



## **DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL**

### **UNDER s104 RESOURCE MANAGEMENT ACT 1991**

|  |   |
|--|---|
| <b>Applicant:</b>  | Anne-Marie Germaine Wouters and Steven Jozef Elisabeth Stephani   |
| <b>Location:</b>   | 42 Halliday Road, Wanaka  |
| <b>Proposal:</b>   | Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake a two lot subdivision and establish a building platform on the new Lot 2. |
| <b>Legal Description:</b><br><b>5246</b>                               | Lot 2 Deposited Plan 301195 as held in Computer Freehold Register   |
| <b>Operative District Plan Zoning:</b>                                 | Rural General   |
| <b>Proposed District Plan<br/>(Stage 1 – Notified Version) Zoning:</b> | Rural   |
| <b>Proposed District Plan (Stage 2)<br/>Zoning:</b>                    | N/A   |
| <b>Activity Status:</b>  | Discretionary   |
| <b>Notification Decision:</b>  | Publicly Notified   |
| <b>Delegated Authority:</b>  | Richard Campion – Team Leader Resource Consents   |
| <b>Final Decision:</b>   | <b>Granted Subject To Conditions</b>  |
| <b>Date Decisions Issued:</b>  | 29 May 2019   |

### **SUMMARY OF DECISIONS**

1. 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 and 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, Team Leader Resource Consents, as delegate for the Council.

## 1. PROPOSAL AND SITE DESCRIPTION

Section 2 of the Section 42A (S42A) report prepared for Council (attached as Annexure 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 (Team Leader, Resource Consenting) on 27 May 2019.

## 3. THE PLANNING FRAMEWORK

This application must be considered in terms of Section 104 of the Resource Management Act 1991. Section 5.6 of the S42A report outlines S104 of the Act in more detail.

The application must also be assessed with respect to Part 2 of the Act which is to promote the sustainable management of natural and physical resources. Section 7.4 of the S42A report outlines Part 2 of the Act.

### 3.1 THE OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General.

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

The relevant provisions of the Plan that require consideration can be found in Parts 4 (District Wide Issues), Part 5 (Rural Areas), Part 14 (Transport) and Part 15 (Subdivision). However there are no operative rules in relation to the subject application.

### 3.2 PROPOSED DISTRICT PLAN - STAGE 1 DECISIONS

Council notified its decisions on Stage 1 of the Proposed District Plan (Stage 1 Decisions Version 2018) on 7 May 2018 with an annotated appeals version available in July 2018. The subject site is zoned Rural by the Stage 1 Decisions and Appeals Version 2018. The purpose of this zone is to *'enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity'*.

The proposed activity requires resource consent for the following reasons:

Rules that are treated as operative under s86F:

#### Subdivision

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

#### Land Use

- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the proposed identification of building platforms. It is proposed to identify two new building platforms.

- A **discretionary** activity resource consent pursuant to Rule 21.4.11 for the proposed erection of water tanks, being buildings, not located within the building platforms.

Overall, the application is considered to be a **discretionary** activity pursuant to the PDP Stage 1.

### **3.3 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, and decisions on submissions were notified on 7 March 2019. However Rule 25.3.2.5 exempts earthworks associated with subdivision from the standards in relation to volume, depth of cut and height of fill.

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

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

## **4. SUMMARY OF EVIDENCE HEARD**

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

## **5. PRINCIPAL ISSUES IN CONTENTION**

The principal issues arising from the application, section 42A report and content of submissions are:

- Landscape
- Rural Character
- Access
- Servicing
- Subdivision
- Natural Hazards
- Positive Effects

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 7.2.2 of the S42A report prepared for Council and provides a full assessment of the application. Where relevant conditions of consent can be imposed under Sections 108 and 220 of the RMA as required to avoid, remedy or mitigate adverse effects. A summary of conclusions of that report are outlined below:

It is considered that the proposal results in less than minor adverse effects in terms of servicing, access, natural hazards and subdivision subject to the imposition of conditions of consent where recommended.

Landscape effects have been determined to be more than minor and acceptable as it is considered that the proposal would increase the level of domestication of the landscape. However it is considered that the character of this discrete part of the landscape is more rural lifestyle than rural and the increase in domestication would be consistent with that character. The proposal would not exceed the landscape's ability to absorb development in this location.

In relation to adverse effects on rural character, it is considered that the proposed development would be consistent with the character of the subject site, which is rural lifestyle in nature. These effects would be localised to an extent to which they are considered to result on an effect on the wider rural area that would be less than minor. It is considered that the effects on rural character are acceptable.

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

As outlined in detail in Section 8.3 of the S42A report, overall the proposed development is in accordance with the relevant policies and objectives of the Operative and Proposed District Plan.

## 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 7.4 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 *Appendix 1* of this decision imposed pursuant to Sections 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 Appendix 1. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

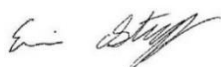
This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

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

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

If you have any enquiries please contact Erin Stagg on phone (03) 441 0499 or email [erin.stagg@qldc.govt.nz](mailto:erin.stagg@qldc.govt.nz)

Report prepared by



Erin Stagg  
**SENIOR PLANNER**

Decision made by



Richard Campion  
**TEAM LEADER, RESOURCE CONSENTS**

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



# **ANNEXURE 1 – CONSENT CONDITIONS**

## Subdivision Conditions

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 2 DP 301195' Dwg V4042\_S1 Rev A 11/06/18 Sheets 1

#### Anne Steven Landscape Architect

- 'Existing Site' October 2018
- 'Proposed Scheme Plan' Plan ref 276.Lp01 Oct 2018

**stamped as approved on 28 May 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.

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link:*  
<http://www.qldc.govt.nz>

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

4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
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. Prior to commencing works on the site except from installing a bore, if required, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 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 water shall be in addition to the 2,100 litres per day of potable water allocated to the existing dwelling on Lot 1.
  - b) The provision of a sealed vehicle crossing to the boundary of Pt Lot 1 DP 301195 from Halliday Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council 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.

***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 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.

***Upon Completion of Earthworks***

10. The structural landscaping shown on the Anne Steven Proposed Scheme Plan dated October 2018 shall be planted in the first growing season following completion of earthworks for the building platform. The planting shall be physically protected from animal pests and irrigated for a period of at least five years following planting. Thereafter the planting shall be maintained in perpetuity. Should any plant die, become diseased or damaged, the plant shall be replaced to ensure continuous mitigation.

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

11. 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***

12. 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) and Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the survey plan 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 reviewed and accepted works detailed in Condition (6) above.
- d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply for Lot 2 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 (11d) 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 Lot 2 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 Records of Title 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 RM181400 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

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

#### Accidental Discovery Protocol

##### 13. If the consent holder:

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

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

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

Site work may only recommence following consultation with Council.

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

- 14. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Title of Lot 2 by way of Consent Notice pursuant to s.221 of the Act.
  - a) All future buildings, with the exception of water tanks, shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
  - b) The maximum height of any building within the platform shall be no greater than 5m above original ground level.
  - c) The maximum footprint for all buildings combined within a platform shall be 350m<sup>2</sup>.
  - d) No building work shall commence within the platform approved on Lot 2 until 28 May 2022.
  - e) The landscaping shown in 'Proposed Scheme Plan' Plan ref 276.Lp01 prepared by Anne Steven dated Oct 2018 shall be maintained and retained in perpetuity. Should any plant die or become diseased, the lot owner shall replace the plant with the same species or one that will reach a similar height and bulk.

- f) All fencing shall be standard post and wire (including rabbit proof fencing) or deer fencing in keeping with traditional farm fencing.
- g) 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 Mt Iron Geodril, dated 29/05/2018. 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.
- h) 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.
- i) 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 combination of tanks (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 6km 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 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.

## Land Use Conditions

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 2 DP 301195' Dwg V4042\_S1 Rev A 11/06/18 Sheets 1

#### Anne Steven Landscape Architect

- 'Existing Site' October 2018
- 'Proposed Scheme Plan' Plan ref 276.Lp01 Oct 2018

**stamped as approved on 28 May 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.

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link:*  
<http://www.qldc.govt.nz>

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

4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
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. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) The provision of a water supply to service the building platform in accordance with Council's standards. The building platform shall be supplied with a minimum of 2,100 litres per day of potable water that complies/can be treated to comply with the requirements of the Drinking Water Standard for New Zealand 2005 (revised 2008). This water shall be in addition to the 2,100 litres per day of potable water allocated to the existing dwelling.
  - b) The provision of a sealed vehicle crossing to the boundary of Pt Lot 1 DP 301195 from Halliday Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council 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.

***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 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.

***Upon Completion of Earthworks***

10. The structural landscaping shown on the Anne Steven Proposed Scheme Plan dated October 2018 shall be planted in the first growing season following completion of earthworks for the building platform. The planting shall be physically protected from animal pests and irrigated for a period of at least five years following planting. Thereafter the planting shall be maintained in perpetuity. Should any plant die, become diseased or damaged, the plant shall be replaced to ensure continuous mitigation.

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

11. 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 Southern Land plan titled 'Lots 1 & 2 being a Proposed Subdivision of Lot 2 DP 301195', Drawing Reference V4042\_S1, Revision A, dated 11/06/2018). The consent holder shall register this "Land Transfer Covenant Plan" on Record of Title Identifier 5246 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

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

12. Prior to the building platform being registered on the Register of Title, the consent holder shall complete the following:

- a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this development to the Manager of Resource Management Engineering at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots) and Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Manager of Resource Management Engineering 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 works detailed in Condition (6) 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 (11d) 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 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 shall be registered on the relevant Records of Title 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 RM181400 subdivision consent. The final wording of the covenant 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 development.
- 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 development.
- h) All earthworked area shall be top-soiled and revegetated or otherwise permanently stabilised.

- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Ongoing Conditions/Covenants**

13. At the time that the building platform is registered on the Register of Title for Lot 2, 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, with the exception of water tanks, shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
  - b) The maximum height of any building within the platform shall be no greater than 5m above original ground level.
  - c) The maximum footprint for all buildings combined within a platform shall be 350m<sup>2</sup>.
  - d) No building work shall commence within the platform approved on Lot 2 until 28 May 2022.
  - e) The landscaping shown in 'Proposed Scheme Plan' Plan ref 276.Lp01 prepared by Anne Steven dated Oct 2018 shall be maintained and retained in perpetuity. Should any plant die or become diseased, the lot owner shall replace the plant with the same species or one that will reach a similar height and bulk.
  - f) All fencing shall be standard post and wire (including rabbit proof fencing) or deer fencing in keeping with traditional farm fencing.
  - g) 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 Mt Iron Geodril, dated 29/05/2018. 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.
  - h) 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.
  - i) 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 combination of tanks (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.

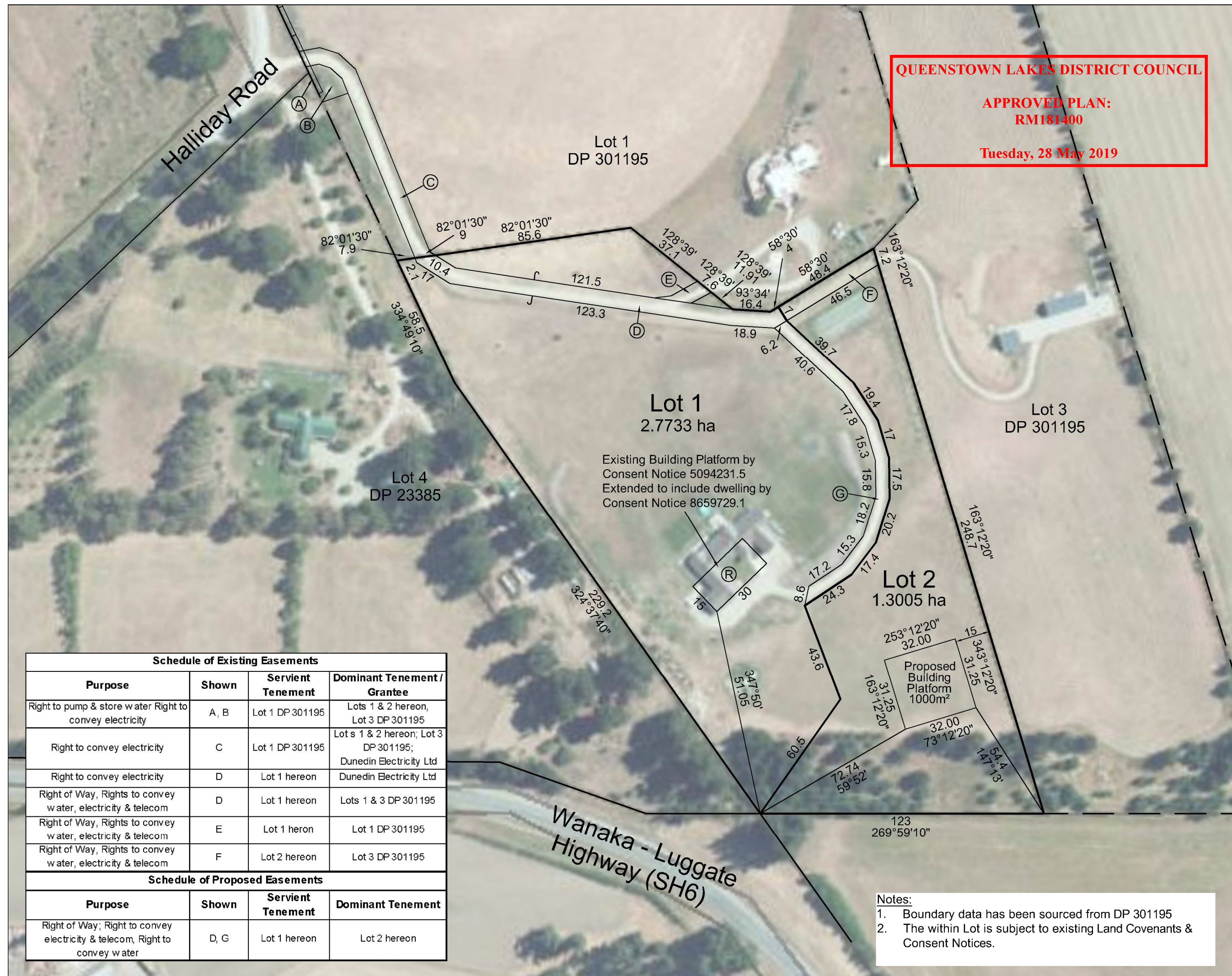
**Advice Note:**

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 6km 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 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.





#### Schedule of Existing Easements

| Purpose   | Shown | Servient Tenement | Dominant Tenement / Grantee                                 |
|---|-------|-------------------|---|
| Right to pump & store water Right to convey electricity     | A, B  | Lot 1 DP 301195   | Lots 1 & 2 hereon, Lot 3 DP 301195                          |
| Right to convey electricity                                 | C     | Lot 1 DP 301195   | Lots 1 & 2 hereon; Lot 3 DP 301195; Dunedin Electricity Ltd |
| Right to convey electricity                                 | D     | Lot 1 hereon      | Dunedin Electricity Ltd                                     |
| Right of Way, Rights to convey water, electricity & telecom | D     | Lot 1 hereon      | Lots 1 & 3 DP 301195  |
| Right of Way, Rights to convey water, electricity & telecom | E     | Lot 1 hereon      | Lot 1 DP 301195   |
| Right of Way, Rights to convey water, electricity & telecom | F     | Lot 2 hereon      | Lot 3 DP 301195   |

#### Schedule of Proposed Easements

| Purpose  | Shown | Servient Tenement | Dominant Tenement |
|--|-------|-------------------|-------------------|
| Right of Way; Right to convey electricity & telecom, Right to convey water | D, G  | Lot 1 hereon      | Lot 2 hereon      |

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:  
RM181400

Tuesday, 28 May 2019



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#### Notes

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#### APPLICANT

Steven Stephani

#### COMPRISED IN

CFR 5246

#### TERRITORIAL AUTHORITY

Queenstown Lakes District Council

#### LAND DISTRICT

Otago

#### TOTAL AREA

4.0738 ha

#### DATE

11/06/18

#### Drawing Title

Lots 1 & 2 being a  
Proposed Subdivision of  
Lot 2 DP 301195

#### Prepared for

Resource Consent

#### Plan Revisions

| REV. | DESCRIPTION    | DATE     |
|------|----------------|----------|
| A    | ORIGINAL ISSUE | 11/06/18 |
|      |                |          |
|      |                |          |
|      |                |          |
|      |                |          |
|      |                |          |
|      |                |          |

#### SCALE

1:1500 @ A3

#### DATUM & LEVEL

Lindis Peak 2000

LEVEL IN TERMS OF XXXX ORIGIN OIT XI DP XXXXX RL = XXXXX

| REVISION | DRAWING REFERENCE | Sheet    |          |
|----------|-------------------|----------|----------|
| A        | V4042_S1          | 1 OF 1   |          |
| SURVEYED | DATE              | CHECKED  | DATE     |
| X.X.     | XX/XX/XX          | X.X.     | XX/XX/XX |
| DRAWN    | DATE              | APPROVED | DATE     |
| M.P.     | 11/06/18          | B.W.     | 11/06/18 |

#### Notes:

1. Boundary data has been sourced from DP 301195
2. The within Lot is subject to existing Land Covenants & Consent Notices.



