee@qldc.govt.nz>
Cc: Erin Stagg <Erin.Stagg@qldc.govt.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Thanks for highlighting this Elias. It's a bit hard for me to get the sort of perspective I need to make an informed decision from the attached photos. It appears there are some time constraints to this application process but I'd like to go and have a look? What would be involved in me ducking across there tomorrow? Im happy to discuss that with jo from john Edmonds?

Also as discussed id like to catch up with someone from the planning sector of the council around vegetation fire risk management.

Regards, Mark

Mark Mawhinney

Otago, Deputy Principal Rural Fire Officer



M: - (027) 530 4590

E: - mark.mawhinney@fireandemergency.nz

Whakaratonga Iwi (serving the people)

He Waka Eke Noa - Working collaboratively

From: EJ Matthee [<mailto:EJ.Matthee@qldc.govt.nz>]
Sent: Thursday, 30 May 2019 3:05 PM
To: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>
Cc: Erin Stagg <Erin.Stagg@qldc.govt.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Mark,

Thanks for your time on the phone and for looking at this application.

As discussed, I just want to make sure that you have considered how the proposed planting might link up with the planting to the south uphill from the proposal as shown below.

Please let me know if this changes your assessment(if any) or any of the recommendations.



Kind regards,

Elias Matthee BAHons(GIS), MCRP, Assoc.NZPI

Planner | Planning & Development

Queenstown Lakes District Council

P: +64 3 450 0316

E: EJ.Matthee@qldc.govt.nz



From: Jo.Fyfe [<mailto:Jo.Fyfe@jea.co.nz>]

Sent: Thursday, 30 May 2019 10:32 AM

To: EJ Matthee <EJ.Matthee@qldc.govt.nz>; Erin Stagg <Erin.Stagg@qldc.govt.nz>

Subject: FW: 431 Maungawera Valley Road- Fire Check

Hi EJ and Erin,

See below for confirmation from Fire and Emergency around our proposal.

The applicant offers a condition which requires:

- An overhead irrigation system for the vegetation to remain in perpetuity, which can be used directly on the vegetation if a fire were to start. It is noted this irrigation system would be in place anyway to establish the planting;
- The kanuka closest to the building platform could be less dense, or interspersed with other vegetation, and then increasing to more dense the further from the building platform;
- An advice note on the title for any future owner to turn their mind to the design and cladding of a future house, and to design accordingly to the risk of fire.

We're just making some suggested changes to the conditions which we'll send back shortly.

Regards,

Jo



JO FYFE
BSc, Assoc.NZPI
planner - wanaka
022 158 8509 | 03 450 0009
jo@jea.co.nz | www.jea.co.nz
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

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From: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>

Sent: Thursday, 30 May 2019 9:06 AM

To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>

Cc: Smalls, John <John.Smalls@fireandemergency.nz>

Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Jo. Yes the below summarises our conversation accurately. Given the location, the size of the plantings, and the location of the plantings I don't believe that a sprinkler system on the house is the most cost effective way of going about protecting the house.

I would however recommend decent overhead irrigators for the plantings. The idea being that if a fire starts in the area all of the vegetation needs to be well saturated before the fire arrives or if the fire starts in the vegetation then the irrigators have the power to put it out. Most irrigation systems are drippers that feed small amounts of water to the base of the plants.

Future owners of this property, in fact any house owners especially in the central Otago area, should understand the risk of vegetation fires to their property. If owners go into the purchase of a property understanding the risks we should see better future proofing against vegetation fires. There is a lot of work for my organisation to do in this space. There is some information on the FENZ website but also very good overseas websites that guide people in their decision making around vegetation fire risk mitigation. If homeowners know about these websites before they start designing their landscaping it's a very good starting point. One of our challenges is to make this well-known and readily available.

Caveat for this email is that this discussion is about vegetation around the house site and not the house or firefighting requirements for the house. This is very much John Smalls area of expertise. I'll leave that component to him.

Regards, Mark

Mark Mawhinney

Otago, Deputy Principal Rural Fire Officer



M: - (027) 530 4590

E: - mark.mawhinney@fireandemergency.nz

Whakaratonga Iwi (serving the people)

He Waka Eke Noa - Working collaboratively

From: Jo.Fyfe [<mailto:Jo.Fyfe@jea.co.nz>]
Sent: Wednesday, 29 May 2019 4:16 PM
To: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>
Cc: Smalls, John <John.Smalls@fireandemergency.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi Mark,

Thank you for your time on the phone.

