

**APPLICATION AS NOTIFIED
RM191380
TJ BERBEN & D LAWSON**

**Submissions Close
19 March 2020**



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



Under Section 87AAC, 88 & 145 of the Resource Management Act 1991 (Form 9)

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application may not be accepted for processing.



APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

*Contact details supplied must be for the applicant and not for an agent acting on their behalf and must include a valid postal address

*Email Address:

*Phone Numbers: Day

Mobile:

*The Applicant is:

☐

Owner

☐

Prospective Purchaser (of the site to which the application relates)

☐

Occupier

☐

Lessee

Other - Please Specify:



Our preferred methods of corresponding with you are by email and phone.

The decision will be sent to the Correspondence Details by email unless requested otherwise.



CORRESPONDENCE DETAILS //

If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

*Name & Company:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:



INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf.

For more information regarding payment please refer to the Fees Information section of this form.

*Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:

☐

Agent:

☐

Other - Please specify:

Email:

☐

Post:

☐

*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



OWNER DETAILS // Please supply owner details for the subject site/property if not already indicated above

Owner Name:

Owner Address:

If the property has recently changed ownership please indicate on what date (approximately) AND the names of the previous owners:

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

If it is assessed that your consent requires development contributions any invoices and correspondence relating to these will be sent via email. Invoices will be sent to the email address provided above unless an alternative address is provided below. Invoices will be made out to the applicant/owner but can be sent to another party if paying on the applicant's behalf.

*Please select a preference for who should receive any invoices.

Details are the same as for invoicing

☐

Applicant:

☐

Landowner:

☐

Other, please specify:

*Attention:

*Email:

[Click here for further information and our estimate request form](#)



DETAILS OF SITE // Legal description field must list legal descriptions for all sites pertaining to the application. Any fields stating 'refer AEE' will result in return of the form to be fully completed.

*Address / Location to which this application relates:

*Legal Description: Can be found on the Computer Freehold Register or Rates Notice – e.g Lot x DPxxx (or valuation number)

District Plan Zone(s):



SITE VISIT REQUIREMENTS // Should a Council officer need to undertake a site visit please answer the questions below

Is there a gate or security system restricting access by council?

YES ☐ NO ☐

Is there a dog on the property?

YES ☐ NO ☐

Are there any other hazards or entry restrictions that council staff need to be aware of?

YES ☐ NO ☐

If 'yes' please provide information below



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

Have you had a pre-application meeting with QLDC or attended the urban design panel regarding this proposal?

☐

Yes

☐

No

☐

Copy of minutes attached

If 'yes', provide the reference number and/or name of staff member involved:



CONSENT(S) APPLIED FOR // * Identify all consents sought

☐

Land use consent

☐

Subdivision consent

☐

Change/cancellation of consent or consent notice conditions

☐

Certificate of compliance

☐

Extension of lapse period of consent (time extension) s125

☐

Existing use certificate



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

☐

Controlled Activity

☐

Deemed Permitted Boundary Activity

If your consent qualifies as a fast-track application under section 87AAC, tick here to opt out of the fast track process

☐

BRIEF DESCRIPTION OF THE PROPOSAL //

* Please complete this section, any form stating 'refer AEE' will be returned to be completed with a description of the proposal

*Consent is sought to:



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☐

Yes

☐

No

Please note there is an additional fee payable for notification. Please refer to Fees schedule



OTHER CONSENTS

Is consent required under a National Environmental Standard (NES)?

- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

An applicant is required to address the NES in regard to past use of the land which could contaminate soil to a level that poses a risk to human health. Information regarding the NES is available on the website

<http://www.mfe.govt.nz/laws/standards/contaminants-in-soil/>.

You can address the NES in your application AEE OR by selecting ONE of the following:

☐

This application does not involve subdivision (excluding production land), change of use or removal of (part of) a fuel storage system. Any earthworks will meet section 8(3) of the NES (including volume not exceeding 25m³ per 500m²). Therefore the NES does not apply.

☐

I have undertaken a comprehensive review of District and Regional Council records and I have found no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

NOTE: depending on the scale and nature of your proposal you may be required to provide details of the records reviewed and the details found.



OTHER CONSENTS // CONTINUED

☐

I have included a Preliminary Site Investigation undertaken by a suitably qualified person.

☐

An activity listed on the HAIL has more likely than not taken place on the piece of land which is subject to this application. I have addressed the NES requirements in the Assessment of Environmental Effects.