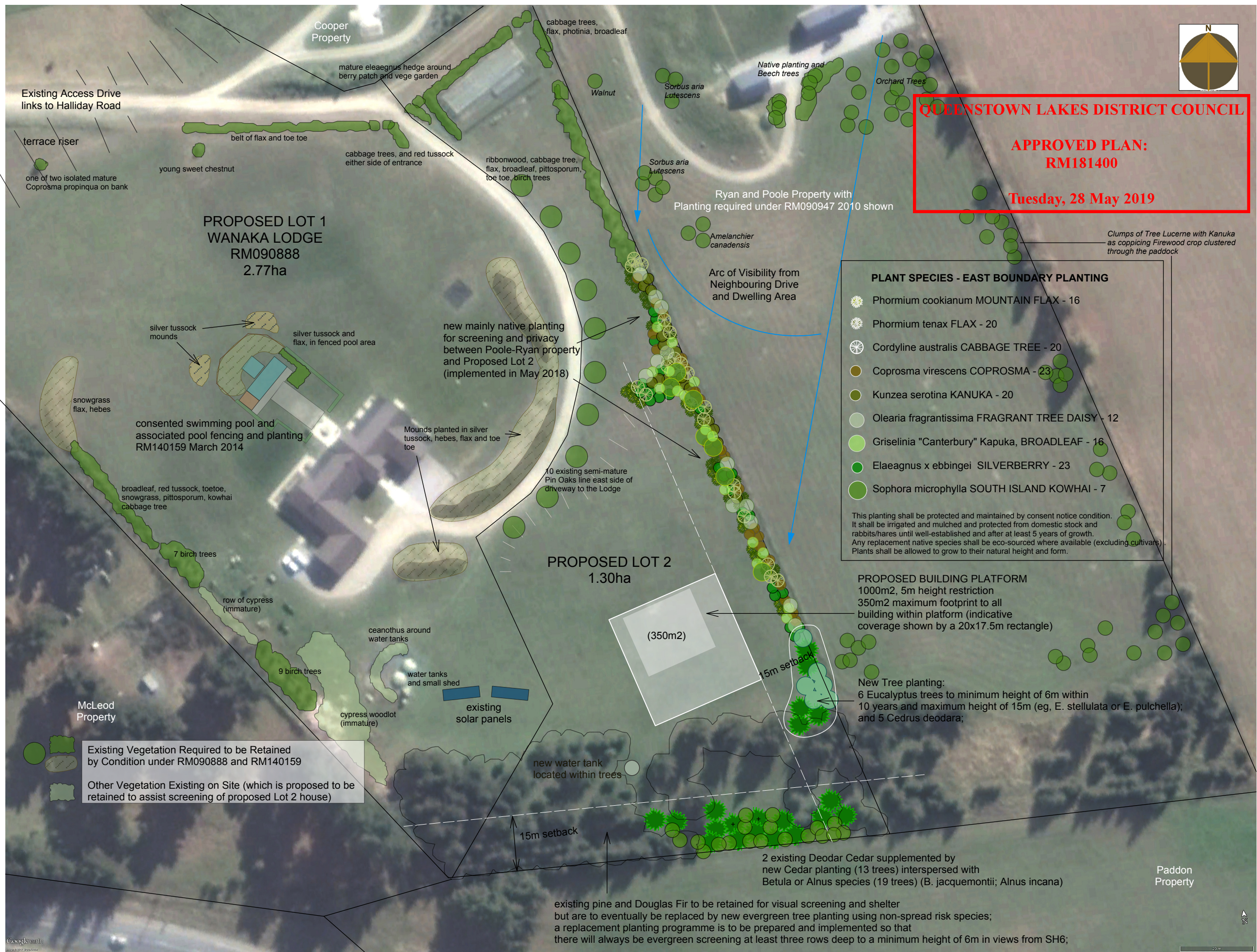


**Fig. 1 EXISTING SITE**  
 Stephani-Wouters Subdivision and House  
 42 Halliday Road, Wanaka

prepared by  
 Anne Steven  
 Landscape Architect  
 Wanaka

October 2018







# **ANNEXURE 2 – SECTION 42A REPORT**



|                            |  |                           |
|----------------------------|--|---------------------------|
| <b>TO</b>                  | Independent Commissioners                            | <b>FILE REF: RM181400</b> |
| <b>REPORT PREPARED BY:</b> | Erin Stagg, Senior Planner                           |                           |
| <b>SUBJECT</b>             | Report on a Publically Notified Consent Application. |                           |

## SUMMARY

|  |  |
|--|--|
| <b>Applicant:</b>  | Anne-Marie Germaine Wouters and Steven Jozef Elisabeth Stephani  |
| <b>Location:</b>   | 42 Halliday Road, Wanaka   |
| <b>Proposal:</b>   | Application under Section 88 of the Resource Management Act 1991 (RMA) to undertake a two lot subdivision and establish a building platform on the new Lot 2.                      |
| <b>Legal Description:</b>  | Lot 2 Deposited Plan 301195 as held in Computer Freehold Register 5246   |
| <b>Operative District Plan Zoning:</b>                                 | Rural General  |
| <b>Proposed District Plan<br/>(Stage 1 – Notified Version) Zoning:</b> | Rural  |
| <b>Proposed District Plan (Stage 2)<br/>Zoning:</b>                    | N/A  |
| <b>Activity Status:</b>  | <b>Discretionary</b>   |
| <b>Public Notification Date:</b>                                       | 24 January 2019  |
| <b>Closing Date for Submissions:</b>                                   | 22 February 2019   |
| <b>Submissions:</b>  | 1  |
|  | <ul style="list-style-type: none"> <li>1 submission has been received in opposition to the application: <ul style="list-style-type: none"> <li>- Karen Ryan</li> </ul> </li> </ul> |

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

**RECOMMENDATION**

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

1. It is considered that the adverse effects of the activity will be acceptable for the following reasons:
  - a) Adverse effects in relation to visibility and rural amenity have been adequately minimised and are considered appropriate.
  - b) Adverse effects in relation to the character of the landscape are considered to be more than minor, particularly in relation to domestication of the landscape, but acceptable in this instance.
  - c) Adverse effects in relation to servicing, access and subdivision are considered to be no more than minor.
2. The proposal is consistent with the relevant objectives and policies of both the Operative and Proposed District Plans.
3. The proposal does promote the overall purpose of the RMA.

## 1. INTRODUCTION

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

I hold the qualifications of a Bachelor of Arts from Wellesley College, Massachusetts USA and a Masters of Planning from the University of Otago. I am an intermediate member of the New Zealand Planning Institute, which brings with it obligations with regard to continuing professional development.

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

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 can be found in the "Application" section of the Agenda.

I refer the Commission to the report entitled, 'Subdivision and Land Use Consent Application, Halliday Road, Wanaka Stephani and Wouters, October 2018', prepared by Nicola Scott of Resource Management Services submitted as part of the application, hereon referred to as the applicant's AEE.

## 3. SUBMISSIONS

### 3.1 SUBMISSIONS

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

| Name       | Location of Submitters' Property                                 | Summary of Submission  | Relief Sought  |
|------------|--|--|--|
| Karen Ryan | 50 Halliday Road (Property to the west of the application site). | <ul style="list-style-type: none"> <li>- Concern the proposal will set a precedent for further subdivision and intensification</li> <li>- The current dwelling is already intrusive</li> <li>- The proposal will affect views</li> </ul> | That consent be refused or, alternatively conditions be imposed in relation to landscaping, water allocations and restricting further development. |

## 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) |
|---|---|
| MacLeod Family Trust (Calum MacLeod and Andrea Riley) | 38 Halliday Road                              |
| Trustees of Wesley Cooper Trust                       | 40 Halliday Road                              |
| Chris and Jackie Paddon                               | 477 Wanaka Luggate Highway                    |



Figure 2: Sites where affected persons approval provided

## 5. PLANNING FRAMEWORK

### 5.1 THE OPERATIVE DISTRICT PLAN

The subject site is zoned Rural General.

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

The relevant provisions of the Plan that require consideration can be found in Parts 4 (District Wide Issues), Part 5 (Rural Areas), Part 14 (Transport) and Part 15 (Subdivision). However there are no operative rules in relation to the subject application.

### 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 7 May 2018 with an annotated appeals version available in July 2018. The subject site is zoned Rural by the Stage 1 Decisions and Appeals Version 2018. The purpose of this zone is to *'enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity'*.

The proposed activity requires resource consent for the following reasons:

Rules that are treated as operative under s86F:

#### Subdivision

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

#### Land Use

- A **discretionary** activity resource consent pursuant to Rule 21.4.10 for the proposed identification of building platforms. It is proposed to identify two new building platforms.
- A **discretionary** activity resource consent pursuant to Rule 21.4.11 for the proposed erection of water tanks, being buildings, not located within the building platforms.

Overall, the application is considered to be a **discretionary** activity pursuant to the PDP Stage 1.

### **5.3 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, and decisions on submissions were notified on 7 March 2019. However Rule 25.3.2.5 exempts earthworks associated with subdivision from the standards in relation to volume, depth of cut and height of fill.

### **5.4 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.

### **5.5 SUMMARY OF APPLICATION STATUS**

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

### **5.6 STATUTORY CONSIDERATIONS**

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

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

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

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

Sections 108 and 221 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.

- Landscape Peer Review prepared by Kris MacPherson, Council's Consultant Landscape Architect attached as Appendix 3
- Engineering Report, prepared by Council's Land Development Engineer, Mr Cameron Jones, attached as Appendix 4.

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

## 7. ASSESSMENT

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

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

### 7.1 LANDSCAPE CLASSIFICATION

The Operative District Plan sets out a mandatory process for landscape analysis and categorisation within the Rural General Zone.

The applicant has provided a landscape report prepared by Anne Steven, Landscape Architect (attached as Appendix 1). Ms Steven identifies the site as being located within a Visual Amenity Landscape (VAL). Council's Consultant Landscape Architect Ms MacPherson agrees that the subject site is located within a VAL.

I accept the assessment of the two landscape architects and consider the site to be located in a VAL in the ODP.

In relation to the PDP, the subject site is identified as being located within a Rural Character Landscape (RCL).

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

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

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

## 7.2.2 Actual and Potential Effects on the Environment

This assessment of actual and potential effects on the environment is guided by assessment matters provided in the Operative and Proposed District Plans where appropriate. Part 5 of the ODP includes a range of assessment matters that set out both the process for and matters to be considered for development within the Rural General Zone. Chapter 21 of the PDP also includes relevant assessment matters. The list of relevant District Plan assessment matters is attached in full as Appendix 4.

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

- Landscape (7.2.2.1)
- Rural Character (7.2.2.2)
- Access (7.2.2.3)
- Servicing (7.2.2.4)
- Subdivision (7.2.2.5)
- Natural Hazards (7.2.2.6)
- Positive Effects (7.2.2.7)

### 7.2.2.1 Landscape

#### *Natural and Pastoral Character (ODP) and Landscape Quality and Character (PDP)*

Ms Steven considers the landscape in this area to be comprised of small rural living holdings. Ms Steven considers the proposed subdivision would result in use that is consistent with the existing uses, and that it would not compromise the existing pastoral character of the area. Ms Steven considers that, as a result of the site having limited visibility from public places, therefore avoiding any effects on pastoral character as viewed from these places.

Ms Steven is of the opinion that the application site does not have a pastoral character and is of a low natural character. The proposal would increase the level of domestication, but this change would only be visible from neighbouring properties.

Ms MacPherson agrees with Ms Steven that the character of the landscape within the vicinity of the application site is one of intensive or horticultural activities rather than pastoral, and the rural living development in this location results in this portion of the landscape not contributing to the overall rural landscape character. However Ms MacPherson considers the vicinity to be clearly rural. Ms MacPherson disagrees with Ms Steven in that she considers that the addition of another built form within the enclave will change the enclave's character. Ms MacPherson is of the opinion that the proposed development will reduce the openness within the enclave, add to the intensity of residential living within the enclave and the wider VAL.

I consider the proposal will increase the intensity of rural living within this location and create a lot that is more akin to rural lifestyle development than rural. However the effect is restricted to small contained pocket of the rural area, comprised of three lots, which is already fairly rural lifestyle in character. For these reasons I prefer Ms Steven's assessment and consider adverse effects on the landscape character to be more than minor but acceptable in this instance.

#### *Visibility of Development*

K Ryan has submitted that the proposed development will affect views from their house.

Ms Steven considers that the proposed development will not be highly visible from public places, but will be visible from neighbouring properties. Ms Steven also considers that the proposal would not be visually prominent and the proposed landscaping would also not detract from public views. The site is not enclosed by topography, but Ms Steven considers that the Halliday Basin is enclosed by the more elevated moraines. Ms Steven notes there will be linear planting in relation to the proposal but this planting is not uncharacteristic of the landscape.

Ms MacPherson agrees with Ms Steven in relation to public visibility. Ms MacPherson does consider the proposed development does have the potential to be highly visible from 50 Halliday Road. Ms MacPherson considers that 50 Halliday Road will experience a moderate effect on their views, but Ms MacPherson considers that this effect will reduce overtime.

Relying on the evidence of the landscape architects, I consider that the adverse effects in relation to visibility will be acceptable in this instance.

#### *Form and Density of Development*

Ms Steven considers that the proposal does not rely on topography to screen or contain development. Ms Steven considers that the landscape in this location can absorb the proposed change because it is characterised by rural lifestyle development and hobby farms. Ms Steven considers the proposal consistent with the existing development in the area.

Ms MacPherson disagrees and considers that the proposal does not respond to the existing built form and will create a density of land use that is not commensurate with the rural landscape, and notes that the proposed density is greater than would be anticipated in the Rural Lifestyle development.

Overall, I consider the proposal does include densities more akin to the rural lifestyle than rural general zone, and will result in residential use being the predominant use of the land. However the effect is restricted to small contained pocket of the rural area, comprised of three lots, which is already fairly rural lifestyle in character. For these reasons I prefer Ms Steven's assessment and consider adverse effects on the form and density to be more than minor and but acceptable acceptable in this instance.

#### *Cumulative Effects*

Ms Steven considers that the existing development in the landscape is residential within a rural setting. Ms Steven does not consider the proposal to result in the landscape being at the threshold that would significantly degrade the rural character of the area. Ms Steven considers there to be room for more rural living in this area, and considers the area appropriate. Ms Steven is the opinion that there is no ability to contain the development with topography, however Ms Steven considers the Halliday Basin a discrete landscape.

Ms MacPherson concurs that the existing development in the area has compromised the VAL, but disagrees with Ms Steven in that she considers the introduction of lots less than half the size of the surrounding lots will exacerbate existing adverse effects. However both landscape architects are in agreement that the proposal will not have a cumulative effect on the landscape.

Overall, I consider the proposal will not result in a cumulative effect on the landscape I consider this effect to moderate in extent, but acceptable in this instance.

#### *Rural and Visual Amenity*

Ms Steven considers that the proposal would not change the degree of access to open space and any adverse effects would be low.

Ms MacPherson agrees with Ms Steven's assessment in relation to public views but considers that it will limit a sense of openness as viewed from 50 Halliday Road. K Ryan has raised this as a concern. I consider the effect on the rural amenity values as experienced by K Ryan overall to be minor, and overall acceptable in this instance.

Overall, I consider the proposal to have no more than minor and acceptable effects in relation to rural and visual amenity.



### *Landscape Quality and Character*

Ms Steven considers any effect on the character or quality of the landscape to be inconsequential. Alternatively Ms MacPherson considers that the character of this discrete pocket of the landscape would be further degraded. While I concur the proposal would lead to the further degradation of the landscape in this discrete location, I consider the area to be more similar to rural lifestyle than rural. Therefore, in this instance, I consider the effects in relation to the quality and character of the landscape to be acceptable in this instance.

### *Summary Landscape Effects*

Overall, given the above assessment under both the ODP and PDP assessment matters, I consider adverse effects in relation to pastoral character, cumulative effects, and landscape character would be minor in degree and acceptable. While I consider the effects from the proposal on in relation to the density of development to be more than minor, given the discrete area within the change would occur, and the fact that the area is already dominated by residential rather than rural uses, I consider this effect to be appropriate in this instance.

#### *7.2.2.2 Rural Character*

K Ryan has submitted that she is concerned about further intensification without an outright zone change.

The proposed development relates to the creation of two rural lifestyle sized allotments with associated residential building platforms within what is currently an area comprised of small rural holdings and rural living. Therefore it is considered that the proposed development has the potential to affect the rural character of the site and surrounding environment.

The landscape in this discrete area does not, however, in my opinion display a high level of rural character. Instead the landscape and associated uses appear more rural lifestyle in nature. The proposed development would therefore be consistent with the existing rural lifestyle character, characterised by allotments less than 2ha in area and sites that are primarily for residential rather than for rural productive uses. Therefore it is considered that the proposed development would have an effect on rural character in this location that is no more than minor.

As such it is considered that the effect on rural character would be acceptable in this instance.

#### *7.2.2.3 Access*

Mr Jones has reviewed the proposal in relation to access and is satisfied with the width and formation of the proposed right of way. Mr Jones is also satisfied with the proposed design for the vehicle crossing, but has recommended it be sealed. Should the commission be of mind to grant consent, Mr Jones has recommended conditions in relation to the formation of access.

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

#### *7.2.2.4 Servicing*

Mr Jones has reviewed the proposal in relation to servicing.

In relation to potable water, it is proposed to either sink a new bore or negotiate another connection to the communal water supply. K Ryan has submitted that she has concerns over the over use of the water resource and considers there should be no increase in water take in association with the proposal.

The applicant has provided confirmation that a viable additional bore can be installed and, should the commission be of mind to grant consent, Mr Jones has recommended conditions in relation to the provision of water. It is noted that the availability of water and water allocations are a regional council matter QLDC does not have oversight of. Therefore I consider that K Ryan's submission in relation to water is outside the scope of this consent. Mr Jones is satisfied water can be provided for both potable and firefighting water, and therefore I consider adverse effects in this regard to be acceptable.

In relation to effluent disposal, Mr Jones has accepted the assessment prepared by Mt Iron Geodrill and considers that wastewater disposal within the site will be appropriate.

Mr Jones is also satisfied that there is enough room onsite to accommodate stormwater disposal.

The applicant has provided letters from Aurora and Chorus confirming telecommunications are feasible.

Should the commission be of mind to grant consent, Mr Jones has recommended a number of conditions in relation to servicing.

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

#### *7.2.2.5 Subdivision*

Ms Steven has assessed the proposed subdivision in relation to landscape matters and has determined that the proposed boundaries follow the line of the landscape.

Ms MacPherson disagrees and considers the proposed subdivision would introduce densities that are not consistent with the vicinity.

I consider that the proposed allotments are of a sufficient size and shape to adequately provide for the intended land use, being rural lifestyle. However, I do not consider the proposed allotments to be of a sufficient size to provide for the sites' use to be dominated by rural rather than residential uses. Instead, as is discussed above, I consider that the proposed allotment sizes would result in the sites being dominated by domestic rather than rural structures, uses and landscaping. For these reasons I consider the proposed allotment size to be inappropriate to meet the intended purpose of the Zone.

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

Given that the proposed allotment sizes are not large enough to meet the purpose of the Rural general zone, overall I consider that adverse effects in relation to subdivision have the potential to be more than minor but acceptable.

#### *7.2.2.6 Natural Hazards (7.2.2.6)*

The applicant has provided a geotechnical assessment prepared by Mt Iron Geodrill, which identifies the risk from liquefaction as being low. Mr Jones has read this report and accepted the recommendations.

Overall, adverse effects from natural hazards are considered to be less than minor and acceptable.

#### *7.2.2.7 Positive Effects*

The proposal will have positive financial benefits to the applicant.

The proposal results in an additional available dwelling in the rural area, which has the potential to have positive social effects.

Overall, I consider that the proposal results in negligible positive effects

#### *7.2.2.8 Summary of Effects*

I consider that the proposal results in less than minor adverse effects in terms of servicing, access, natural hazards and subdivision subject to the imposition of conditions of consent where recommended.

Landscape effects have been determined to be more than minor and acceptable as it is considered that the proposal would increase the level of domestication of the landscape. However I consider that the character of this discrete part of the landscape is more rural lifestyle than rural and the increase in domestication would be consistent with that character. The proposal would not exceed the landscape's ability to absorb development in this location.

In relation to adverse effects on rural character, it is considered that the proposed development would be consistent with the character of the character of the subject site, which is rural lifestyle in nature. These effects would be localised to an extent to which they are considered to result on an effect on the wider rural area that would be less than minor. I consider the effects on rural character to be acceptable.

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

The full details of the relevant objectives and policies of the Operative District Plan and Proposed District Plan are found in Appendix 8. Discussion of these is provided below.

#### Operative District Plan

##### *Chapter 4 District Wide*

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.

The proposal will not affect nature conservation values. Therefore I consider this objective is not directly relevant to the application.

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

Policy 4.2.5.1 seeks to avoid, remedy or mitigate the adverse effects of subdivision and development in those areas of the district where the landscape and visual amenity values are vulnerable to degradation, to encourage development in landscapes with greater potential to absorb change, and to ensure development harmonises with local topography. The subject landscape is not vulnerable to further degradation as it is already rural lifestyle in nature, and, as discussed in Section 7.2.2.1, I am of the opinion the landscape can absorb the proposed development. I consider the proposal to be consistent with this Policy.

Policy 4.2.5.4 seeks to avoid, remedy, or mitigate the adverse effects of subdivision and development on VALs that are highly visible from public places or roads, as well as to discourage linear tree planting. The application site is not highly visible from a public place or road. Linear tree planting is proposed along the boundary of this site with number 50 Halliday Road, as well as along the access. The planting along the boundary will be a mix of natives and, while linear, will not appear domestic when viewed from public places. The avenue of trees, however, will appear somewhat domestic but will not be visible from any public place. Given the above, I consider the proposal to be consistent with this Policy.

Policy 4.2.5.6 seeks to discourage to urban subdivision and development in the VALs of the District, avoid, remedy or mitigate the adverse effects of urban development on VALS by avoiding sprawling along roads. I do not consider the proposal to be urban development and therefore I do not consider this policy relevant to the application.

Policy 4.2.5.8 seeks to avoid cumulative degradation. In doing so Council is directed to ensure that density of subdivision does not increase to a point where the benefits of further planting and building are outweighed by adverse effects in relation to over domestication of the landscape, and to encourage comprehensive and sympathetic development. The proposal will not result in the cumulative degradation of the landscape. Therefore I consider the proposal consistent with this Policy.

Overall, given the above, I consider the proposal is consistent with Objective 4.2.5.