To confirm our conversation, although it would be ideal if the future building were to be 10m from the edge of the kanuka, in this case you would likely consider the fire risk to the future house reasonably low, due to the following:

- The land is open, pastoral farm land with little vegetation on the lower slopes, and same elevation of the building platform, including north, east and west of the building platform;
- The limited amount of kanuka proposed, and that it will only be on the southern and lesser so, the western side of the platform. I.e. not surrounding the building platform;
- The building platform is down-slope of the kanuka. Although in a strong wind fire could spread downslope, it is less likely than heading uphill.

To mitigate against fire risk in this case, you consider the following:

- A domestic sprinkler system would not be necessary given the reasonably low risk, and would not be a cost effective way of managing the risk;
- Instead, you suggest an irrigation system for the vegetation to remain in perpetuity, which can be used directly on the vegetation if a fire were to start. It is noted this irrigation system would be in place anyway to establish the planting;
- The kanuka closest to the building platform could be less dense, or interspersed with other vegetation, and then increasing to more dense the further from the building platform;
- An advice note on the title for any future owner to turn their mind to the design and cladding of a future house, and to design accordingly to the risk of fire.

If you're able to please respond that I have this correct, and any other notes you consider necessary, I would greatly appreciate that.



Thanks again.

Warm regards,

Jo



JO FYFE
BSc, Assoc.NZPI
planner - wanaka
022 158 8509 | 03 450 0009
jo@jea.co.nz | www.jea.co.nz
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

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From: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>

Sent: Wednesday, 29 May 2019 4:08 PM

To: Jo.Fyfe <Jo.Fyfe@jea.co.nz>

Cc: Smalls, John <John.Smalls@fireandemergency.nz>

Subject: FW: 431 Maungawera Valley Road- Fire Check

Hi Jo as discussed on the phone. Can you summarise our conversation in an email and I'll talk with John and respond re the vegetation component of this site.

Regards Mark

Mark Mawhinney
Otago, Deputy Principal Rural Fire Officer



M: - (027) 530 4590

E: - mark.mawhinney@fireandemergency.nz

Whakarātonga Iwi (serving the people)

He Waka Eke Noa - Working collaboratively

From: Smalls, John
Sent: Wednesday, 29 May 2019 1:35 PM
To: Mawhinney, Mark <mark.mawhinney@fireandemergency.nz>
Subject: FW: 431 Maungawera Valley Road- Fire Check

As per last email see below as well

John Smalls
 Fire Risk Management Officer

Central/North Otago Area
 Five Mile, Building 1
 34 Grant Road, Frankton 9300

PO Box 2360, Wakatipu, Queenstown 9349



M: 027 223 4901
 P: 03 441 4550
john.smalls@fireandemergency.nz
www.fireandemergency.nz

From: Jo.Fyfe <>
Sent: Tuesday, 28 May 2019 10:40 AM
To: Smalls, John <John.Smalls@fireandemergency.nz>
Cc: EJ Matthee <EJ.Matthee@qldc.govt.nz>
Subject: RE: 431 Maungawera Valley Road- Fire Check

Hi John,

Any chance you could endorse our conversation today please? We need to get this finalised asap to get lawyers and the bank off the back of our client.

As discussed, you were slightly concerned about the fire risk, but as it was only a small amount of kanuka planting, it wasn't a huge concern.

You did however recommend that instead of the normal 45,000L static firefighting storage, we include a consent notice that requires a domestic sprinkler system for any future house design, AND an alternative water supply of 7,000L static storage. You consider this will satisfactorily lower the building risk from fire.

A fast response would be greatly appreciated.