☐ Any other National Environmental Standard

☐

Yes

☐

N/A

Are any additional consent(s) required that have been applied for separately?

☐ Otago Regional Council

Consents required from the Regional Council (note if have/have not been applied for):

☐

Yes

☐

N/A



INFORMATION REQUIRED TO BE SUBMITTED //

Attach to this form any information required (see below & appendices 1-2).

To be accepted for processing, your application should include the following:

☐

Computer Freehold Register for the property (no more than 3 months old) and copies of any consent notices and covenants (Can be obtained from Land Information NZ at <https://www.linz.govt.nz/>).

☐

A plan or map showing the locality of the site, topographical features, buildings etc.

☐

A site plan at a convenient scale.

☐

Written approval of every person who may be adversely affected by the granting of consent (s95E).

☐

An Assessment of Effects (AEE).

An AEE is a written document outlining how the potential effects of the activity have been considered along with any other relevant matters, for example if a consent notice is proposed to be changed. Address the relevant provisions of the District Plan and affected parties including who has or has not provided written approval. See [Appendix 1](#) for more detail.



We prefer to receive applications electronically – please see Appendix 5 – [Naming of Documents Guide](#) for how documents should be named. Please ensure documents are scanned at a minimum resolution of 300 dpi. Each document should be no greater than 10mb



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991 and may also be used in statistics collected and provided to the Ministry for the Environment and Queenstown Lakes District Council. The information will be stored on a public register and may be made available to the public on request or on the company's or the Council's websites.



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing and granting of resource consents (including certificates of compliance and existing use certificates).

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of a resource consent application are payable prior to issuing of the decision. Payment is due on the 20th of the month or prior to the issue date – whichever is earlier.



FEES INFORMATION // CONTINUED

If your application is notified or requires a hearing you will be requested to pay a notification deposit and/or a hearing deposit. An applicant may not offset any invoiced processing charges against such payments.

Section 357B of the Resource Management Act provides a right of objection in respect of additional charges. An objection must be in writing and must be lodged within 15 working days of notification of the decision.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the Applicant is responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.

MONITORING FEES – Please also note that if this application is approved you will be required to meet the costs of monitoring any conditions applying to the consent, pursuant to Section 35 of the Resource Management Act 1991.

DEVELOPMENT CONTRIBUTIONS – Your development, if granted, may also incur development contributions under the Local Government Act 2002. You will be liable for payment of any such contributions.

A list of Consent Charges is available on the on the Resource Consent Application Forms section of the QLDC website. If you are unsure of the amount to pay, [please call 03 441 0499](tel:034410499) and ask to speak to our duty planner.

Please ensure to [reference any banking payments correctly](#). Incorrectly referenced payments may cause delays to the processing of your application whilst payment is identified.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.



PAYMENT // An initial fee must be paid prior to or at the time of the application and proof of payment submitted.

Please reference your payments as follows:

Applications yet to be submitted: RM followed by first 5 letters of applicant name e.g RMJONES

Applications already submitted: Please use the RM# reference that has been assigned to your application, this will have been emailed to yourself or your agent.

Please note processing will not begin until payment is received (or identified if incorrectly referenced).

I confirm payment by:

☐

Bank transfer to account 02 0948 0002000 00 (If paying from overseas swiftcode is – BKNZNZ22)

☐

Cheque payable to Queenstown Lakes District Council attached

☐

Manual Payment (can only be accepted once application has been lodged and acknowledgement email received with your unique RM reference number)

*Reference

*Amount Paid: Landuse and Subdivision Resource Consent fees - please select from drop down list below

(For required initial fees refer to website for Resource Consent Charges or spoke to the Duty Planner by phoning 03 441 0499)

*Date of Payment

Invoices are available on request

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.

☐

If lodging this application as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

OR:

☐

If lodging this application as **agent of the Applicant:**

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to within the Fees Information section.

☐

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form

Firm/Company

Dated

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.



Section 2 of the District Plan provides additional information on the information that should be submitted with a land use or subdivision consent.

The RMA (Fourth Schedule to the Act) requires the following:

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

- Any information required by this schedule, including an assessment under clause 2(1)(f) or (g), must be specified in sufficient detail to satisfy the purpose for which it is required.