Objective 4.9.3 seeks to ensure that growth and development is consistent with the maintenance of the quality of the natural environment and landscape values. It is considered that the proposal will maintain landscape values in the vicinity and I consider, therefore, the proposal is consistent with this Objective.

Overall, I consider the proposal to be consistent with the objectives and policies of Chapter 4 of the ODP.

#### *Chapter 5 – Rural General*

Objective 1 seeks to protect the character and landscape value of the rural area by controlling adverse effects caused through inappropriate activities.

Policy 1.4 seeks to ensure activities not based on rural resources can occur only where the character of the rural area will not adversely be impacted. In this instance the proposed activity would not be based on rural resources, however the character of the discrete area is no longer rural. Therefore I consider the proposal consistent with this Policy.

Policy 1.6 seeks to avoid, remedy or mitigate adverse effects of development on landscape values of the District. I consider that the adverse effects on landscape values to have been sufficiently avoided, remedied or mitigated.

I consider the proposal consistent with these policies and, as a result, Objective 1.

Objective 2 seeks to ensure the retention of the life supporting capacity of soils so they can meet the reasonably foreseeable needs of future generations. Although the proposed subdivision would reduce the productive potential of the application site, I do not consider the site to have a high potential for production at the moment. Therefore I consider that the proposal meets the intent of this Objective.

Objective 3 seeks to avoid, remedy or mitigate adverse effects of activities on rural amenity. Policy 3.5 seeks to ensure buildings are appropriately set back from property boundaries. The proposed dwelling will be reasonably set back from boundaries, and adverse effects on the rural amenity of neighbouring properties have been avoided, remedied or mitigated. Therefore I consider the proposal to be consistent with Objective 3.

#### *Chapter 15 – Subdivision*

The objectives and policies of the subdivision chapter seek to ensure that subdivisions are appropriately serviced and that the cost of servicing is met by the developer.

The servicing of the proposed development has been assessed and is considered to be adequate. 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.

#### *Summary*

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

#### Proposed District Plan

#### *Chapter 3 - Strategic Directions*

Objective 3.2.1 seeks to support a prosperous, resilient and equitable economy. Policy 3.2.1.7 seeks to encourage agricultural land uses that are consistent with the maintenance of the character of the rural landscape. Policy 3.2.1.8 seeks to enable the diversification of land use beyond traditional activities provided the character of rural landscapes are maintained. The use of the site for rural lifestyle rather than rural purposes would be considered diversification, and proposal will maintain the character of the landscape in this discrete area, which is no longer rural. Therefore I consider the proposal to be consistent with this Policy.

Objective 3.2.5 seeks to retain the District's distinctive landscapes. Policy 3.2.5.2 seeks to ensure that the rural character and visual amenity values in RCL landscapes are maintained or enhanced by directing development to occur in those areas that have the potential to absorb change without materially detracting from those values. The proposal will maintain the landscape, and is in a location that can absorb change. I consider the proposal to be consistent with this objective and associated policy.

Policy 3.3.22 seeks to provide for rural living opportunities in areas identified as being appropriate for rural living. The proposal relates to the creation of rural living allotments, and is located in a discrete area already dominated by rural living. Therefore I consider the proposal inconsistent with this Policy.

Policy 3.3.24 seeks to ensure that cumulative effects of new subdivision and development for rural living does not result in the alteration of the character of the rural environment to the point where it is no longer rural in character. The character of this discrete area is no longer rural in character, and the proposal would be consistent with that rural lifestyle character. Therefore I consider the proposal consistent with this policy.

Overall, I consider the proposal consistent with the objectives and policies of the Strategic Directions.

### *Chapter 6 – Landscapes*

Policy 6.3.19 seeks to recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on the balance, consistent with the objectives and policies of the plan. I consider the proposal to be consistent with many of the objectives and policies in the District Plan. As such, I consider the proposal consistent with Policy 6.3.19.

Policy 6.3.20 seeks to encourage plan changes as the appropriate mechanism to provide for new rural lifestyle developments as a preference to ad-hoc subdivisions. The proposal relates to a development that would be rural lifestyle in nature, in an area zoned for rural development. However the area is no longer rural in character. Therefore the proposal is considered consistent with this Policy.

Policy 6.3.21 seeks to require that proposals for rural living development in the rural zone take existing consents into account in order to assess the potential for adverse cumulative effects. The approved development in the vicinity has been taken into account and it is considered that the proposal will not give rise to adverse cumulative effects. I consider the proposal consistent with Policy 6.3.21.

Policy 6.3.23 seeks to ensure that incremental change from development does not degrade landscape quality or character, or important views as a result of activities associated with mitigation of visual effects. The proposed mitigation will not, in itself affect the quality or character of the landscape. I consider the proposal consistent with this Policy.

Policy 6.3.26 seeks to avoid adverse effects on visual amenity from subdivision and development that is highly visible from public places. The proposal will not be highly visible from a public place. Therefore I consider the proposal consistent with this Policy.

Policy 6.3.28 seeks to ensure that in the Upper Clutha Basin decision makers have regard to the adverse effects of development on open landscape character where it is open at present. The landscape in this vicinity is not open at present. Therefore I consider that this policy is not relevant to the application.

Overall, I consider the proposal to be consistent with the objectives and policies of Chapter 6.

### *Chapter 21 – Rural*

Objective 21.2.1 seeks to provide for a range of land uses, including farming and established activities while protecting, maintaining and enhancing landscape and rural amenity values. The proposal will not maintain the existing landscape and rural amenity values. Therefore I consider the proposal consistent with this Objective.

Objective 21.2.2 seeks to sustain the life supporting capacity of soils. The proposal will not affect the life supporting capacity of soils. I consider the proposal to be consistent with this Objective.

Objective 21.2.4 seeks to manage situations where sensitive activities conflict with existing and anticipated activities. Policy 21.2.4.1 directs new activities to recognise that permitted rural activities result in dust, noise, and odour. Policy 21.2.4.2 seeks to control the location of non-farming activities so as to minimise conflict between permitted and established activities. The proposed building platform will be between the road and the existing dwelling, so it is not anticipated that it will result in reverse sensitivity issues. It is noted that the new proposed lot adjacent to 50 Halliday Road, however, which could be used for farming purposes. Therefore I consider the proposal to be inconsistent with this Objective and the associated policies.

Overall, I consider the proposal to be consistent with the objectives and policies of Chapter 21.

### *Chapter 27 – Subdivision*

The objectives and policies of Chapter 27 seek to create quality working and living environments, encourage subdivision design that achieves benefits for the subdivider, future residents and the community, and requires the provision of infrastructure and servicing. The proposed subdivision includes provision of adequate servicing and access and will create a quality living environment. Therefore I consider the proposal consistent with these objectives and policies.

### *Summary – Proposed District Plan*

Overall, given the above assessment, I consider the proposed development to be consistent with the objectives and policies of the Proposed District Plan.

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

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

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

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

The relevant objectives and policies of the ORPS seek to promote the sustainable management of Otago's land resources to enhance primary productive capacity while meeting the reasonably foreseeable needs of Otago's peoples and communities, and to protect Otago's ONLs and ONFs. The proposal does not relate to development on an ONL or ONF, and will not substantially reduce primary productive capacity. In addition, Objective 11.4 seeks to avoid or mitigate the adverse effects of natural hazards. The risk from natural hazards has been sufficiently mitigated. Overall I consider the proposal consistent with the objectives and policies of the ORPS.

In relation to PRPS, relevant objectives include Objective 3.2, which seeks to identify Otago's significant and highly valued resources and to protect or enhance these resources. Policy 3.2.6 seeks to maintain and enhance highly valued natural features and landscapes by avoiding significant effects on these values, avoiding, remedying or mitigating other adverse effects, and encouraging enhance of those values which contribute to the high value of the landscape. The subject application is identified as an RCL landscape, which is considered highly valued for its amenity values. However the discrete area in which the proposal is located is more characteristic of a pocket of rural lifestyle development. The development will not result in significant effects on this landscape. Therefore the proposal is considered consistent with this Objective and the associated policies.

Objective 4.1 seeks to minimise the risks natural hazards pose to Otago's communities. The risk from natural hazards has been identified and sufficiently mitigated. Overall I consider the proposal consistent with the objectives and policies of the PRPS.

Overall, I consider that the proposed development is consistent with objectives and policies of the both the 1998 and 2019 Regional Policy Statements.

### **7.3.3 OTHER MATTERS**

#### **7.3.3.1 Subdivision (s106 RMA)**

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

#### **7.3.3.2 Precedent**

K Ryan has submitted that the proposed subdivision will set a precedent for further development of a similar density in the vicinity.

It is noted that the applicant has adequately shown that the landscape can absorb the proposed development in this location. Further it is considered that the landscape character in this area is already degraded beyond the point where it could be considered rural. Therefore it is considered that the proposal could set a precedent for further development in this discrete location, but that development would be consistent with the existing character.

It is noted that each application must be assessed on its merits.

### **7.4 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991**

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

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

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

The proposal will not appropriately avoid, remedy or mitigate adverse effects on rural character, landscape and visual amenity and cumulative effects.

There are no Section 6 matters relevant to this application.

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

- (a) *kaitiakitanga:*
- (aa) *the ethic of stewardship*
- (b) *the efficient use and development of natural and physical resources:*
- (ba) *the efficiency of the end use of energy:*
- (c) *the maintenance and enhancement of amenity values:*
- (d) *intrinsic values of ecosystems:*

- (f) *the maintenance and enhancement of the quality of the environment:*
- (g) *any finite characteristics of natural and physical resources:*
- (h) *the protection of the habitat of trout and salmon*
- (i) *the effects of climate change*
- (j) *the benefits to be derived from the use and development of renewable energy*

The proposal will ensure the maintenance or enhancement of existing amenity values, and the maintenance and enhancement of the quality of the environment.

As discussed throughout this report, it is considered that the development proposed is appropriate in this setting based upon an assessment of the application against s104 matters and in particular, the relevant provisions of the Operative District Plan. It is concluded against this document that the proposal will maintain the existing character, landscape and visual amenity values. As such, I consider the proposal does promotes sustainable management of the landscape resource.

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

## 8. RECOMMENDATION

- An application has been received to undertake a two lot subdivision and establish a building platform.
- In summary, it is considered that the potential effects on the landscape have been adequately avoided, minimised or mitigated and the proposed development is considered appropriate.
- Considered as a whole, the proposal is consistent with the relevant objectives and policies of the Operative District Plan and Proposed District Plan.
- Therefore I recommend consent be granted.
- Draft conditions (Appendix 7) have been provided to assist the Commission should the Commission be of a mind to grant consent. These conditions relate to the matters where adverse effects of the proposal as it stands are considered no more than minor.

Report prepared by

Reviewed by



Erin Stagg  
**SENIOR PLANNER**



Richard Campion  
**TEAM LEADER RESOURCE CONSENTS**

|                     |            |   |
|---------------------|------------|---|
| <b>Attachments:</b> | Appendix 1 | Landscape Architect's Report                            |
|                     | Appendix 2 | Landscape Peer Review                                   |
|                     | Appendix 3 | Engineering Report                                      |
|                     | Appendix 4 | QLDC Assessment Matters                                 |
|                     | Appendix 5 | QLDC ODP and PDP Objectives and Policies                |
|                     | Appendix 6 | Otago Regional Policy Statement Objectives and Policies |
|                     | Appendix 7 | Draft Conditions  |
|                     | Appendix 8 | s95 Report  |

**Report Dated:** 3 May 2019



**APPENDIX 1 – LANDSCAPE ARCHITECT'S REPORT**

## **PROPOSED SUBDIVISION AND NEW DWELLING**

**STEPHANI PROPERTY, 42 Halliday Road  
WANAKA**



### **Landscape Assessment Report**



**October 2018**

**PROPOSED SUBDIVISION  
AND NEW DWELLING  
Stephani Property – 42 Halliday Road  
Landscape Assessment Report**

**October 2018**

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**APPENDIX**

## PROPOSED SUBDIVISION AND NEW DWELLING Stephani Property – 42 Halliday Road

### Landscape Assessment Report

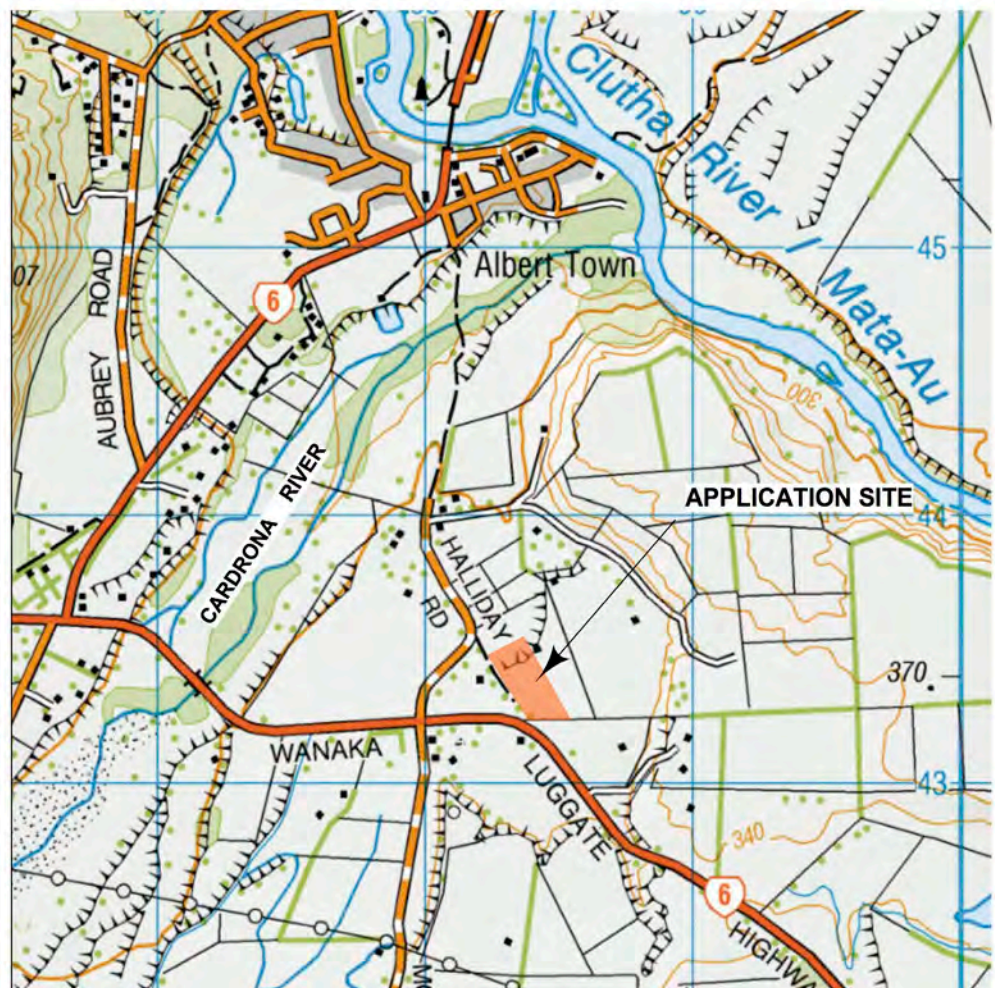
#### 1. INTRODUCTION

I have been engaged by Steven Stephani and Anna-Mie Wouters (the Applicant) to assist with a resource consent application to subdivide their 4.07ha rural lifestyle property and construct a second dwelling on the new lot. The property is located at 42 Halliday Road (Lot 2 DP 301195) near Wanaka in what I call the “Halliday Basin” (see map below). The existing dwelling on site is in part a 5-room luxury accommodation lodge, Wanaka Haven.

This report describes the application site (the site), analyses its landscape context and the significance of the site, and assesses the potential landscape and visual effects of the proposed development with regard to the provisions of the Queenstown Lakes District Plan both operative (ODP) and proposed (PDP).

The Zoning is Rural General and the landscape classification is Visual Amenity Landscape (VAL) under the ODP and Rural Character Landscape (RCL) under the PDP.

Location of  
Application Site



## 1.1 Relevant Experience

I have had a sole practice in Wanaka, where I have lived since 2001. I have advised on and assessed a number of development proposals of this type in the Queenstown and Wanaka rural areas, including preparing evidence for Council and Environment Court hearings. I consider myself experienced in this area and familiar with the objectives, policies and rules of the Queenstown Lakes District Plan.

Residing in Wanaka, I have driven along SH6 many times, and have been into the Halliday Basin a number of times since 2001, for professional and recreational/private purposes. I have carried out a number of landscape assessments in this part of the Upper Clutha basin for different development projects, and for landscape studies.

I have previously prepared a landscape assessment report and evidence<sup>1</sup> for this property in 2010 in support of the application for the dwelling/lodge; and I carried out an assessment and prepared expert evidence<sup>2</sup> for what is now the neighbouring Paddon property. I have also carried out assessments and prepared evidence for other rural properties in the general area, such as Corbridge Downs further to the east along SH6, various properties along on the west end of Ballantyne Road including the Falconridge/Bisset, Jones-Stayne; and the Ballantyne Barker Holdings Ltd and Anomura subdivision properties next to the Cardrona River between Ballantyne Road and SH6.

I am thus familiar with the site and its context landscape and have spent considerable time analysing it, including from the summit of Mt Iron on numerous occasions. I visited the Site and surrounding landscape in October 2017, January and March 2018 specifically for the purposes of this assessment.

## 2 THE SITE

The Site is a roughly rectangular property of 4.07ha contained within other private properties. It has a narrow 14.5m northern frontage to a shared right of way, which runs northwest from the site to Halliday Road for approximately 100m. The site is about 100m wide at its north end and 122m wide at its south end, and widens to nearly 180m across its widest point near the north end; and is some 250-300m long in a northwest-southeast direction. Its southwest corner touches on SH6 road corridor (at a point).

It is situated on undulating terraced outwash plain, comprising three surfaces. About half the site is a middle surface, which drops down a large broadly curving planar scarp at the north end to a lower surface, a narrow band of which is included in the site. The southern part of the site is slightly higher, the change in level over a soft scarp is most apparent toward the eastern boundary.

The majority of the site has a cover of mown exotic turf, and rougher grassland on the northern scarp. Associated with the construction of the dwelling/lodge after 2010, there is a variety of native and exotic tree and evergreen shrub/groundcover planting as detailed on the Existing Site Plan. Some is located on constructed sinuous mounds. Most of the western boundary is planted. A line of spaced pin oaks graces the access drive. A patchy cover of more mature pines interspersed with younger pines and Douglas Fir form a 35m wide evergreen screen across the southern boundary, substantially blocking views into the site from SH6 and from the adjoining Paddon property, although there are gaps. A tall denser Elaeagnus hedge encloses a food production area in the northeast corner (berry bushes, veges). In May this year, a large belt of mainly native species was planted along the east boundary, with irrigation and mulching installed. Unfortunately many of the plants succumbed to

<sup>1</sup> Landscape Assessment Report, Proposed Stephani-Wouters Family Trust, Dwelling And Visitor Accommodation – ASLA Ltd April 2010; Statement of Evidence E A Steven 21 June 2010 RM090888

<sup>2</sup> Copland Appeal 2003 (RM0500/03)



rabbit browsing and have recently been replaced<sup>3</sup>. Additional fast growing tree species (tree Lucerne, Narrow Leafed Ribbonwood and Fragrant Tree Daisy) were included following consultation with the neighbour, Karen Ryan.

The dwelling<sup>4</sup> (also an accommodation lodge) and swimming pool and associated curtilage activities are located in the middle of the site. The gravel access drive comes into the site on the northwest corner and angles across the scarp to the northeast corner then approaches the dwelling/lodge in a broad curve across the eastern part of the site, coming into the house area from the south. Parking areas are located on the south side of the house, and the utility area is to the southwest, between the house and the west boundary. Water tanks and a small pump house are located to the southwest of the house within a mounded area planted out in Ceanothus (some of it recent). Two solar panels are present near the water tanks.