Thanks,

Jo



JO FYFE
BSc, Assoc.NZPI
planner - wanaka

022 158 8509 | 03 450 0009
jo@jea.co.nz | www.jea.co.nz

Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

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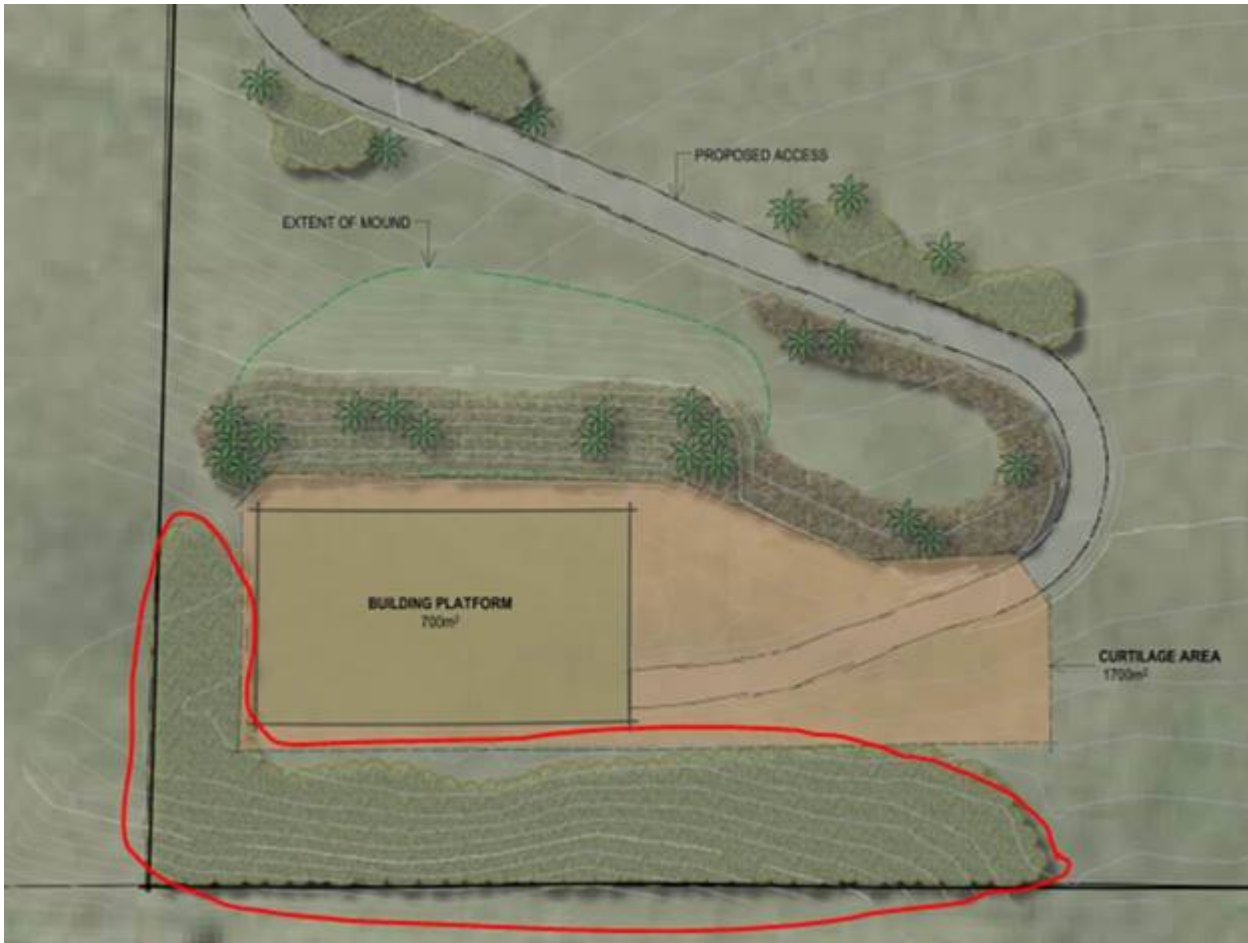
From: Jo.Fyfe
Sent: Thursday, 23 May 2019 4:07 PM
To: john.smalls@fireandemergency.nz
Subject: 431 Maungawera Valley Road- Fire Check

Hi John,

We are working through a development proposal at the moment, almost ready to be signed off by the Council, when the potential risk of fire from proximity of the building platform to kanuka came up.

I have attached the development plan and the landscaping plan. It's the kanuka proposed to the rear and the side of the platform as shown outlined in red below that this was raised from. This is all upslope from the building platform, which will be excavated somewhat into the ground. In my opinion (and I'm no fire expert) the lower elevation of the platform below the kanuka, and the surrounding land is pastoral, so fire risk should be low for the house itself.

Would you be able to let me know whether this is supportable from a fire risk perspective please?
If it's not, could you propose a condition or the like that we could put on the consent?



It's probably better to talk it over when you're free- you'll see a missed call from me.

Thanks in advance.

Warm regards,

Jo



JO FYFE
BSc, Assoc.NZPI
planner - wanaka
022 158 8509 | 03 450 0009
jo@jea.co.nz | www.jea.co.nz
Level 1, 24 Dungarvon Street, Wanaka 9343
PO Box 95, Queenstown 9300

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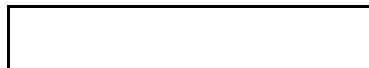
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