2 INFORMATION REQUIRED IN ALL APPLICATIONS

- (1) An application for a resource consent for an activity (the activity) must include the following:

- (a) a description of the activity;
- (b) a description of the site at which the activity is to occur;
- (c) the full name and address of each owner or occupier of the site;
- (d) a description of any other activities that are part of the proposal to which the application relates;
- (e) a description of any other resource consents required for the proposal to which the application relates;

Information provided within the Form above

- (f) an assessment of the activity against the matters set out in Part 2;
- (g) an assessment of the activity against any relevant provisions of a document referred to in section 104(1)(b).

- (2) The assessment under subclause (1)(g) must include an assessment of the activity against—

- (a) any relevant objectives, policies, or rules in a document; and
- (b) any relevant requirements, conditions, or permissions in any rules in a document; and
- (c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

Include in an attached Assessment of Effects (see Clauses 6 & 7 below)

- (3) An application must also include an assessment of the activity's effects on the environment that—

- (a) includes the information required by clause 6; and
- (b) addresses the matters specified in clause 7; and
- (c) includes such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

- An application must also include any of the following that apply:
 - (a) if any permitted activity is part of the proposal to which the application relates, a description of the permitted activity that demonstrates that it complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1));
 - (b) if the application is affected by section 124 or 165ZH(1)(c) (which relate to existing resource consents), an assessment of the value of the investment of the existing consent holder (for the purposes of section 104(2A));

ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

- (1) An assessment of the activity's effects on the environment must include the following information:
 - (a) if it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity;
 - (b) an assessment of the actual or potential effect on the environment of the activity;
 - (c) if the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment that are likely to arise from such use;
 - (d) if the activity includes the discharge of any contaminant, a description of—
 - (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 - (ii) any possible alternative methods of discharge, including discharge into any other receiving environment;
 - (e) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect;
 - (f) identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted;
 - (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved;
 - (h) if the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).
- (2) A requirement to include information in the assessment of environmental effects is subject to the provisions of any policy statement or plan.
- (3) To avoid doubt, subclause (1)(f) obliges an applicant to report as to the persons identified as being affected by the proposal, but does not—
 - (a) oblige the applicant to consult any person; or
 - (b) create any ground for expecting that the applicant will consult any person.

CLAUSE 7: MATTERS THAT MUST BE ADDRESSED BY ASSESSMENT OF ENVIRONMENTAL EFFECTS

- (1) An assessment of the activity's effects on the environment must address the following matters:
 - (a) any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects;
 - (b) any physical effect on the locality, including any landscape and visual effects;
 - (c) any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity;
 - (d) any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
 - (e) any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants;
 - (f) any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.
- (2) The requirement to address a matter in the assessment of environmental effects is subject to the provisions of any policy statement or plan.

UNDER THE FOURTH SCHEDULE TO THE ACT:

- An application for a subdivision consent must also include information that adequately defines the following:
 - (a) the position of all new boundaries:
 - (b) the areas of all new allotments, unless the subdivision involves a cross lease, company lease, or unit plan:
 - (c) the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips:
 - (d) the locations and areas of any existing esplanade reserves, esplanade strips, and access strips:
 - (e) the locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A:
 - (f) the locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A):
 - (g) the locations and areas of land to be set aside as new roads.

Will your resource consent result in a Development Contribution and what is it?

- A Development Contribution can be triggered by the granting of a resource consent and is a financial charge levied on new developments. It is assessed and collected under the Local Government Act 2002. It is intended to ensure that any party, who creates additional demand on Council infrastructure, contributes to the extra cost that they impose on the community. These contributions are related to the provision of the following council services:
 - Water supply
 - Wastewater supply
 - Stormwater supply
 - Reserves, Reserve Improvements and Community Facilities
 - Transportation (also known as Roding)

[Click here for more information on development contributions and their charges](#)

OR Submit an Estimate request *please note administration charges will apply



Please note that some land use consents can be dealt with as fast track land use consent. This term applies to resource consents where they require a controlled activity and no other activity. A 10 day processing time applies to a fast track consent.

If the consent authority determines that the activity is a deemed permitted boundary activity under section 87BA of the Act, written approval cannot be withdrawn if this process is followed instead.

A fast-track application may cease to be a fast-track application under section 87AAC(2) of the Act.

While it is not essential that your documents are named the following, it would be helpful if you could title your documents for us. You may have documents that do not fit these names; therefore below is a guide of some of the documents we receive for resource consents. Please use a generic name indicating the type of document.