Fig. 1 in Attachment A shows the existing site features.

### 2.1 Surrounding Land Use

The site is surrounded by other small rural lifestyle properties of similar area as shown on Fig. 2, Attachment A. These are essentially managed for rural amenity rather than production with the exception of the Paddon property to the south, which has a recently established vineyard (previously a sugar maple orchard). Properties further away tend to be larger and used productively - the Neuendorf property to the east, which has a large crop paddock; the Roberts property south of SH6 which has crop and pasture paddocks; the Taylor farm which is mostly on the rolling moraine above; and the Lewis property closer to the Cardrona River which is part fallow, part new vineyard. However with the exception perhaps of the 170ha Taylor property, none are of the size for viable pastoral or cropping properties, being less than 50ha and are essentially for lifestyle.

SH6 passes by south of the site although the site does not have a highway frontage (one corner touches on the highway corridor).

## 3 LANDSCAPE CONTEXT

Broadly, the relevant “landscape” for the purposes of assessment is the area within which the site is visibly part of the landscape experienced and influences its perceived character and assigned values. In this way it is similar to “vicinity” at Part 5.4.2.2 the Operative District Plan. It is a recognized, spatially definable “place” (or perhaps more commonly described as a distinctive “area”) in the landscape that is noticeably entered and exited when moving about in the landscape.

On this basis I identify the landscape context to be the lower outwash surfaces and river terraces east of the Cardrona River on either side of SH6 (including the Zeestraten and Farrant properties), and including the western edge (scarp) of the elevated rolling moraine which encloses the area to the east and south. This is what I broadly describe as the “Halliday Basin”. This is shown in Fig. 3.

The Halliday Basin is a discrete “place” within the wider open pastoral landscape of the Upper Clutha Basin, broadly enclosed on three sides by the 40-60m high curving scarp being the river-cut edge of the higher moraine land. The basin is more open to the west to the Cardrona River, which forms the boundary to the west. SH6, a major tourist highway and main entry to Wanaka, passes through the basin along its southern edge; and the basin forms the visual highway corridor.

An open pastoral to arable character remains over the southern part of the basin although the landholdings are not large and one holding is supplemented by a firewood operation. The Taylor farm

<sup>3</sup> replacement and additional planting was carried out on October 12 2018

<sup>4</sup> Built in 2011 following granting of consent in 2010 RM090888 7 July 2010. The swimming pool area was built in 2014 following consent granted in 2014 RM140159.

on the northeastern basin sides and over the adjoining upper moraine surface also has a strong open pastoral character.

Within the basin the character is more a “rural lifestyle” character with small landholdings - too small for economic pastoral farming although they may support more intensive productive rural activities: lavender growing has been observed on one Lewis paddock in the past and a vineyard is now established; lavender is grown on the Zeestraten property; sugar maples were planted on the Paddon property, replaced by vines; and lucerne is grown on other paddocks (Roberts, Neuendorf). Activities such as alpaca breeding, poultry raising and nut crops have been pursued. Most of the smaller holdings have now been built on and developed with planting to a greater or lesser degree. Holdings closer to the river are larger and present a more open character of mixed use (rank grass, cropland, parkland or possibly production trees, pastoral grazing). A large working grazing/arable property surrounds to the north including the scarp and the moraine land above (Taylor property). Visitor accommodation features in the basin (River Run Lodge, Maple Lodge, Wanaka Haven).

Dwellings built in the basin are all different, some distinctive or visually prominent. Villa Nevada to the immediate north of the site is an orange-hued Mexican-styled house-walled courtyard complex – the whole highly visible from Halliday Road and Mt Iron (tempered by distance) although built into a terrace riser. The next house to the north (MacGregor) has a rounded grass roof and appears nestled into the landscape. The Ryan-Poole cottage to the east of the site is timber-clad and roofed in mid-grey corrugated iron. Three dwellings are prominent due to their location up on top of the scarp overlooking the Paddon property, which has a large two storey European-style house. In my 2003 assessment I described the top houses as breaking the potential containment of rural lifestyle development within Halliday Basin.

Each lot has a different landscape character, creating a complex and visually un-cohesive landscape. Some lots are heavily planted out in trees (Brock, McGregor, Wilson, McLeod).

Properties to the north of SH6 are accessed off Halliday Road – a dead-end minor shingle road cutting through the basin from the highway towards the Cardrona river mouth. This road also provides public access to the Clutha River trail.

This Basin is the first rural landscape or “place” experienced on travelling east out of Wanaka. It is entered crossing over the Cardrona River and especially moving up through the cutting just east of the river. One moves out of this “place” on driving up through the large cutting in the moraine further east, where there is a distinct change to more open, visually simple pastoral/arable landscape of Corbridge Downs Farm to the north and Sandy Knolls/Grace Farm to the south. The reverse is experienced approaching Wanaka.

Layers of trees are a feature of the Halliday Basin landscape experience (from the highway and also to some extent from Halliday Road) preventing views out across the landscape and focusing attention on the trees themselves. They are creating a finer-grained and more enclosed and complex landscape. In my view this enhances the long open views that are obtained in other places, such as across Corbridge Downs further towards Wanaka airport and across the Lewis land close to the river.

Although the Basin is zoned rural<sup>5</sup> much of it is no longer held in conventional working farm properties due to repeated subdivision since the 1990s. “Rural lifestyle” properties are dominant especially closer to Wanaka. I am of the view that it remains appropriately classed as VAL (or RCL) as it still has a rural pastoral character albeit of an increasingly “arcadian nature”. In terms of passing a threshold for development, it is my view that the Halliday Basin has already passed it with respect to VAL in the sense of the open pastoral landscape that used to characterise the area and now characterises only parts of it (such as the Taylor farm) but has not passed a threshold when thinking of “arcadian” pastoral landscape (in the picturesque sense). It is still an obviously rural landscape.

<sup>5</sup> Rural General under the ODP; RCL under the PDP

This is not unexpected so close to Wanaka in my opinion. It is my view that the basin landform provides an ideal contained area for a closer pattern of rural settlement and the development of a different rural character close to Wanaka. Unfortunately the presence of the three dwellings on the moraine overlooking the basin has compromised this potential to some degree.

I note that Commissioner Sinclair in her decision on the Stephani-Wouters house in 2010 was of the view that:

*"In my opinion the landscape at, and surrounding the subject site is not a typical area of visual amenity landscape; at the very least the level of domestication is at a threshold point for a Visual Amenity Landscape, and may have been exceeded, but within the context of the properties in the Halliday Basin any further adverse effect created by building the larger proposed building, over and above those which would be created by building a building to the maximum extent permitted by the consented building platform, would be no more than minor."* (p8)

#### 4 SIGNIFICANCE OF SITE

I have concluded from my analysis of the Site in its landscape context that it is not significant as part of the wider landscape. It does not inherently contribute meaningfully to either pastoral or natural landscape character or provide any particular landscape amenity (other than "pleasant rural" appearance); or general landscape amenity and character experienced from SH6. This is due to the fact it is largely separated from the highway by other properties and the degree of mature tree cover constraining views. The conifers along the southern boundary are the only part of the site that is seen apart from some glimpses of the grassy upper terrace through small gaps in the trees. I do not consider the trees to have any significant inherent value and they are wilding spread risk species, perceived negatively by some people. In comparison the Lewis, Paddon and McLeod properties, backdropped by the scarp on the Taylor farm, dominate the landscape experience north of SH6.

The site contributes to landscape character and amenity to a small degree with respect to Halliday Road, mainly when travelling out to SH6. Only the northern scarp contributes, as the elevated terrace surfaces are not visible, although the roof of the lodge and the backdrop conifers are visible over the scarp. The adjoining Cooper and McLeod properties are more important in imparting landscape character and amenity, along with the Lewis, Inderlee, McGregor, Brock and Taylor properties which all adjoin the road.

The landscape of the site is more significant at a very local level, affecting the amenity of immediately adjoining neighbours, most obviously the Ryan-Poole property which has the clearest view into the site. The dwellings on the other nearby properties are somewhat separated from the site by distance, intervening trees, or landform where they are on a lower terrace.

#### 5 LANDSCAPE CLASSIFICATION

The landscape classification for the Site and its context landscape including the Cardrona River corridor is VAL under the ODP, and RCL under the PDP. VAL classification has been established in the previous assessments done for this Site and other properties in the area. The nearby Clutha River and its corridor is an Outstanding Natural Feature or Landscape<sup>6</sup>. It is proposed as an ONF in the proposed district plan. The Cardrona River is part of the VAL/RCL.

As already discussed, the landscape of Halliday Basin is dominated by rural living/lifestyle or intensive small-scale productive land use. This is in contrast to the more open pastoral/arable farm landscape of the rolling moraine above to the east. This contrast in character is logical in my view given the

<sup>6</sup> Decisions version Map 08 proposed QLD Plan



proximity of the Basin to Wanaka and Albert Town, and the contained physical nature of the basin with a somewhat sheltered feel.

The key issue described in the Plan for VALs is the enhancement of natural character; although the assessment matters make it clear maintaining a pastoral “Arcadian” character is also important. Both of these attributes can be maintained in a landscape being developed for rural living. Of particular importance in my view are increased levels of planting especially of indigenous species where in proximity to natural areas, and retention of large open spaces such as pasture or crop land adjacent to roads, with built and domestic elements well set back and remaining discreet and subordinate to natural elements.

Under the PDP, the objectives and policies have limited weight as they are still under appeal. Particular emphasis is placed on maintaining rural character generally, avoiding sprawl along roads, avoiding development that is highly visible from public places, being consistent with existing character, and having regard to the degree of open character present.

## 6 PROPOSALS

The proposals are shown on Fig. 4 in Attachment A.

The property is proposed to be subdivided into two lots of 2.79ha (Lot 1, including the existing Lodge and associated development) and 1.28ha (Lot 2, with a new dwelling), with the lot boundary following the existing drive then running south around the solar panels to the southwest corner. This allows for proposed Lot 1 to have control over some of the trees screening it from SH6 as well as including the solar panels. This line also responds to the existing planting pattern.

A square 1000m<sup>2</sup> building platform is proposed located towards the southeast corner, with standard 15m setback to the east boundary and more than 35m setback to the south, which enables the existing trees to be retained. A dwelling height maximum of 5m is proposed along with a 350m<sup>2</sup> footprint maximum. The cladding and roofing would be required to match the existing Lodge for visual coherence.

Access to the new dwelling area would utilise the existing driveway.

A new water tank would be required and is proposed to be located amongst the trees to the south of the proposed BP..

No curtilage area is proposed as the lot is small and narrow in part, with a garden area already established at its northern end and spaced pin oaks along the drive already imparting a garden character together with the planted mounding and mixed native planting belt along the east boundary. The layout of the lot would encourage garden and domestic elements to locate close around the building platform. A condition could be included preventing any built structures more than 2m high north of the scarp running through the middle of Lot 2. I note however there are no curtilage restrictions currently on the site or on any neighbouring lots.

A belt of planting has been implemented along most of the eastern boundary, extending the planting established earlier, with the addition of Coprosma and Kanuka to the mix. This is to provide mutual screening between the proposed Lot 2 and the Ryan-Poole property. A condition is proposed that the planting shall grow for three years before any construction takes place. A group of cedar and eucalypt trees are proposed at the south end, to provide taller screening and enclosure and blend with the trees along the south boundary. Additional tree planting of cedar and alnus/betula species is proposed to infill gaps amongst the existing conifers along the south boundary, which would be retained for their natural life. A tree replacement programme for the existing pines and Douglas Fir is proposed to be required, to ensure continual evergreen screening from SH6 to a height of at least 10m. This tree cover would also be important for privacy and buffering to SH6 for the dwelling.

Existing planting of cypress species along the west boundary is proposed to be added to the planting already required to be maintained by consent notice condition under RM090888.

## 7 VISIBILITY OF PROPOSED DWELLING

### 7.1 Public Views

The public visibility of a future dwelling on the proposed Lot 2 building platform and associated curtilage activity would be limited. The main viewing points are along a stretch of SH6 about 700m long as it crosses Halliday Basin. There are also views into the site from Halliday Road, and from the summit area of Mt Iron. A set of photomontages illustrating visibility is in Attachments B.

From SH6, there would be very limited glimpses of a small part of a future dwelling due to the wide belt of existing conifers along the south boundary of the site. These are shown in Views 4-7 in my Attachments. The view is across either the Paddon land or the McLeod land thus is dependent on vegetation cover on those properties as well. I note that there is vegetation required to be retained and maintained on the McLeod property as a condition of consent<sup>7</sup>. In summer the vines and the mature (but pruned) silver birches along the SH6 boundary of the Paddon property contribute to blocking views towards the site. Mature evergreen conifers and gums on the McLeod property effectively block views into the site, with only small glimpses available including a glimpse of the existing house/Lodge. In order to ensure screening should the mature trees on the McLeod property be felled, the existing evergreen cypress planting along the west boundary of the site is proposed to be protected by condition, in addition to the boundary planting required to be retained under RM090888 (which is mostly deciduous birch trees and native planting). Additional conifer planting interspersed with deciduous trees for visual relief and interest, is proposed to fill gaps along the south boundary of the site, and the existing trees are to be retained and a tree management and replacement plan be prepared to ensure continuous effective evergreen screening including of existing development. These trees also provide good privacy and shelter to the site and a buffer to the very busy highway.

There is a view into the site from Halliday Road travelling towards SH6, shown in View 1. Only the north scarp is visible. The top of the roof of the existing house/Lodge is visible as are the conifers at the south end of the site. There is no visibility of the proposed Lot 2 building platform. It is noted groups of tree planting (cedars, nut trees) are required to be planted near or along the top of the scarp under RM090888, and the plan also shows long term planting of Kanuka, broadleaf, Ribbonwood and Pittosporum across the northern scarp. Such planting when around 2m high would effectively limit any views of the site to just the northern scarp and the tops of the conifers at the back if it were located near the crest of the scarp.

The only other public view to consider is that from the summit of Mt Iron. This view is shown in View 10. At present the mature pines on the McLeod property mostly obscure the view of the existing house/Lodge and the proposed building platform. Clearer views of the buildings are gained from points in the conservation area further north. It is also likely the pines will be felled in the nearer future given their maturity, and in that case, there would be clearer views of the buildings although trees on the site will provide some screening as they mature. This view is over a distance of 2.3-2.5km and is panoramic in nature. Some of the other existing dwellings in the Halliday Basin are clearly visible – MacDonald, Evans, Ryan-Poole, Cooper, Wilson, Neuendorf. There is also a large utility pond (50x50m) and long utility sheds visible on the Paddon property, presumably associated with the vineyard operation.

<sup>7</sup> Condition 9, Decision of the Queenstown Lakes District Council August 2003 McLeod and Riley RM030455, with reference to the Macleod Barn Landscape plan by Alpine Habitats dated 18.12.02

Views 9A and 9B show the view out from the building platform, from viewpoints at the northeast pole and halfway between the two north poles.

## 7.2 Private Views

Written approvals have been obtained from all neighbours with the exception of the neighbour on the east side, Ryan-Poole. There is currently a high level of inter-visibility between the Ryan Poole dwelling area, and much of their property generally, and proposed Lot 2. The Lot 2 building platform is some 125-160m away from the Ryan-Poole dwelling and entrance area. There are numerous plantings to be established on the Ryan-Poole property under consent notice conditions<sup>8</sup>, not all of which has been implemented yet. Planting that has been implemented is not yet fully mature. These plantings are shown on the landscape plan in Fig. 4. They will provide some screening between the two dwelling areas. However to better mitigate the proposed dwelling with respect to views from the Ryan-Poole property, a belt of evergreen mainly native plants has been put in along the entire east boundary. This extends the existing belt at the north end of the boundary and uses the same species. At the neighbour's suggestion, additional Tagasaste, Narrow-Leafed Ribbonwood and *Olearia fragrantissima* have been added to the planting to provide height quickly and increase density. The planting is mulched, irrigated and protected from rabbits. This planting will also screen out aspects of the existing development such as traffic on the drive and the solar panels.

Views 11-13 show the visibility from the Ryan-Poole property and illustrate the effect of the planting.

## 8 LANDSCAPE AND VISUAL ASSESSMENT

The relevant assessment matters in the District Plan are those that relate to Visual Amenity Landscape in the Rural General Zone in Part 5.4.2.2, and the general assessment matters in Part 5.4.2.3 (GAM); and to assessment matters in Part 15 relating to effects of subdivision. Relevant objectives and policies in Part 4, Part 5 and Part 15 of the Plan including specific ones for Visual Amenity Landscape (VAL) will be covered by the planner.

A table setting out all the assessment matters and my assessment is in Appendix B. A summary is given here. In Appendix A I explain the degrees of adverse effect I have used in my assessment.

The assessment matters for RCL under the proposed District Plan will also be covered in a final section, and are similarly set out in Appendix C. The objectives and policies still have limited weight as they are under appeal, and will be covered by the planner in any case.

To preface assessment, there is a principle around existing vegetation, which needs addressing (ODP Part 5.4.2.2 (3)). The planting required by the consent (as shown in the Georgie P Landscape Plan which dates after 2002) can be discounted as it was required as part of the consent. That leaves the conifers along the south boundary. The older ones were present as reasonable size trees in June 2005 so probably pre-date 2002. The younger trees are relevant although it is likely they replaced trees that died. In my view the conifer belt is appropriate in its location considering its function at the time it was planted (typical rural species, originally a small woodlot with potential timber value, southerly shelter) and should be regarded as part of the receiving environment. The wilding spread risk status is acknowledged (albeit low) hence the proposal for long-term replacement. A further matter to consider is there is other tree vegetation that pre-dates 2002 that is present on the Paddon and McLeod properties that also blocks views across the landscape some of which is required to be retained for visual screening.

### (a) Effects on Natural and Pastoral Character

There is no adjacent ONL or ONF that would be affected.

<sup>8</sup> Condition 4 RM090947 relating to Ryan and Poole Master Plan 1 500 approved 22/01/2010

Existing pastoral character of the Halliday Basin is not strong; at least over the floor as other productive land uses predominate (arable, vineyard, herb growing, tree crop). It is higher on the elevated land surrounding (Taylor farm) and towards the Cardrona River. Rural living is a well-established land use associated with smaller scale more intensive rural land uses.

Natural character is low (basin floor) to moderately high (scarp sides) in the Halliday Basin.

The proposed development is consistent in scale and nature with existing development and would not appear out of place.

The future dwelling would be of nil to negligible visibility from public places (Halliday Road, SH6, Mt Iron). Once planting is mature there would be nil visibility from public basin floor viewpoints.

In my opinion the proposed dwelling would not compromise the existing pastoral and natural character of the landscape of the Halliday Basin. The degree of adverse effect on landscape character would be nil to less than minor (in the short term, from Mt Iron mainly).

There would be an effect at a very local level, on the character of the site itself and on the immediate neighbour to the east. There would be an increase in domestication and a denser settlement pattern. All neighbours except the Ryan-Pool property have given written approval. Visual mitigation has been designed in consultation with Ryan-Poole. This planting has already been implemented and will also mitigate existing effects particularly traffic on the driveway and views of the solar panels. From the neighbour's perspective, the main view will come to be a continuation of the existing belt of mixed mainly native planting along the east boundary, which has amenity value in itself. This will form a foreground layer of vegetation, to other vegetation layers behind.

In terms of landscape effect, there would not be an outcome of over-domestication in my opinion. This is because it is my view the floor of the Halliday Basin is a part of the Upper Clutha basin that can absorb a greater density of residential use with an ability to contain effects and it is an appropriate area for such use; there is already rural living land use there; and the proposed additional development would not be visible, or would be negligibly visible from public viewpoints being Mt Iron (at a distance). The effects are strongly contained to the site itself and its immediate neighbour.

Adverse effects on the Ryan-Poole property will be mitigated through the boundary planting of the same species mix existing on both properties (which has already been implemented). The size of the future dwelling is also restricted and it would be of the same materials creating visual cohesion.

### **(b) Visibility of Development**

The proposed development would not be highly visible from any public places and would be of very limited visibility from public roads, as described in the visibility Section 7 of the report. Essentially the effects of the proposal are contained to the site and the neighbour to the east, Ryan-Poole.

The proposed development would not be visually prominent and would not detract from public views of the landscape, which is not natural but has an arcadian pastoral character to some degree. The proposal would be prominent and impact on the private view of the Ryan-Poole property. Visual mitigation in the way of planting has been implemented to address this, in consultation with the neighbour. This planting will also screen out aspects of the existing development such as the traffic on the drive and the solar panels.

The proposed development includes planting for visual mitigation, some of which has already been implemented. None of this planting would detract from or obstruct views of existing natural topography. The proposed planting along the eastern site boundary extends an existing mixed native species belt and includes eucalyptus planting, which is characteristic of this area. The southern boundary planting extends existing planting (cedars) and repeats species already characteristically present (birch). The alder, if used, would fit in to the existing character as it is a typical rural species

especially for shelter belts. It is proposed to retain the existing mature conifers for their natural life but they would be replaced by other non-spread risk species.

The site is not enclosed by topography, but at a broader scale the Halliday Basin is enclosed to the east, south and west, by the higher moraine lands. Mature trees enclose to the west and south on-site and on adjoining properties, some of which is to be retained by consent notice condition.

The proposed building platform and a future dwelling would not appear on any skyline, ridgeline, prominent slope or hill.

No new roading or earthworks are proposed in this application.

Proposed boundaries and planting would not give rise to any arbitrary lines in the landscape with respect to existing character.

There would not be an outcome of sprawl of development along the roads of the district or to an area of established development.

### **(c) Form and Density of Development**

The site does not utilise any natural topography to ensure the proposed development is screened from SH6 however the scarp between the two outwash terraces completely blocks any view of the proposed dwelling from Halliday Road.

The proposal makes use of the existing driveway.

The proposed development in my opinion is located within a part of the Upper Clutha Basin that has greater capacity to absorb this kind of development. This is due to the existing rural living development; and an existing framework of mature vegetation that contains the proposed development well so that it would have no influence on the landscape experienced from SH6 or Halliday Road. The nature of the proposed development is also consistent with the type of existing development present including planting character.

The proposal does not introduce a density characteristic of urban areas.

There are several potential sites for another single modest dwelling within 500m of the proposed building platform (refer Fig. 5 Attachment A), which could possibly have the same level of adverse landscape effects. My opinion is there would be no significantly better location than that proposed.

Similar development on neighbouring properties may be precluded on the basis of approaching a threshold of development that is too dense for a rural landscape. Other factors are likely to be relevant such as visibility from SH6 and Halliday Road. Where development effects can be similarly contained, and where neighbours give written approval, it is possible it may not be precluded.

### **(d) Cumulative Effects**

The vicinity is similar in extent to the Halliday Basin context landscape. The existing development is residential within a rural setting, some associated with small scale and/or more intensive productive use such as high value crops or tree crops, or vineyard. More extensive pastoral use or open grassland characterises land farther away from the site around the periphery of the basin (Lewis, Inderlee, Taylor, Grace Farms/Roberts, Farrant). The landscape of the Basin floor is complex, often geometric in pattern, small scale to intimate in places, and with a diversity of vegetation and building types. Overall it has a well-managed appearance, although the Lewis and Inderlee properties have rougher "fallow" areas.

It is my view that the Halliday Basin landscape is not at a threshold beyond which any further residential development would significantly degrade the rural character of the area and diminish associated values, providing such future development is well-designed and sited discreetly. I see the

Halliday Basin as an appropriate area for rural living development<sup>9</sup> given its strong basin like containment and proximity to Wanaka and Albert Town, and the nature of existing development.

It is also my opinion is that the proposals would not bring the landscape to this threshold.

The introduction of an additional dwelling and associated domestic activity is exacerbating an existing adverse effect. However for reasons outlined earlier in relation to effects on pastoral and natural character, it is my opinion that the proposed development would not visually compromise the existing pastoral and natural character (such that it is) with respect to public experiences of the landscape. There would be an effect on private views, mainly the Ryan-Poole property.

There is no opportunity to contain development within a discrete landform unit using topography. Existing mature vegetation is the containing element in this case. However as explained earlier the Halliday Basin is a discrete landscape unit at a broader scale.

The proposed development would not require infrastructure consistent with urban landscape.

### **(e) Rural Amenities**

The proposal would not change the degree of existing public visual access to open space and the arcadian pastoral landscape from SH6 or Halliday Road. The proposal would block views across the site from the Ryan-Poole property, however this is not considered a view of much merit given it comprises the solar panels, water tanks, mown turf and pine trees and views beyond are blocked by the mature pine trees on the site and on the McLeod property. In any case the highway is also in this direction. The new planting along the east boundary will have aesthetic value in itself and help screen the existing development on the site.

No infrastructure consistent with urban landscape would be required. The proposed lot would utilise the existing fencing and entranceways. The site does not have a public road frontage.

All setbacks would be complied with and there is effectively no road setback. The proposed dwelling would be around 100m away from SH6 at its closest point.

## **8.1 Other Assessment Matters**

### **Nature Conservation Values** (Objective 1 Part 4.1.4, GAM Part 5.4.2.3 i, xxv)

This proposal makes a very slight positive contribution to nature conservation values with additional planting of native species along the east site boundary, which complements native planting already present on the site. There would be no adverse effects on nature conservation values, as the site is otherwise completely modified. No wilding spread risk trees are proposed.

### **iv Controlled and Discretionary Activity - All Buildings (except in Ski Area Sub-Zones)**

#### **xxii Nature and Scale of Activities**

#### **xxvi Residential Units – Discretionary and Non-Complying Activities**

See previous assessment matters. There is unlikely to be any adverse effect on adjoining land uses.

## **PART 15 SUBDIVISION, DEVELOPMENT AND FINANCIAL CONTRIBUTIONS**

### **15.2.3.6 Assessment Matters for Resource Consents**

<sup>9</sup> not to be confused with Rural Lifestyle or Rural Residential rural living as development in these zones is too dense and lacks the degree of open space and proximity to productive rural land uses characteristic of the rural general zone.



These matters have largely been addressed through application of previous assessment matters. The construction of a dwelling and associated driveway and outdoor living areas would reduce the life-supporting capacity of the soil and vegetation but at a very small site-specific scale. This is slightly offset by additional planting providing more habitat.

## 8.2 Proposed District Plan Assessment Matters

Assessment of the proposal according to the assessment matters of the proposed District Plan is set out in Appendix C. The site would have a Rural Character Landscape classification. Most of the matters have already been addressed through the ODP assessment matters. I comment in this section on any aspects not covered by these. The planner addresses Objectives and Policies.

### *Effect on Outstanding Natural Landscape (21.21.2.2.a.)*

The site is also not meaningfully part of any foreground in views of ONL.

### *Effect on Quality and Character of the Landscape (21.21.2.2.c.)*

I concluded in my previous assessment that the proposals would be in keeping with the existing character. I am also of the opinion that the additional planting would slightly improve the overall quality of the landscape, providing visual amenity and increasing habitat and natural character, slightly. The new vegetation along the east boundary will link existing belts of planting, creating a more continuous network of vegetation which is better for wildlife. It also includes more of the locally occurring native species, improving biodiversity and local character. The proposed exotic trees within the pine planting will provide visual interest within what is otherwise a bland conifer belt.

### *Clustering (21.21.2.4.b.)*

In a broader sense this proposal represents clustering by locating it close to four existing dwellings and domestic development in a part of the landscape where its additional presence would be visually discreet. The four dwellings would be within 150-160m of each other.

### *Tangata Whenua, biodiversity and geological values (21.21.2.5 a.)*

To my knowledge the site does not contain any of these values.

### *Cumulative Effects (21.21.2.6 a.)*

There would be a cumulative effect of increased presence of domestic land use. However this effect is contained within an area already characterised by a relatively high density of such use. As the proposed development is visually well contained and has little effect beyond the confines of the site and only one of its immediate neighbours (Ryan-Poole), the effect on the wider landscape is almost inconsequential. There would not be a change to the quality and character of the landscape of the Halliday basin such that the proposal would be considered to be degrading. There would be nil to less than minor effect, particularly on the attribute of openness in my opinion particularly as experienced from Halliday Road or SH6. That part of the context landscape where the site is does not have a high degree of openness<sup>10</sup>, or open character especially as experienced from SH6; it gets higher towards the Cardrona River and on the enclosing scarp faces and beyond on the upper moraine surface.

### *Specific Building Design (21.21.3.1)*

I do not consider a specific building design would be of any particular benefit to assessing this proposal.

<sup>10</sup> Openness describes the intensity of presence of buildings and associated visual clutter and human presence; open character refers to the degree to which the landscape is spatially enclosed and compartmentalised by vertical elements such as buildings, structures, and tall vegetation (above 1.5m approximately).

*Landscape Character, Indigenous Biodiversity, Habitat and Threatened Environments (21.21.3.3.c.)*

The proposed development would enhance the existing character by amplifying existing planting that is dominated by locally occurring native species and by fitting in with the existing pattern of landscape elements (fences, driveways, buildings, plantings). The planting undertaken will have a small benefit to indigenous biodiversity, being within an area that is acutely threatened<sup>11</sup>.

## 9 CONCLUSION

My overall conclusion is that this proposal for a residential building platform and associated curtilage and including the proposed mitigation measures (location, setback, planting and design controls) would not result in adverse effects on visual and landscape values that are any more than “less than minor” and more likely negligible to nil. The exception is the potential for more than minor adverse effect on the immediate neighbour to the east, Ryan-Poole. Particular effort has been made to ensure these effects are appropriately mitigated, and in doing so, existing adverse effects are also further mitigated.

In my view, it is an appropriate development consistent with the landscape character of its context landscape. The scale and nature of the proposal is in keeping with existing development. The dwelling would be of appropriate appearance, ensured by design controls.

The enhancement of natural character is the key issue in VALs and an anticipated environmental outcome. The current low level of naturalness would be unchanged, and perhaps slightly enhanced by the proposed planting.

The current level of pastoral character would be retained, as there would be no change to the landscape character perceived from SH6 or Halliday Road.

There would be no effect on the outstanding natural landscape/feature of the Clutha River corridor (the nearest). There would be no outcomes of poor relationships of buildings, access, fences and plantings to landform and existing patterns; and no earthworks are proposed. Visual coherence would be maintained.

There would not be a cumulative effect of over-domestication in my opinion. It would maintain a level of rural amenity generally, both public and private, that is in my view be expected and consistent with what would reasonably be expected.

With respect to new matters of assessment under the proposed District Plan, the proposals would not affect any foreground views of ONL. The quality of the landscape would slightly improve, mainly with regard to biodiversity and habitat. The outcome, if this proposal is granted consent, is a form of clustering of similar development within an area already dominated by rural living land use. There would be nil to less than minor effect on the attribute of openness, and open character. I do not think that a specific building design would assist my assessment.

Anne Steven Registered Landscape Architect

Wanaka

October 2018

<sup>11</sup> Environments with < 10 % indigenous cover left. In these environments, the loss of habitats for indigenous species has been greatest in the past. Little indigenous biodiversity remains in these environments.  
[www.ourenvironment.scinfo.org.nz/app/](http://www.ourenvironment.scinfo.org.nz/app/)



**ATTACHMENTS A**  
**Figures 1- 5**  
**to the Landscape Assessment Report**  
**Proposed Stephani Subdivision and Building Platforms**




**Anne Steven**  
**Landscape Architect**

**October 2018**





**Fig. 1 EXISTING SITE**  
Stephani-Wouters Subdivision and House  
42 Halliday Road, Wanaka



prepared by  
Anne Steven  
Landscape Architect  
Wanaka  
October 2018

- EAST BOUNDARY PLANTING  
PLANT SPECIES:**
- Phormium cookianum MOUNTAIN FLAX - 16
  - Phormium tenax FLAX - 20
  - Cordyline australis CABBAGE TREE - 20
  - Coprosma virescens COPROSMA - 23
  - Kunzea serotina KANUKA - 20
  - Olearia fragrantissima FRAGRANT TREE DAISY - 12
  - Griselinia "Canterbury" Kapuka, BROADLEAF - 16
  - Elaeagnus x ebbingei SILVERBERRY - 23
  - Sophora microphylla SOUTH ISLAND KOWHAI - 7



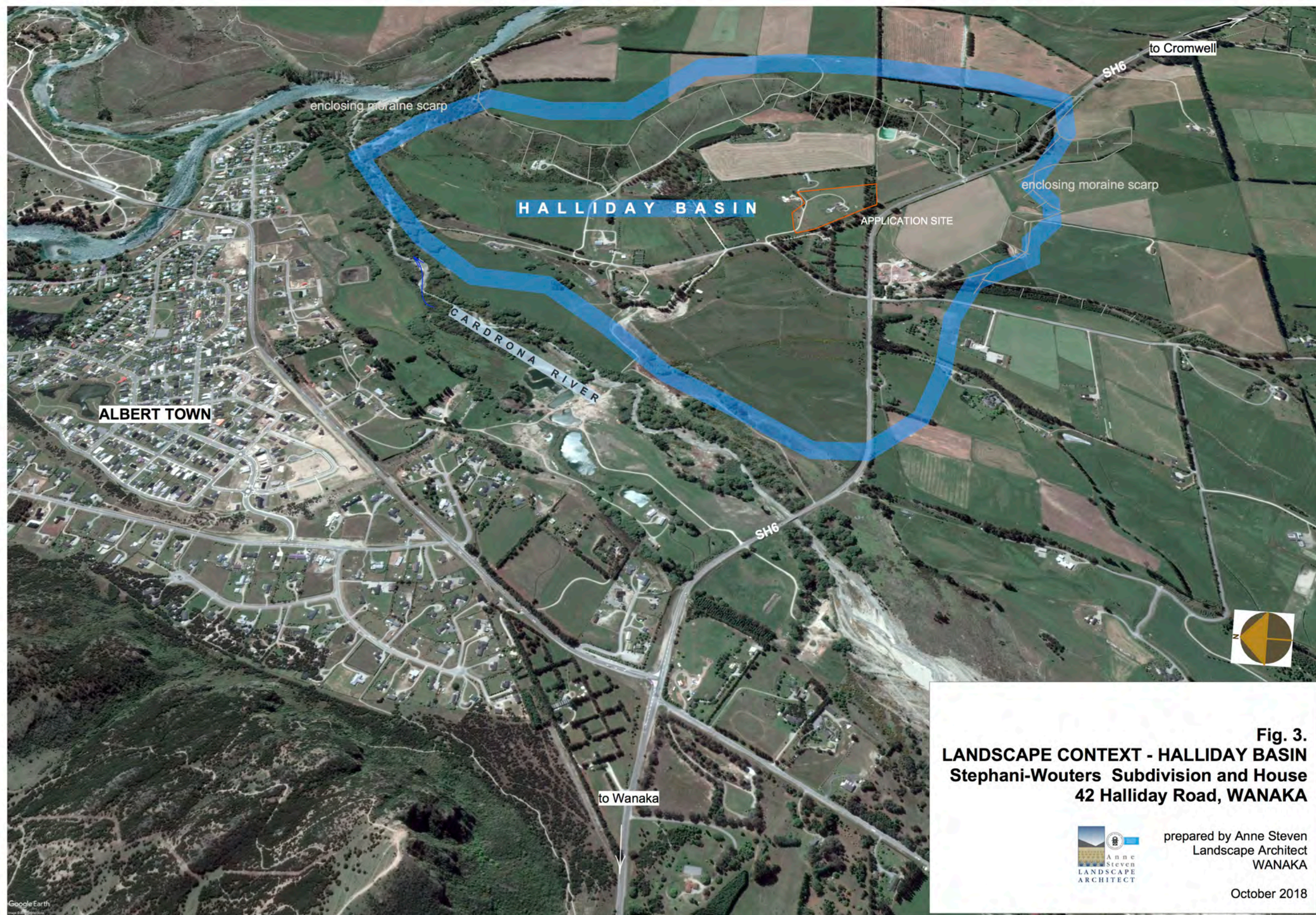


**Fig. 2. SURROUNDING PROPERTIES**  
Stephani-Wouters Subdivision and House  
42 Halliday Road, Wanaka

prepared by  
Anne Steven  
Landscape Architect  
Wanaka  
October 2018

scale 1 4000 @ A3





**Fig. 3.**  
**LANDSCAPE CONTEXT - HALLIDAY BASIN**  
**Stephani-Wouters Subdivision and House**  
**42 Halliday Road, WANAKA**



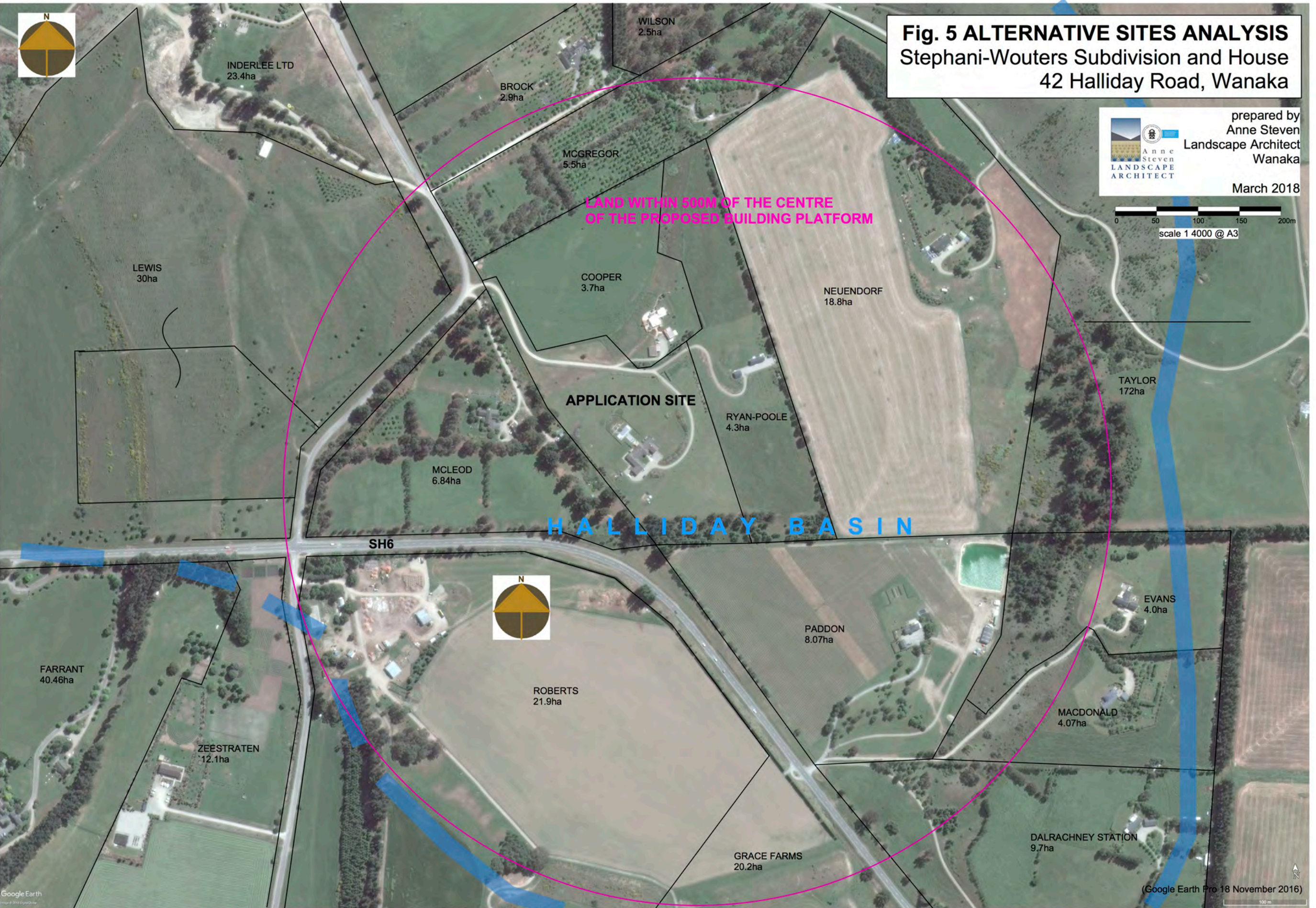
prepared by Anne Steven  
Landscape Architect  
WANAKA

October 2018











**ATTACHMENTS B**  
**Photomontages**

**to the Landscape Assessment Report**  
**Proposed Stephani Subdivision and Building Platforms**



**Anne Steven**  
**Landscape Architect**

**October 2018**





band of planting along shared boundary shown at 2m and 3m height and indicative cabbage trees, ribbonwood and Olearia fragrantissima forms shown to 4-5m height, using fence as a scale represented by white vertical lines (to 3m and 5m) (note BP is at 5m). This planting should be achievable within 7-10 years with a normal level of care and maintenance for healthy growth.