Application Form 9

Engineering Report

Assessment of Environmental Effects (AEE)

Geotechnical Report

Computer Register (CFR)

Wastewater Assessment

Covenants & Consent Notice

Traffic Report

Affected Party Approval/s

Waste Event Form

Landscape Report

Urban Design Report

Ecological Report

Tony Berben & Diane Lawson

**Land use and Subdivision Application and Assessment of
Effects on the Environment for a 5 lot subdivision and
associated residential building platforms.**

19 December 2019

APPLICATION FOR RESOURCE CONSENT UNDER SECTION 88 OF THE RESOURCE MANAGEMENT ACT 1991

To: Queenstown Lakes District Council

Tony Berben and Diane Lawson

c/- Brown & Company Planning Group Ltd, PO Box 1467, Queenstown, applies for resource consent as follows.

1. The names and addresses of the owner and occupier (other than the applicant) of any land to which the application relates are as follows:

Tony Berben and Diane Lawson are the owners of the property at Te Awa Road, Hawea.

2. The land to which the application relates is:

Address	Identifier	Legal Description	Area
Te Awa Road	1931	Lot 13 DP 300251	20.0712 hectares more or less

A copy of the Certificate of Title is attached at **Attachment B**.

3. The type of resource consents sought are as follows:

- Subdivision consent; and
- Land use consent for residential building platforms

4. A description of the activity to which the application relates is:

The applicant proposes a subdivision to create five new lots at Te Awa Road, Hawea. The subdivision will create rural residential living opportunities with the establishment of building platforms on each lot.

The proposal is described in detail in Part 3 of the Assessment of Effects on the Environment (**Attachment A**) and in the supporting reports and plans that accompany this application.

5. The following additional resource consents are required in relation to this proposal and have or have not been applied for:

A separate consent from Otago Regional Council will be sought if required for discharge to land for the sewage disposal.

6. I attach, in accordance with the Fourth Schedule of the Resource Management Act 1991, an assessment of environmental effects in the detail that

corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

The assessment of effects on the environment is attached as **Attachment A**.

7. I attach information required to be included in this application by the district plan, and Resource Management Act 1991.

A list of attachments to the application is provided below.

8. Where the application is for subdivision consent:

All information required in relation to the subdivision is shown on the Plan prepared by Patch Landscape Architecture, attached as **Attachment F** and the Scheme Plan (**Attachment D**) prepared by Patterson Pitts.

Declaration

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being complete and accurate.

If signing as the Applicant, I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

If signing as agent of the Applicant, I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

I hereby apply for the resource consent(s) for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.



.....
for Brown & Company Planning Group
on behalf of

Tony Berben & Diane Lawson

19 December 2019

Address for service of applicant:

Tony Berben & Diane Lawson
c/- Brown & Company Planning Group
PO Box 1467
QUEENSTOWN 9348

Attention: Jeff Brown / Morgan Shepherd

Telephone: 03 409 2258

Mobile: 021 715 572

Email: jeff@brownandcompany.co.nz / morgan@brownandcompany.co.nz

Address for invoicing:

Tony Berben & Diane Lawson
021 470 608
tony.berben@outlook.co.nz

Attachments:

- A.** An Assessment of Effects on the Environment in accordance with the Fourth Schedule to the Act.
- B.** Certificate of Title and Interests
- C.** Location Plan
- D.** Scheme Plan, prepared by Patterson Pitts Group
- E.** Landscape Masterplan, prepared by Patch Landscape Architecture
- F.** Landscape Assessment, prepared by Patch Landscape Architecture
- G.** Landscape Attachments, prepared by Patch Landscape Architecture
- H.** Infrastructure Report, prepared by Patterson Pitts Group
- I.** Geotechnical Assessment Report, prepared by Mount Iron Geodrill
- J.** Form 9 - QLDC

FOURTH SCHEDULE ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

1. A description of the proposal

1.1. Scope of this Document

This Assessment of Effects on the Environment ("AEE") is submitted in fulfilment of the applicant's duties under the Resource Management Act 1991 ("RMA"). The AEE addresses matters relating to this land use consent application to the Queenstown Lakes District Council ("QLDC" or "the Council") for the proposal.