**VIEW 11. View of Proposed Building Platform and Screen Planting from the Kitchen Window of Ryan-Poole Property**  
(Photo taken October 12 2018, 50mm lens)



Wanaka Haven Lodge



**VIEW 11A. Wide View of Proposed Building Platform  
from the Kitchen Window of Ryan-Poole Property**

(Photo taken October 12 2018, 50mm lens)





band of planting along shared boundary shown at 2m and 3m height and indicative cabbage trees, ribbonwood and Olearia fragrantissima forms shown to 4-5m height, using fence as a scale represented by white vertical lines (to 3m and 5m) (note BP is at 5m). This planting should be achievable within 7-10 years with a normal level of care and maintenance for healthy growth.

**VIEW 12. View of Proposed Building Platform and Screen Planting from the Entry Area of Ryan-Poole Property**  
(Photo taken October 12 2018, 50mm lens)





band of planting along shared boundary shown at 2m and 3m height using fence as a scale represented by white vertical lines (to 3m and 5m) (note BP is at 5m). This planting should be achievable within 7-10 years with a normal level of care and maintenance for healthy growth. Existing planting on the fence line to the right is around 7 years old.

**VIEW 13. Wide View of Proposed Building Platform  
from the Driveway of Ryan-Poole Property**

(Photo taken October 12 2018, 50mm lens)

**APPENDIX 2 – LANDSCAPE PEER REVIEW**

# Memo

**FILE REF:** RM181400 – S & A Wouters

**TO:** **H Anderson** – Planner, Planning & Development, QLDC

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

**DATE:** 6 Dec 2018

**SUBJECT:** **Landscape assessment review**

---

## INTRODUCTION

1. Queenstown Lakes District Council (QLDC) has received an application to subdivide a site at 42 Halliday Rd, Wanaka and to establish a building platform.
2. The site is legally identified as Lot 2 DP 301195 and is 4.0738ha in area.
3. The proposal is to create two lots: Lot 1 (2.79ha) will contain the existing buildings, accessway and plantings. Lot 2 (1.3ha) will contain the proposed new building platform (1000m<sup>2</sup>) together with new plantings and a water tank. No curtilage is identified on the lot.
4. The proposal for the new Lot 2 comes with several design controls. These include a maximum building footprint of 350m<sup>2</sup> within the building platform and a maximum height to the envelope of 5m. There is also a no-build condition for the first 3 years, after consent approval, so that proposed planting can establish and provide screening between the subject site and the eastern neighbouring property (#50 Halliday Rd).
5. The site is zoned Rural General under the Operative District Plan (ODP) and is classified as part of a Visual Amenity Landscape (VAL). Under the Proposed District Plan - Decisions Version (PDP) the site is zoned Rural and classified as part of a Rural Character Landscape (RCL).
6. The application is discretionary under both ODP and PDP because it seeks to subdivide and establish a building platform on a lot within the rural zone. Also because a water tank is proposed for outside the building platform.
7. 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 October 2018) written by Ms A. Steven and other supplied documentation.

8. I will evaluate the adequacy of the submitted assessment and specifically addresses the following aspects:
  - i. Whether the assessment methodology is appropriate and robust.
  - ii. Whether the analysis of the landscape context of the site is robust and corresponds to the landscape attributes and values;
  - iii. Whether the key issues or considerations have been missed and if the assessment has correctly interpreted the nature and magnitude of the visual and landscape effects;
  - iv. Whether the conclusions of the assessment are credible and justifiable;

## ASSESSMENT REVIEW

9. *Assessment Methodology* - the assessment methodology is suitable for the proposal. The report is clear and follows accepted professional practice.
10. *Analysis and Classification of the Landscape context of the site* - the subject site and context are concisely and well described. I agree with her support of the accepted classification of the vicinity as a Visual Amenity Landscape (VAL) and her analysis of the surrounding landscape as containing rural activities whilst within the immediate area there is more a pattern of living than actual rural processes.
11. *Key Issues and Assessment Interpretations* - I will focus on the VAL assessment criteria from the ODP 5.4.2.2(3) first and then raise matters from the PDP as necessary.
12. Effects on Natural & Pastoral Character - I agree with Ms Steven that the character of the landscape within the vicinity of the site is one of intensive or horticultural rural activities rather than being broad pastoral in nature that is often the case in VAL environments.
13. I agree that the subject site and the adjoining neighbours (#40 and #50) which make up the enclave within which the site is located, have little or no rural activities upon them. Also, because of the location of this enclave, as she describes, they do not meaningfully contribute to the overall rural landscape character of the wider landscape but rather, are nestled within this wider landscape.
14. I contend that they are surrounded by rural activities despite these not being pastoral in character. The vicinity is clearly rural and the enclave on the terrace, although surrounded by the shelterbelts to the south and west is physically, if not visually, connected to this. Ms Steven describes the natural landscape character well and the enclave's character in detail.
15. I would contend that the character of a landscape is the distinctive combination of attributes that give it its identity. It does not matter who is looking at these attributes, they are in existence. The enclave of existing residences responds to the natural terrace creating a pattern of built form in the landscape. The enclave is located in a VAL horticultural wider landscape. I contend that the addition of another built form between two of the existing buildings within the enclave will change the enclave's existing character. It will have an adverse effect - because it is taller than others in the enclave and will reduce the openness within the enclave and add an intensity to residential living within the enclave and consequently the wider VAL.

16. Visibility of Development - The subject site has established conifer plantings along SH6 to the south. It is setback off Halliday Road such that the proposed changes to the rural landscape patterning can be mitigated. I agree with Ms Steven that the proposal is well screened from public views. Partial views are limited and often distant. I support her assessment of the low level of these adverse visual effects.
17. As APAs have been received from all but one neighbour (# 50 Halliday Rd) - this is the only private view that I will discuss here. I agree with Ms Steven that views from this neighbour are not their prime views. However the proposed 5m height of the building envelope will create a new building within the view of this audience.
18. The building will be closer than the existing residence on Lot 1 and will be seen adjacent to the existing Lot 1 building. It will be higher than the existing building on the subject site. Although seen against a backdrop of the established conifers, the building will be very visible. It will be the highest building in the enclave.
19. Ms Steven spends some time discussing vegetation on other properties in the vicinity. She points to establishing and proposed plantings on the #50 site but these plantings can not be considered when assessing mitigation screening as such planting must be on the subject site.
20. The proposed mitigation species on Lot 2 are not selected to mature to a size that will completely hide the proposed building from views from #50. The building will be diffused rather than hidden; its upper storey and roof will be visible. The building on Lot 1 will be primarily hidden by the planting because it is lower, only its roof will be evident in views.
21. The proposed planting will reduce the sense of openness that is currently experienced by the neighbour #50. Changes to the view will include a reduction in the 'flow' of open grass across the shared boundary currently experienced. Some planting has already occurred on #42 along this boundary and the existing openness values will reduce to a degree overtime with or without the proposed building and platform. However the degree of loss of openness will be greater with the introduction of further planting and the proposed building.
22. The location of the proposed accessway, once it diverges from the existing driveway, is not shown on plans so I cannot comment on its effects. However the site is relatively flat at this point and I don't think the accessway will detract from #50 or public audience views.
23. The proposed location of the water tank is just outside the dripline of the conifer shelterbelt to the south. This location should not reduce the thriftiness of the shelterbelt such that additional views of the building envelope are possible in the future. The additional planting proposed for this area should ensure the long term viability of the screening effectiveness of this line of trees.
24. I consider that the neighbouring audiences at #50 will experience a moderate change to their view. They will see two buildings where they once saw only one. They will have a reduced openness and an increased number of buildings in their view. I consider the adverse visual effects on this neighbour #50 to be on the low side of moderate.
25. Another view impacted by adverse visual effects is when proceeding south on the shared access road to #42 and #50. From this location the proposed building will be high in the view and very visible given its proposed height. The prominence is mitigated by the backdrop of conifers and the colours proposed by the building. I consider the adverse visual effects will be temporarily low- moderate as the vegetation will have had three years to establish but will not achieve their mitigation potential by this time.

26. After five years the adverse visual effects will be low. However the change to views will be moderate.
27. Form & Density of Development - The proposal is located on the top of the terrace and is proposed to be 5m high. This is distinctively higher than the buildings on Lot 1 and the neighbouring #50. The height of the proposed building platform envelope does not respond to the existing built forms in the vicinity.
28. The building platform does make use of the conifer shelter belt to provide a backdrop. It is also well setback from public roads. The proposal does make use of existing accessways, plantings and fencing.
29. The proposal will create an intensity of development that is not commensurate with rural landscapes whatever the productive use within the vicinity. It even surpasses the intensity of rural lifestyle patterning which both the ODP and PDP provide for in specific zones.
30. Ms Stevens assures us that the density proposed is not urban, however I consider this incidental as the proposal is located in a VAL rural landscape. The built form is aggregated but in this case too closely to support the local character. The Lot 2 building platform is close to the building on Lot 1 and there is no curtilage identified on Lot 2.
31. The shape of the subject site combines with the natural terrace topography to limit location opportunities for building platforms on the site and also on the adjoining neighbour's site (#50). This has given rise to the close proximity of the existing buildings on these properties. The proposed building platform is clustered close to the existing building on Lot 1. An additional building will in my opinion give rise to densities of residential activity that are not commensurate to the characteristics anticipated by the ODP.
32. I consider that the density reflected by 1.3 and 2.7ha lots is too high for a rural general and VAL planning environment and even below that anticipated by rural lifestyle zoned areas - which this is not.
33. Cumulative Effects - The nature and style of existing development in the enclave has compromised the wider VAL values as Ms Stevens states. Although I concede that the subject site is visually discrete, I consider the introduction of lots less than half the size of others in the enclave and the vicinity, will exacerbate existing adverse effects from the development on this terrace area. Ms Steven has described these adverse effects well and I support her analysis of these. (see also Para. 35)
34. Rural Amenities - I consider the proposal will limit an appropriate sense of openness for those inhabiting #50 and Lots 1 and 2. It will introduce too many residences to be consistent with a rural landscape.
35. Subdivision - ODP 15.1.3 Objective 5.1 supports a measured approach to subdivision such that lot sizes reflect the density of built development anticipated in each area. Objective 5.2 seeks to ensure subdivision patterns and the size 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.
36. At present there are not lots of as small a size as proposed in the application and therefore not the density of built form in the vicinity of the subject site. I consider that to introduce such densities could set a precedent effect which would erode the VAL values of the vicinity. (refer Para. 44)
37. The PDP RCL assessment criteria of 21.8.2 includes much that is covered in the discussion above. Only matters not covered above will be discussed below.



38. Of note is the change from ODP to PDP rules which permit a building to be constructed on a consented building platform. This means that Council's only opportunity to control and manage the style of development is at building platform stage. Further the PDP states that development in a VAL landscapes will be the exception and will be presumed inappropriate in most locations.
39. Effects On Landscape Quality & Character: I don't consider that the proposed design would be compatible with or would enhance the quality and character of the RCL. (refer Para.12 -15)
40. Effects On Visual Amenity: I consider that the height of the proposed building envelope will create a building that is visible from private locations such as the shared driveway to #40,#50,#42. The building will be higher than any other buildings in the view and will be located so close to them that it will detract from the existing character of these views.
41. I acknowledge that public views are mitigated by setbacks, distance and existing vegetation. The proposed planting responds to the existing patterns and species on the site and in the vicinity.
42. Design & Density of Development - I don't consider that the form and density of the proposal is appropriate. Refer to Para. 27-32. I acknowledge that the building platform is located within the parts of the site where it will be least visible. There will be an erosion of landscape character in my opinion as the location does not mitigate against the intensity of the proposal.
43. The colour palette for the building has yet to be proposed by the applicant and I consider this very important to the proposal. Under the PDP this building platform stage is QLDC's only opportunity to have any discretion on the final building outcomes. I therefore recommend that QLDC approve the colour palette for the building prior to consent being granted because of the building's proximity to other buildings in the enclave.
44. Cumulative effects of development on the landscape: - I support Ms Stevens contention that the three existing dwellings on #40, #42 and #50 degrade the rural character of the vicinity. I do consider that the character will be further degraded by this proposal. The proposed density is too high to maintain even the existing landscape quality and character.
45. RMA Precedent effects - in 2011 Queenstown lawyer GM Todd wrote a paper on Precedent Effects, and how they can be regarded within a District Plan environment. *"the issue of precedent is one for consideration in terms of a discretionary activity"*(his paragraph 39) and in Paragraph 37: *"The Court held that, if consented the proposal would likely attract similar activities within similar zones nearby because of the potential synergies....It also found the proposal would displace permitted activities on the site and encourage future applications that would further displace nearby permitted activities and the Court was concerned therefore that the granting of the consent would create a precedent where the City Council would be hard pressed to distinguish the current application from such future applications resulting in creep....."*
46. I contend that there is a serious risk of setting a precedent and generating adverse effects on the VAL environment by allowing the small lot sizes and densities proposed in this application. This could potentially lead to an overall future degradation and domestication of the landscape. I contend that this applies directly to other lots in, and adjacent to, the enclave which contains the subject site.

## RECOMMENDATIONS

Should consent be granted I recommend that the following conditions be included:

1. That the proposed consent condition in Section 3.2 of the Assessment of Effects Report (Oct 2018 by N Scott) relating to the proportion of the building platform to be used for building footprint is maintained;

2. That the proposed building envelope be reduced in height to maintain the existing low level development on the enclave and to preserve some sense of an open character;
3. That prior to consent being granted the colour palette of the proposed building is submitted and approved by Council.
4. That the proposed consent condition in Section 3.2 of the Assessment of Effects Report (Oct 2018 by N Scott) relating to a 3 year delay to building construction after planting is undertaken is incorporated;
5. That the proposed planting for Lot 1 and 2 is amended to include some species that are 5-6m at maturity and have a wider and denser form to effectively reduce visibility of the building from #50 and the shared access drive off Halliday Rd.
6. The previously required planting on the site is completed prior to consent being granted.
7. That the water tank colouration is confirmed and approved by Council prior to consent being granted.
8. All fencing, including fencing around the curtilage area, shall be standard post and wire (including rabbit proof fencing) or deer fencing in keeping with traditional farm fencing.
9. Entrance gateways off public roads shall be of a standard farm gate design of timber or steel construction in keeping with the rural context.
10. All domestic structures including but not limited to clotheslines, outdoor seating areas, external lighting, swimming pools, tennis courts, pergolas, shall be confined to an identified and approved curtilage area defined on the landscape plan.

**Prepared by:**

Kris MacPherson

*BLA*

*Registered NZILA Landscape Architect*

**Reviewed by:**



Helen Mellsop

*BLA, BHB, Dip Hort (Distinction)*

*Registered NZILA Landscape Architect*

**APPENDIX 3 – ENGINEERING REPORT**

## ENGINEERING REPORT

**TO:** Hamish Anderson

**FROM:** Cameron Jones

**DATE:** 04/03/2019

| APPLICATION DETAILS            |   |
|--------------------------------|---|
| REFERENCE                      | RM181400  |
| APPLICANT                      | A Wouters & S Stephani  |
| APPLICATION TYPE & DESCRIPTION | Subdivision Consent is sought to undertake a two-lot subdivision and Land Use consent is sought to establish a building platform. |
| ADDRESS                        | 42 Halliday Road, Wanaka  |
| ZONING                         | ODP: Rural General<br>PDP: Rural  |
| LEGAL DESCRIPTION              | Lot 2 DP 301195   |
| SITE AREA                      | 4.0738 ha   |
| ACTIVITY STATUS                | Discretionary   |

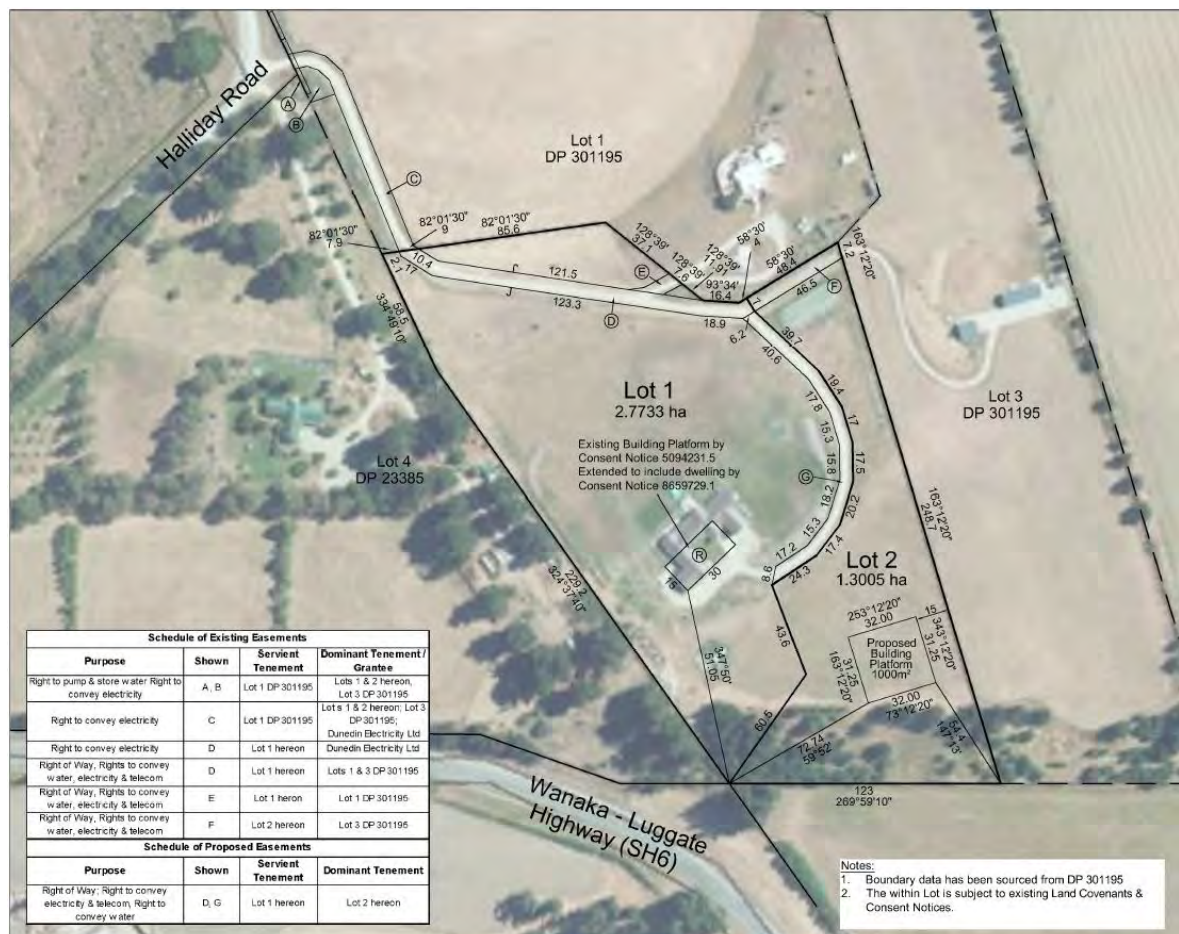
|             |                            |  |
|-------------|----------------------------|--|
| Application | Reference Documents        | Documents provided with consent application.   |
|             | Previous Relevant Consents | RM000172 (underlying subdivision).<br>RM090888 (consent to construct the existing dwelling/lodge). |
|             | Date of site visit         | 23/10/2018   |

| Comments |                   |   |
|----------|-------------------|---|
|          | Existing Use      | Rural allotment with an existing dwelling / visitor accommodation lodge.  |
|          | Neighbours        | Rural allotments with dwellings on all sides.   |
|          | Topography/Aspect | Relatively flat near the building platform; moderately sloping down towards the north at the northern boundary. |

## Location Diagram



## Scheme Plan



| ENGINEERING |        |                  | COMMENTS  | Condition |
|-------------|--------|------------------|---|-----------|
| TRANSPORT   | Access | Means of Access  | <p><b><u>Access</u></b></p> <p>Access to the lot is via a series of right of way easements over Lot 1 DP 301195. I am satisfied that the legal width and formation of the right of way is in accordance with Figure E1 of Council's Land Development and Subdivision Code of Practice. Further rights of way over proposed Lot 1 are proposed to provide access to Lot 2. I am satisfied that the legal width of these easements are appropriate.</p> <p>Given the width of Lot 2's frontage to the right of way, I am satisfied that access to the building platform can be constructed at the time a dwelling is constructed. I recommend an appropriate consent notice condition in this regard.</p> | X         |
|             |        | Vehicle crossing | <p><b><u>Vehicle crossings</u></b></p> <p>The site has access onto Halliday Road via an unsealed vehicle crossing. I am satisfied that the vehicle crossing complies with Council requirements for length, break over angles and sight distances.</p> <p>As Halliday Road is sealed, I recommend a condition that the vehicle crossing be sealed and formed in accordance with Diagram 2 of Appendix 7 of the District Plan prior to 224c certification.</p>  | X         |

| ENGINEERING |        |             | COMMENTS   | Condition |
|-------------|--------|-------------|--|-----------|
| EARTHWORKS  | Extent | Description | <p>Minor earthworks as required to seal the vehicle crossing and install services to Lot 2. I recommend appropriate conditions with regard to site management and making good following the completion of works.</p> | X         |

|          |                   |  |  |
|----------|-------------------|--|--|
| SERVICES | Existing Services | <p>I am satisfied that the servicing of the existing dwelling was assessed and approved as part of the underlying Resource and Building Consents. The dwelling is supplied with water from a private water scheme (the Halliday Road Water Authority), which provides 6,300 litres per day, as per the requirements of RM090888. Requirements for firefighting have been met by the provision of on-site water storage, and an appropriately-located firefighting coupling.</p> <p>Servicing of proposed Lot 2 is discussed further in the following sections.</p> |  |
|----------|-------------------|--|--|

|  |                             |                      |  |          |
|--|-----------------------------|----------------------|--|----------|
|  | Water                       | <b>Potable</b>       | <p>The applicant proposes to provide Lot 2 with water from either a new bore, or via negotiating another connection with the communal supply currently servicing Lot 1.</p> <p>The applicant has provided a letter from McNeill drilling, stating that it is likely that a viable bore can be installed. Given the number of successful bores near the site, I accept this expert advice.</p> <p>I am satisfied that one of these two options will be able to be utilised to provide water for Lot 2, and I recommend that confirmation that 2,100 litres of water can be provided to the building platform be provided to Council prior to the commencement of works (aside from constructing a bore, if required).</p> <p>I recommend a condition that 2,100 litres of water be provided to the building platform prior to 224c certification.</p> | <b>X</b> |
|  |                             | <b>Fire-fighting</b> | At the time a dwelling is constructed on Lot 2, a static firefighting water reserve of 45,000 litres within a 55,000 litre tank (or combination of tanks) will be required, in compliance with SNZ PAS 4509:2008. I recommend an appropriate consent notice condition in this regard.  | <b>X</b> |
|  | <b>Effluent Disposal</b>    |                      | The applicant has provided a soil assessment report from Mt Iron Geodrill (dated 30/05/2018, ref: G19006), demonstrating that on-site disposal of wastewater will be appropriate. I accept this assessment, and I recommend a consent notice condition that the design of the on-site wastewater treatment and disposal system be submitted to Council for approval prior to construction of a dwelling on Lot 2.  | <b>X</b> |
|  | <b>Stormwater</b>           |                      | Given the size of the site, I am satisfied that on-site stormwater disposal will be feasible for a future dwelling on Lot 2. I am satisfied that the specific design of this system will be a requirement of the Building Consent process, and I make no recommendations in this regard.   |          |
|  | <b>Power &amp; Telecoms</b> |                      | 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 224c certification.   | <b>X</b> |
|  |                             |                      |  |          |

|                        |                                    |   |  |
|------------------------|------------------------------------|---|--|
| <b>NATURAL HAZARDS</b> | <b>Hazards on or near the site</b> | Council's GIS shows that the site is subject to a "probably low risk" due to liquefaction (LIC 1 (P)). No other hazards are shown.  |  |
|                        | <b>Hazard assessment by</b>        | Mt Iron Geodrill (MIG)  |  |
|                        | <b>Report reference</b>            | Letter titled ' <i>Liquefaction Potential</i> ,' dated 29 May 2018.   |  |
|                        | <b>Report on Hazards</b>           | <p>The MIG letter states that due to the soil profile (gravel to depth, below a narrow layer of silts and fine sands) and water table level (25-30m below the surface, inferred from nearby bore logs), the risk due to liquefaction is expected to be nil.</p> <p>I accept this expert assessment, and I make no recommendations in this regard.</p> |  |

|                        |  |               |          |
|------------------------|--|---------------|----------|
| <b>PROJECT INFORMA</b> | <b>Developers Engineering Representative</b> | Required.     | <b>X</b> |
|                        | <b>Notice commencement of</b>                | Not required. |          |



|  |                                |   |          |
|--|--------------------------------|---|----------|
|  | <b>Traffic Management Plan</b> | Required for sealing of the vehicle crossing. | <b>X</b> |
|  | <b>Design Certificates</b>     | Not required.                                 |          |
|  | <b>Completion Certificates</b> | Not required.                                 |          |
|  | <b>As built</b>                | Asbuilts are required for the water supply.   | <b>X</b> |

|               |                                 |  |          |
|---------------|---------------------------------|--|----------|
| <b>TITLES</b> | <b>Consent Notices</b>          | Condition 2 of consent notice 5094231.2 states that at the time a dwelling is constructed the owner shall submit details of the effluent disposal system for approval. This condition is deprecated, and I am satisfied it will be adequately met by the consent notices proposed herein.<br><br>I recommend new consent notices with regard to access to Lot 2, treatment of potable water, static firefighting water reserve, and on-site effluent disposal. | <b>X</b> |
|               | <b>Easements</b>                | A condition is recommended to ensure all necessary easements are granted or reserved.  | <b>X</b> |
|               | <b>Road Names on title plan</b> | Not required.  |          |
|               | <b>Building platforms</b>       | Digital location on survey plan required.  | <b>X</b> |
|               | <b>Amalgamation Condition</b>   | Not required.  |          |

### **RECOMMENDED CONDITIONS - SUBDIVISION**

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 consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
3. 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.
4. Prior to commencing works on the site except from installing a bore, if required, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified



below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:

- a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 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 water shall be in addition to the 2,100 litres per day of potable water allocated to the existing dwelling on Lot 1.
  - b) The provision of a sealed vehicle crossing to the boundary of Pt Lot 1 DP 301195 from Halliday Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
5. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

***To be monitored throughout earthworks***

6. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
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.

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

8. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved.

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

9. 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) and Water reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the survey plan 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 reviewed and accepted 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 for Lot 2 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 Lot 2 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 Records of Title 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 RM181400 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- h) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

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

10. 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 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 Mt Iron Geodril, dated 29/05/2018. 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.
  - c) 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.
  - d) 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 combination of tanks (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 6km 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 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.

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### **RECOMMENDED CONDITIONS – BUILDING PLATFORM REGISTRATION**

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

#### ***General conditions***

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 consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
3. 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.
4. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
  - a) The provision of a water supply to service the building platform in accordance with Council's standards. The building platform shall be supplied with a minimum of 2,100 litres per day of potable water that complies/can be treated to comply with the requirements of the Drinking Water Standard for New Zealand 2005 (revised 2008). This water shall be in addition to the 2,100 litres per day of potable water allocated to the existing dwelling.
  - b) The provision of a sealed vehicle crossing to the boundary of Pt Lot 1 DP 301195 from Halliday Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
5. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

***To be monitored throughout earthworks***

6. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).

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.

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

8. 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 Southern Land plan titled 'Lots 1 & 2 being a Proposed Subdivision of Lot 2 DP 301195', Drawing Reference V4042\_S1, Revision A, dated 11/06/2018). The consent holder shall register this "Land Transfer Covenant Plan" on Record of Title Identifier 5246 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.

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

9. Prior to the building platform being registered on the Register of Title, the consent holder shall complete the following:
  - a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this development to the Manager of Resource Management Engineering at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots) and Water reticulation (including private laterals and toby positions).
  - b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Manager of Resource Management Engineering 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 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:
    - iii) The consent holder shall install a treatment system that will treat the 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

    - iv) A covenant shall be registered on the relevant Records of Title 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 RM181400 subdivision consent. The final wording of the covenant 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 development.
- 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 development.
- h) All earthworked area shall be top-soiled and revegetated or otherwise permanently stabilised.
- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Ongoing Conditions/Covenants**

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

- a) All future buildings shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
- b) At the time a 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 Mt Iron Geodril, dated 29/05/2018. The proposed wastewater system shall be subject to Council review prior to implementation and shall be installed prior to occupation of the residential unit.
- c) 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.
- d) Prior to the occupation of any residential unit 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 combination of tanks (or alternative). 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 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 that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by QLDC's standards for rural roads (as per QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any subdivision consent). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of

no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

The 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.

**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 6km 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 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.

Prepared by:



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**LAND DEVELOPMENT ENGINEER**

Reviewed by:



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**SENIOR LAND DEVELOPMENT ENGINEER**

**APPENDIX 4 – QLDC ASSESSMENT MATTERS**

## Relevant Assessment Matters

Assessment Matter 5.4.2.2(3) Visual Amenity Landscapes is relevant to this site. Council is directed to have regard to the following:

- (a) Effects on natural and pastoral character - In considering whether the adverse effects (including potential effects of the eventual construction and use of buildings and associated spaces) on the natural and pastoral character are avoided, remedied or mitigated, the following matters shall be taken into account:
  - (i) where the site is adjacent to an Outstanding Natural Landscape or Feature, whether and the extent to which the visual effects of the development proposed will compromise any open character of the adjacent Outstanding Natural Landscape or Feature;
  - (ii) whether and the extent to which the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape;
  - (iii) whether the development will degrade any natural or arcadian pastoral character of the landscape by causing over-domestication of the landscape;
  - (iv) whether any adverse effects identified in (i) - (iii) above are or can be avoided or mitigated by appropriate subdivision design and landscaping, and/or appropriate conditions of consent (including covenants, consent notices and other restrictive instruments) having regard to the matters contained in (b) to (e) below;
- (b) Visibility of Development - Whether the development will result in a loss of the natural or arcadian pastoral character of the landscape, having regard to whether and the extent to which:
  - (i) the proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and
  - (ii) the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or arcadian pastoral landscapes;
  - (iii) there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of

- the existing natural topography or cultural plantings such as hedge rows and avenues;
  - (iv) the subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;
  - (v) any building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;
  - (vi) any proposed roads, earthworks and landscaping will change the line of the landscape or affect the naturalness of the landscape particularly with respect to elements which are inconsistent with the existing natural topography;
  - (vii) any proposed new boundaries and the potential for planting and fencing will give rise to any arbitrary lines and patterns on the landscape with respect to the existing character;
  - (viii) boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units;
  - (ix) the development constitutes sprawl of built development along the roads of the District and with respect to areas of established development.
- (c) Form and Density of Development
- (i) there is the opportunity to utilise existing natural topography to ensure that development is located where it is not highly visible when viewed from public places;
  - (ii) opportunity has been taken to aggregate built development to utilise common access ways including pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);
  - (iii) development is concentrated in areas with a higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;
  - (iv) the proposed development, if it is visible, does not introduce densities which reflect those characteristic of urban areas.
  - (v) If a proposed residential building platform is not located inside existing development (being two or more houses each not more than 50 metres from the nearest point of the residential building platform) then on any application for resource consent and subject to all the other criteria, the existence of alternative locations or methods:
    - (a) within a 500 metre radius of the centre of the building platform, whether or not:
      - (i) subdivision and/or development is contemplated on those sites;
      - (ii) the relevant land is within the applicant's ownership; and
    - (b) within a 1,100 metre radius of the centre of the building platform if any owner or occupier of land within that area wishes alternative locations or methods to be taken into account as a significant improvement on the proposal being considered by the Council must be taken into account.
  - (vi) recognition that if high densities are achieved on any allotment that may in fact preclude residential development and/or subdivision on neighbouring land because the adverse cumulative effects would be unacceptably large.
- (d) Cumulative effects of development on the landscape - In considering whether and the extent to which the granting of the consent may give rise to adverse cumulative effects on the natural or arcadian pastoral character of the landscape with particular regard to the inappropriate domestication of the landscape, the following matters shall be taken into account:
- (i) the assessment matters detailed in (a) to (d) above;
  - (ii) the nature and extent of existing development within the vicinity or locality;
  - (iii) whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;
  - (iv) whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;
  - (v) the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually



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

- (vi) whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;
- (vii) whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant). Note: For the purposes of this assessment matter the term "vicinity" generally means an area of land containing the site subject to the application plus adjoining or surrounding land (whether or not in the same ownership) contained within the same view or vista as viewed from:
  - from any other public road or public place frequented by the public and which is readily visible from that public road or public place; or
  - from adjacent or nearby residences.

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

(e) Rural Amenities

- (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.

## Relevant Assessment Matters – Proposed District Plan

### 21.21.2 Rural Character Landscape (RCL)

#### 21.21.2.2 Effects on landscape quality and character:

The following shall be taken into account:

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

- c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Character Landscape.

#### 21.21.2.3 Effects on visual amenity:

Whether the development will result in a loss of the visual amenity of the Rural Character Landscape, having regard to whether and the extent to which:

- a. the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Character Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;
- b. the proposed development is likely to be visually prominent such that it detracts from private views;
- c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;
- d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;
- e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;
- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

#### 21.21.2.4 Design and density of development:

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

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

#### 21.21.2.5 Tangata Whenua, biodiversity and geological values:

- a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have. The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

#### 21.21.2.6 Cumulative effects of development on the landscape:

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.
- c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
- d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
- e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;
- f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.

**APPENDIX 5 – QLDC ODP AND PDP OBJECTIVES AND POLICIES**

## OPERATIVE DISTRICT PLAN

### Relevant Objectives and Policies – Section 4

#### 4.1.4 Objectives and Policies

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

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

*Improved opportunity for linkages between the habitat communities.*

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

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

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

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

##### **Policies:**

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

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

##### **Objective:**

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



## Policies:

### 1 Future Development

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

### 4. Visual Amenity Landscapes

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

### 6. Urban Development

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

### 8. Avoiding Cumulative Degradation

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

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

### 9. Structures

To preserve the visual coherence of:

- (a) outstanding natural landscapes and features and visual amenity landscapes by:
  - encouraging structures which are in harmony with the line and form of the landscape;
  - avoiding, remedying or mitigating any adverse effects of structures on the skyline, ridges and prominent slopes and hilltops;
  - encouraging the colour of buildings and structures to complement the dominant colours in the landscape;
  - encouraging placement of structures in locations where they are in harmony with the landscape;
  - promoting the use of local, natural materials in construction.

- (b) visual amenity landscapes
  - by screening structures from roads and other public places by vegetation whenever possible to maintain and enhance the naturalness of the environment; and
- (c) All rural landscapes by
  - limiting the size of signs, corporate images and logos
  - providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads.

#### 11. Forestry and Amenity Planting

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

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

#### 15. Retention of Existing Vegetation

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

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

#### 16. Wilding Trees

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

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

#### 17. Land Use

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

### 4.8.3 Objectives and Policies

#### Objective 1

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

#### Policies:

- 1.1 To increase community awareness of the potential risk of natural hazards, and the necessary emergency responses to natural hazard events.
- 1.2 To continually develop and refine a hazards register in conjunction with the Otago Regional Council, as a basis for Council decisions regarding subdivision and building development.
- 1.3 In conjunction with the Otago Regional Council to continually assess the need for additional protection measures either through the District Plan or as protection works.
- 1.4 To ensure buildings and developments are constructed and located so as to avoid or mitigate the potential risk of damage to human life, property or other aspects of the environment.

- 1.5 To ensure that within the consent process any proposed developments have an adequate assessment completed to identify any natural hazards and the methods used to avoid or mitigate a hazard risk.
- 1.6 To discourage subdivision in areas where there is a high probability that a natural hazard may destroy or damage human life, property or other aspects of the environment.
- 1.7 To avoid or mitigate the likelihood of destruction or damage to residential units and other buildings constructed or relocated into flood risk areas.

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

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

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

##### **Policies**

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

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

##### **Objective 1 - Character and Landscape Value**

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

##### **Policies:**

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

##### **Objective 2 - Life Supporting Capacity of Soils**

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

##### **Policies:**

- 2.1 Avoid, remedy or mitigate adverse effects of subdivision and development on the life-supporting capacity of the soils.
- 2.2 Enable a range of activities to utilise the range of soil types and microclimates.
- 2.3 Encourage the long-term retention of the capabilities of the District's soils through research and dissemination of relevant information to the community.
- 2.4 Encourage land management practices and activities, which avoid, remedy or mitigate adverse effects on soil and vegetation cover.
- 2.5 Encourage land users to monitor the condition of vegetation on their land by providing information and assistance, where practicable.

### **Objective 3 - Rural Amenity**

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

#### **Policies:**

- 3.1 Recognise permitted activities in rural areas may result in effects such as noise, dust and traffic generation, which will be noticeable to residents in the rural areas.
- 3.2 Ensure a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values.
- 3.3 To avoid, remedy or mitigate adverse effects of activities located in rural areas.
- 3.4 To encourage intensive and factory farming away from Rural Residential, Rural Lifestyle, Urban, Residential, or Business Zones, in order to minimise the potential for conflict between these zones.
- 3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.

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

#### **Objective 1 – Servicing**

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

#### **Policies:**

- 1.1 To integrate subdivision roading with the existing road network in an efficient manner, which reflects expected traffic levels and the safe and convenient management of vehicles, cyclists and pedestrians.
- 1.2 To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments.
- 1.3 To achieve provision of pedestrian, cycle and amenity linkages, where useful linkages can be developed.
- 1.4 To avoid or mitigate any adverse visual and physical effects of subdivision and development roading on the environment.
- 1.5 To ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 1.8 To encourage the retention of natural open lakes and rivers for stormwater disposal, where safe and practical, and to ensure disposal of stormwater in a manner which maintains or enhances the quality of surface and ground water, and avoids inundation of land within the subdivision or adjoining land.
- 1.9 To ensure, upon subdivision or development, that anticipated land uses are provided with means of treating and disposing of sewage in a manner which is consistent with maintaining public health and avoids or mitigates adverse effects on the environment.
- 1.11 To ensure adequate provision is made for the supply of reticulated energy, including street lighting, and communication facilities for the anticipated land uses, and the method of reticulation is appropriate to the visual amenity values of the area.
- 1.12 To ensure the requirements of other relevant agencies are fully integrated into the subdivision/development process.