This AEE has been prepared in accordance with the requirements of section 88 and the Fourth Schedule of the RMA and provides all information necessary for a full understanding of the proposal and the effects it will have on the environment. To this end, the AEE contains the following information:

- A description of the site and surrounding locality;
- A description of the proposal;
- Relevant provisions of the QLDC's District Plan (operative objectives, policies and methods, and proposed objectives and policies);
- An assessment of effects on the environment, including analysis of relevant assessment matters;
- Assessment under Part 2 of the Resource Management Act 1991;

1.2. The Site and Locality

The subject site comprises a 20 hectare block within a larger rural subdivision along Te Awa Road, approximately 2km south of the Lake Hawea Township on the western terrace of the Hawea River towards the toe of Mount Maude. The site location is illustrated in Figure 1 below and the location plan at **Attachment C**.



Figure 1. Location of 161 Te Awa Road

Access to the site is existing off Te Awa Road. The first portion of Te Awa Road is a public road with the northern extent being a private Right of Way (**ROW**) (which is referred to as Te Awa Road). The proposed subdivision will obtain access from this private ROW.

The site is described in more detail in the landscape assessment by Patch Landscape; attached as **Attachment E**.

1.3. The Proposal

1.3.1. Introduction

The application seeks to subdivide the property to create 5 new rural residential lots, ranging in size from 1.85ha to 7.99ha. Each rural residential lot will accommodate a 1000m² residential building platform, rural amenity trees along the driveway and in groups around the proposed curtilage areas, gravel driveway and associated earthworks. The concept masterplan prepared by Patch Landscape Architecture illustrates the proposal for each lot in detail (**Attachment F**).

Access will be obtained from Te Awa Road and the private ROW that extends from it.. A new access will be created north of the existing access into the property. A new ROW will be created through the site to provide access to the proposed lots. Vehicle crossings will be constructed at the boundary of each lot.

The site is relatively flat, therefore only requiring earthworks for the construction of the ROW and access ways.

1.3.2. Subdivision

The land will be subdivided to create 5 new rural residential lots as shown on the Scheme Plan, prepared by Paterson Pitts Group, at **Attachment D**. The proposed lot sizes are as follows:

Lot Number	Lot Size
Lot 1	18,500m ²
Lot 2	26,200m ²
Lot 3	41,800m ²
Lot 4	37,900m ²
Lot 5	79,900m ²

1.3.3. Proposed building and activities

Each of the proposed lots contains a registered building platform that will provide for residential use. These building platforms are 1000m² (the dimensions of the building platform vary) and will be registered to the title of each lot. The building maximum height of any building on proposed Lots 4 and 5 will be 5.5m and the maximum height on proposed Lots 2 and 3 will be 6.5m. These heights will be implemented by way of consent notice condition. The building platform on proposed Lot 1 will not be restricted.

1.3.4. Landscaping

The landscaping proposed is shown on the plans at **Attachment F**.

Each lot contains a curtilage area which range in size from 2835m² to 3885m², around the proposed building platforms. Future lot owners will have the ability to landscape their curtilage area accordingly.

All existing tree planting and vegetation is to be retained on site. The existing trees along the Lake Hawea – Albert Town Road and northern and southern boundaries provide a significant degree of screening. It is proposed to establish Leyland cypress along the boundaries where views from outside the site exist. Sporadic clusters of amenity planting (trees and native shrubs) around the building platforms and avenue trees along the proposed ROW and lot access ways are proposed for mitigation and to maintain and enhance rural amenity.

The retention and protection of the vegetation will be secured by way of consent notice on the titles.

1.3.5. Access and parking

Access to the proposed subdivision will be via Te Awa Road and the existing ROW.

A metalled ROW extends from the end of Te Awa Road to the subject site, with a legal width of 8m and a carriageway width of 3 – 3.5m. The ROW was recently formalized through RM190648. The applicant proposed to upgrade the existing ROW to 3.5m with two new passing bays and widening around the corners (as shown in roading plans contained within **Attachment H**).

A new access way will be created north of the existing access to 161 Te Awa Road where a farm gate and avenue tree planting exists as shown in Figure 2 below. This access way will become a ROW and provide access to Lots 2 – 5.



Figure 2. Existing and proposed access way locations

Private driveways will be constructed with a minimum 150mm compacted M4 AP40 metal throughout the subdivision to provide access to the individual lots. These driveways will extend from the ROW that provides access to Lots 2 – 5 to the building platform.

The ROW's and private driveways will be constructed to an E2 type road as per the Council's Code of Practice with a slight departure in relation to the width, distance between passing bays and the sealing of access ways.

No new access ways onto the Lake Hawea – Albert Town Road or Te Awa Road are proposed.