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

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

#### **Strategic Objectives**

- 3.2.1 *The development of a prosperous, resilient and equitable economy in the District.*
  - 3.2.1.7 *Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled.*
  - 3.2.1.8 *Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained.*
- 3.2.4 *The distinctive natural environments and ecosystems of the District are protected.*
  - 3.2.4.1 *Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.*
  - 3.2.4.2 *The spread of wilding exotic vegetation is avoided.*
- 3.2.5 *The retention of the District's distinctive landscapes.*
  - 3.2.5.1 *The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.*
  - 3.2.5.2 *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.*
- 3.2.6 *The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.*
- 3.2.7 *The partnership between Council and Ngāi Tahu is nurtured.*

#### **Strategic Policies**

- 3.3.22 *Provide for rural living opportunities in the areas identified on the District Plan maps as appropriate for rural living developments.*
- 3.3.24 *Ensure that cumulative effects of new subdivision and development for the purposes of rural living does not result in the alteration of the character of the rural environment to the point where the area is no longer rural in character.*
- 3.3.26 *That subdivision and/or development be designed in accordance with best practice land use management so as to avoid or minimise adverse effects on the water quality of lakes, rivers and wetlands in the District.*
- 3.3.29 *Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps.*
- 3.3.30 *Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are more than minor and or not temporary in duration.*



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

### **Policies**

- 6.3.1 Classify the Rural Zoned landscapes in the District as:
- Outstanding Natural Feature (ONF)
  - Outstanding Natural Landscape (ONL)
  - Rural Landscape Classification (RLC)
- 6.3.4 Avoid urban development and subdivision to urban densities in the rural zones.
- 6.3.5 Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.
- 6.3.7 Enable continuation of the contribution low-intensity pastoral farming on large landholdings makes to the District's landscape character.
- 6.3.10 Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes adjacent to Outstanding Natural Features does not have more than minor adverse effects on the landscape quality, character and visual amenity of the relevant Outstanding Natural Feature(s).
- 6.3.11 Encourage any landscaping to be ecologically viable and consistent with the established character of the area.
- 6.3.19 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.
- 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.
- 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.

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

### **Objective 21.2.1**

*A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.*

#### **Policies**

- 21.2.1.1 Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.
- 21.2.1.3 Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.
- 21.2.1.4 Minimise the dust, visual, noise and odour effects of activities by requiring them to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.
- 21.2.1.5 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or views of the night sky.
- 21.2.1.6 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.
- 21.2.1.7 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata whenua.
- 21.2.1.8 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.
- 21.2.1.9 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

#### **Objective 21.2.2**

*The life supporting capacity of soils is sustained.*

#### **Policies**

- 21.2.2.1 Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.
- 21.2.2.2 Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.
- 21.2.2.3 Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of identified wilding exotic trees with the potential to spread and naturalise.

#### **Objective 21.2.4**

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

#### **Policies**

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

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

#### **Objective 27.2.1**

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

#### **Policies**

- 27.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.
- 27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.
- 27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.
- 27.2.1.4 Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:
  - a. desirable urban design outcomes;
  - b. greater efficiency in the development and use of the land resource;
  - c. affordable or community housing.
- 27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.
- 27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.

#### **Objective 27.2.2**

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

#### **Policies**

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

#### **Objective 27.2.4**

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

#### **Policies**

- 27.2.4.1 Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.
- 27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage features and other protected items scheduled or identified in the District Plan.
- 27.2.4.3 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to maori culture and traditions in relation to ancestral lands, water, sites, wāhi tapu and other taonga.
- 27.2.4.4 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:

- a. whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
- b. where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.

### **Objective 27.2.5**

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

### **Policies**

- 27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling. For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.
- 27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.
- 27.2.5.3 Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.
- 27.2.5.4 Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.
- 27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:
  - a. the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;
  - b. the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;
  - c. the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;
  - d. the provision and vesting of corner splays or rounding at road intersections;
  - e. the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;
  - f. the provision of appropriate tree planting within roads;
  - g. any requirements for widening, formation or upgrading of existing roads;
  - h. any provisions relating to access for future subdivision on adjoining land;
  - i. the provision and location of public transport routes and bus shelters.

Water supply, stormwater, wastewater

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

Water

- 27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for

households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.

27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.

27.2.5.10 Ensure appropriate water supply,

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

#### Stormwater

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

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

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

#### Wastewater

27.2.5.13 Treat and dispose of sewage in a manner that:

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

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

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

27.2.5.15 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

#### Energy Supply and Telecommunications



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

- a. providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
- b. ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;
- c. generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.

#### Easements

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

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

**APPENDIX 6 – OTAGO REGIONAL POLICY STATEMENT OBJECTIVES AND POLICIES**

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

### **5.4 Objectives**

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

### **5.5 Policies**

- 5.5.1 To recognise and provide for the relationship Kai Tahu have with Otago's land resource through:
- (a) Establishing processes that allow the existence of heritage sites, waahi tapu and waahi taoka to be taken into account when considering the subdivision, use and development of Otago's land resources; and
  - (b) Protecting, where practicable, archaeological sites from disturbance; and
  - (c) Notifying the appropriate runanga of the disturbance of any archaeological site and avoiding, remedying, or mitigating any effect of further disturbance until consultation with the kaitiaki runanga has occurred.
- 5.5.2 To promote the retention of the primary productive capacity of Otago's existing high class soils to meet the reasonably foreseeable needs of future generations and the avoidance of uses that have the effect of removing those soils or their life-supporting capacity and to remedy or mitigate the adverse effects on the high class soils resource where avoidance is not practicable.
- 5.5.3 To maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, among other adverse effects:
- (a) Reduce the soil's life-supporting capacity
  - (b) Reduce healthy vegetative cover
  - (c) Cause soil loss
  - (d) Contaminate soils
  - (e) Reduce soil productivity
  - (f) Compact soils
  - (g) Reduce soil moisture holding capacity.
- 5.5.4 To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.

- 5.5.6 To recognise and provide for the protection of Otago's outstanding natural features and landscapes which:
- (a) Are unique to or characteristic of the region; or
  - (b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or
  - (c) Represent areas of cultural or historic significance in Otago; or
  - (d) Contain visually or scientifically significant geological features; or
  - (e) Have characteristics of cultural, historical and spiritual value that are regionally significant for Tangata Whenua and have been identified in accordance with Tikanga Maori.
- 5.5.7 To promote the provision of public access opportunities to natural and physical land features throughout the Otago region except where restriction is necessary:
- (i) To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or
  - (ii) To protect Maori cultural values; or
  - (iii) To protect public health or safety; or
  - (iv) To ensure a level of security consistent with the purpose of a resource consent or in circumstances where safety and security concerns require exclusive occupation; or
  - (v) In other exceptional circumstances sufficient to justify the restriction notwithstanding the importance of maintaining that access.
- 10.4 Objectives**
- 10.4.1 To maintain and enhance the life-supporting capacity and diversity of Otago's biota.
- 10.4.2 To protect Otago's natural ecosystems and primary production from significant biological and natural threats.
- 11.4 Objectives**
- 11.4.2 To avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels.
- 11.5 Policies**
- 11.5.2 To take action necessary to avoid or mitigate the unacceptable adverse effect of natural hazards and the responses to natural hazards on:
- (a) Human life; and
  - (b) Infrastructure and property; and
  - (c) Otago's natural environment; and
  - (d) Otago's heritage sites.
- 11.5.3 To restrict development on sites or areas recognised as being prone to significant hazards, unless adequate mitigation can be provided.

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

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

- Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management decisions
- Objective 2.2 Kāi Tahu values, rights and interests and customary resources are recognised and provided for

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

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

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

- a) Improving water quality and quantity;
- b) Protecting or restoring habitat for indigenous species;
- c) Regenerating indigenous species;
- d) Mitigating natural hazards;
- e) Protecting or restoring wetlands;
- f) Improving the health and resilience of:
  - i. Ecosystems supporting indigenous biological diversity;
  - ii. Important ecosystem services, including pollination;
- g) Improving access to rivers, lakes, wetlands and their margins, and the coast;
- h) Buffering or linking ecosystems, habitats and areas of significance that contribute to ecological corridors;
- i) Controlling pest species.

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

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

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

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

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

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

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

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



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

**APPENDIX 7 – DRAFT CONDITIONS**

## Subdivision Conditions

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 2 DP 301195' Dwg V4042\_S1 Rev A 11/06/18 Sheets 1

#### Anne Steven Landscape Architect

- 'Existing Site' October 2018
- 'Proposed Scheme Plan' Plan ref 276.Lp01 Oct 2018

**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.

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link:*  
<http://www.qldc.govt.nz>

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

4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
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. Prior to commencing works on the site except from installing a bore, if required, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) Provision of a minimum supply of 2,100 litres per day of potable water to the building platform on Lot 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 water shall be in addition to the 2,100 litres per day of potable water allocated to the existing dwelling on Lot 1.
  - b) The provision of a sealed vehicle crossing to the boundary of Pt Lot 1 DP 301195 from Halliday Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council 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.

***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 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.

***Upon Completion of Earthworks***

10. The structural landscaping shown on the Anne Steven Proposed Scheme Plan dated October 2018 shall be planted in the first growing season following completion of earthworks for the building platform. The planting shall be physically protected from animal pests and irrigated for a period of at least five years following planting. Thereafter the planting shall be maintained in perpetuity. Should any plant die, become diseased or damaged, the plant shall be replaced to ensure continuous mitigation.

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

11. 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***

12. 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) and Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the survey plan 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 reviewed and accepted works detailed in Condition (6) above.
- d) The consent holder shall submit to the Subdivision Planner at Council Chemical and bacterial tests of the water supply for Lot 2 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 (11d) 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 Lot 2 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 Records of Title 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 RM181400 subdivision consent. The final wording of the consent notice shall be reviewed and approved by Council's solicitors prior to registration.
- f) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- g) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.



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

#### Accidental Discovery Protocol

##### 13. If the consent holder:

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

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

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

Site work may only recommence following consultation with Council.

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

- 14. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Title of Lot 2 by way of Consent Notice pursuant to s.221 of the Act.
  - a) All future buildings, with the exception of water tanks, shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
  - b) The maximum height of any building within the platform shall be no greater than 5m above original ground level.
  - c) The maximum footprint for all buildings combined within a platform shall be 350m<sup>2</sup>.
  - d) No building work shall commence within the platform approved on Lot 2 until 28 May 2022.
  - e) The landscaping shown in 'Proposed Scheme Plan' Plan ref 276.Lp01 prepared by Anne Steven dated Oct 2018 shall be maintained and retained in perpetuity. Should any plant die or become diseased, the lot owner shall replace the plant with the same species or one that will reach a similar height and bulk.

- f) All fencing shall be standard post and wire (including rabbit proof fencing) or deer fencing in keeping with traditional farm fencing.
- g) 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 Mt Iron Geodrive, dated 29/05/2018. 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.
- h) 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.
- i) 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 combination of tanks (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 6km 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 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.

## Land Use Conditions

### General Conditions

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

#### Southern Land

- 'Lots 1 & 2 Being a Proposed Subdivision of Lot 2 DP 301195' Dwg V4042\_S1 Rev A 11/06/18 Sheets 1

#### Anne Steven Landscape Architect

- 'Existing Site' October 2018
- 'Proposed Scheme Plan' Plan ref 276.Lp01 Oct 2018

**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.

### Engineering

#### **General conditions**

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd May 2018 and subsequent amendments to that document up to the date of issue of any resource consent.

*Note: The current standards are available on Council's website via the following link:*  
<http://www.qldc.govt.nz>

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

4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
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. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
  - a) The provision of a water supply to service the building platform in accordance with Council's standards. The building platform shall be supplied with a minimum of 2,100 litres per day of potable water that complies/can be treated to comply with the requirements of the Drinking Water Standard for New Zealand 2005 (revised 2008). This water shall be in addition to the 2,100 litres per day of potable water allocated to the existing dwelling.
  - b) The provision of a sealed vehicle crossing to the boundary of Pt Lot 1 DP 301195 from Halliday Road to be in terms of Diagram 2, Appendix 7 of the District Plan. This shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage.
7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council 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.

***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 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.

***Upon Completion of Earthworks***

10. The structural landscaping shown on the Anne Steven Proposed Scheme Plan dated October 2018 shall be planted in the first growing season following completion of earthworks for the building platform. The planting shall be physically protected from animal pests and irrigated for a period of at least five years following planting. Thereafter the planting shall be maintained in perpetuity. Should any plant die, become diseased or damaged, the plant shall be replaced to ensure continuous mitigation.

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

11. 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 Southern Land plan titled 'Lots 1 & 2 being a Proposed Subdivision of Lot 2 DP 301195', Drawing Reference V4042\_S1, Revision A, dated 11/06/2018). The consent holder shall register this "Land Transfer Covenant Plan" on Record of Title Identifier 5246 and shall execute all documentation required to register this plan. The costs of doing so are to be borne by the consent holder.



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

12. Prior to the building platform being registered on the Register of Title, the consent holder shall complete the following:

- a) The consent holder shall provide 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this development to the Manager of Resource Management Engineering at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots) and Water reticulation (including private laterals and toby positions).
- b) A digital plan showing the location of all building platforms as shown on the Land Transfer Plan shall be submitted to the Manager of Resource Management Engineering 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 works detailed in Condition (6) 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 (11d) 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 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 shall be registered on the relevant Records of Title 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 RM181400 subdivision consent. The final wording of the covenant 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 development.
- 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 development.
- h) All earthworked area shall be top-soiled and revegetated or otherwise permanently stabilised.

- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

### **Ongoing Conditions/Covenants**

13. At the time that the building platform is registered on the Register of Title for Lot 2, 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, with the exception of water tanks, shall be contained within the Building Platform as shown as Covenant Area X as shown on Land Transfer Plan XXXXX.
  - b) The maximum height of any building within the platform shall be no greater than 5m above original ground level.
  - c) The maximum footprint for all buildings combined within a platform shall be 350m<sup>2</sup>.
  - d) No building work shall commence within the platform approved on Lot 2 until 28 May 2022.
  - e) The landscaping shown in 'Proposed Scheme Plan' Plan ref 276.Lp01 prepared by Anne Steven dated Oct 2018 shall be maintained and retained in perpetuity. Should any plant die or become diseased, the lot owner shall replace the plant with the same species or one that will reach a similar height and bulk.
  - f) All fencing shall be standard post and wire (including rabbit proof fencing) or deer fencing in keeping with traditional farm fencing.
  - g) 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 Mt Iron Geodrill, dated 29/05/2018. 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.
  - h) 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.
  - i) 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 combination of tanks (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 6km 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 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.

**APPENDIX 8 – S95 REPORT**



REFERENCE: RM181400

APPLICANT: Anne-Marie Germaine Wouters and Steven Jozef Elisabeth Stephani

ACTIVITY: Consent to undertake a two lot subdivision and establish a building platform on the new Lot 2

LOCATION: 42 Halliday Road, Wanaka

The applicant has requested that the application be publicly notified. Pursuant to section 95(2)(b) of the Resource Management Act 1991, the consent authority must notify an application for a resource consent if so requested by the applicant.

It is therefore recommended that the application be publicly notified pursuant to section 95(2)(b) of the Resource Management Act 1991.

## **1 Public Notification**

Section 2AA of the Resource Management Act sets out that *public notification* means the following:

- (a) *giving notice of the application or matter in the manner required by section 2AB; and*
- (b) *giving that notice within the time limit specified by section 95, 169(1) or 190(1); and*
- (c) *serving notice of the application or matter on every prescribed person.*

### **1.1 Public Notice**

Public notice of the application is to be given in the prescribed form by way of advertisement in the Wanaka Sun.

### **1.2 Service**

Notice of the application is to be served on every prescribed person, as set out in clause 10(2) of the Resource Management (Forms, Fees and Procedure) Regulations 2003 as follows:

(2) *The consent authority must serve that notice on—*

- (a) *every person who, in the opinion of the consent authority, is an affected person within the meaning of section 95B in relation to the activity that is the subject of the application or review:*

The applicant has requested public notification under section 95A(3)(a), therefore pursuant to Section 95B(1), Steps 1-4 to determine Limited Notification are not relevant.

*(b) every person, other than the applicant, who the consent authority knows is an owner or occupier of land to which the application or review relates:*

**N/A**

*(c) the regional council or territorial authority for the region or district to which the application or review relates:*

**Otago Regional Council**

**Queenstown Lakes District Council Parks & Reserves Department (C/- Aaron Burt)**

*(d) any other iwi authorities, local authorities, persons, or bodies that the consent authority considers should have notice of the application or review:*

The iwi authorities to be served notice are as follows:

**Aukaha**

**Te Runanga o Moeraki**

**Kati Huirapa Runanga ki Puketeraki**

**Te Runanga o Otakou**

**Te Ao Marama Inc**

**Ngai Tahu Group Management**

Other local authorities and bodies that the consent authority considers should have notice of the application are as follows:

**Delta Utility Services Limited**

**NZ Fire Service**

**Wanaka Residents Association**

**Wanaka Chamber**

Any other person whom the consent authority considers should have notice of the application is as follows:

**N/A**

*(e) the Minister of Conservation, if the application or review relates to an activity in a coastal marine area or on land that adjoins a coastal marine area:*

**N/A**

*(f) the Minister of Fisheries, the Minister of Conservation, and the relevant Fish and Game Council, if an application relates to fish farming (as defined in the Fisheries Act 1996) other than in the coastal marine area:*

**N/A**

*(g) the Heritage New Zealand Pouhere Taonga, if the application or review—*

*(i) relates to land that is subject to a heritage order or a requirement for a heritage order or that is otherwise identified in the plan or proposed plan as having heritage value; or*

*(ii) affects any historic place, historic area, wahi tapu, or wahi tapu area registered under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPT)*



**N/A**

*(h) a protected customary rights group that, in the opinion of the consent authority, may be adversely affected by the grant of a resource consent or the review of consent conditions.*

**N/A**

*(ha) a customary marine title group that, in the opinion of the consent authority, may be adversely affected by the grant of a resource consent for an accommodated activity:*

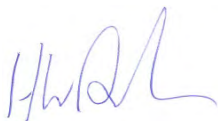
**N/A**

*(i) Transpower New Zealand, if the application or review may affect the national grid.*

**N/A**

**Report prepared by**

**Report reviewed by**



Hamish Anderson  
**CONSULTANT SENIOR PLANNER**



Erin Stagg  
**SENIOR PLANNER**

#### PLANNER'S RECOMMENDATION

*For the reasons set out in the above assessment this application for resource consent shall be processed on a notified basis, comprising public notice and the service of the application on the above identified prescribed persons.*

Report Dated:                ??? 2019

**ATTACHMENT A – Parties considered affected in the context of section 95E of the Act**

## ATTACHMENT A – PARTIES CONSIDERED AFFECTED IN THE CONTEXT OF SECTION 95E OF THE ACT

The parties considered affected in the context of section 95E of the Act are identified on the aerial photograph below. The names, addresses and postal addresses are provided further below.



Calum Lewis Macdonald MacLeod, Andrea Jane Riley, Southern Trustees 2005 Ltd (Gavin Castles)

- 38 Halliday Road, Lot 4 DP 23385
- Postal Address: P.O Box 12, Wanaka, Wanaka 9343

Wesley Dennis Cooper, Robert John Cooper and Kemp Trustee Co Limited

- 40 Halliday Road, Wanaka, Part Lot 1 DP 301195
- Postal Address: 40 Halliday Road, RD 2, Wanaka 9382

Karen Ann Ryan, Prudence Mary Poole and Cook Allan Gibson Trustee Co Limited

- 50 Halliday Road, Lot 3 DP 301195
- Postal Address: 64a Hewitts Road, Merivale, Christchurch 8014

Christopher Bruce Paddon and Jacqueline Jean Paddon

- 477 Wanaka – Luggate Highway, Lot 1 DP 300389
- Postal Address: 477 Wanaka – Luggate Highway, RD 2, Wanaka 9382