1.3.6. Infrastructure

Infrastructure is addressed in the report by infrastructural engineering report by Paterson Pitts Group, at **Attachment H**. The report's summary is as follows:

Water supply

A 27m deep water bore was installed approximately 15 years ago and is currently capped off. 116,640 litres is available to be pumped from the bore per day. This will provide for the 2100 litre minimum that is required per day for a new lot. It is proposed to utilise the bore to service proposed Lots 2 – 5.

The existing dwelling on proposed Lot 1 is connected to the Hawea Water Scheme.

At the time of building, each Lot will be required to install a small domestic water treatment plant and provide sufficient water supply for firefighting purposes.

Wastewater

The proposed Lots are suitable for onsite wastewater disposal as detailed in the Geotechnical and Infrastructure Reports (**Attachments H & I**). Detailed design of wastewater disposal systems can be provided at the time of building consent.

The existing dwelling on proposed Lot 1 is connected to an operational septic system.

Stormwater management

Low impact design stormwater features are proposed within the subdivision. The ROW and new access way designs include grassed swales that are directed into open pastures along the existing overland flow path routes. This run off will be absorbed via existing grass pasture.

Each Lot will be required to discharge stormwater from the building platform and private access ways to ground via stormwater soakage installed at the time of building.

Electricity

Power will be supplied from the existing infrastructure along the ROW or Albert Town – Lake Hawea Road.

Aurora Energy have confirmed electricity supply is available to service the proposed subdivision.

Telecommunications

Telecommunications will be supplied from the existing infrastructure along the ROW or Albert Town – Lake Hawea Road.

Chorus has confirmed that telecommunications can be provided to the proposed subdivision.

Summary

The proposed subdivision can be serviced appropriately. All services and infrastructure will be required to be installed underground to serve the proposed building platforms.

1.3.7. Geotechnical and earthworks, and construction management

The Geotechnical Report (**Attachment I**) concludes that the proposed subdivision is geotechnically suitable provided the recommendations in the report are adhered to.

It is proposed to undertake a total volume of 2427m³ of earthworks across approximately 5706m² in association with the construction of roading and access to the proposed building platforms.

The maximum depth of cut is approximately 1m and the maximum height of fill is approximately 0.5m.

Appropriate construction management controls have been outlined within the infrastructure report prepared by Paterson Pitts Group ([Attachment H](#)).

1.4. Zoning and consents required

1.4.1. Operative District Plan

The site is within the Rural General Zone of the Operative District Plan (**ODP**), and is contained within the Visual Amenity Landscape (**VAL**).

The relevant rules for the proposal are addressed as follows:

Rule	Activity	Status	Consent Required
Chapter 15 – Subdivision, Development & Financial Contributions			
15.2.3.3 (vi)	In the Rural General Zone all subdivision and location of residential building platforms shall be a discretionary activity, except any subdivision of land zoned Rural General pursuant to Rule 15.2.3.3 (vii) (Kirimoko Block – Wanaka).	Discretionary	Yes
15.2.21.1	Controlled Subdivision Activity – Earthworks	Controlled	Yes

The relevant site and zone standards of the Rural General Zone are addressed as follows:

Site Standard	Requirement	Comment	Consent required?
(ii) Access	Each residential unit shall have legal access to a formed road.	Each residential unit will be serviced from an access off Te Awa Road through ROW easements as shown on the Scheme Plan	No
Zone Standard	Requirement	Comment	Consent required?
(i) Building Height	The maximum height for any building, other than non-residential buildings ancillary to viticulture or farming activities shall be 8m.	The maximum height on building platforms 2, 3, 4 and 5 will be restricted to 5.5m and 6.5m by way of consent notice condition.	No
(ii) Setbacks from Roads	The minimum setback from road boundaries shall be 20m.	No building platforms are located within 20m of the road boundary.	No

The relevant site and zone standards for subdivision are addressed as follows:

Site Standard	Requirement	Comment	Consent required?
(i) Lot Sizes	Not specified for Rural General	Lots sizes range from 1.87 – 8ha.	N/A
(ii) Lot Dimensions	Not specified for Rural General	N/A	N/A

(iii) Certification of Allotments	Applications for certification of allotment son an existing Survey Plan pursuant to section 226(1)(ii) of the Act are to be in accordance with the requirements of the District Plan	N/A	N/A
(iv) Lot Averages	Not specified for Rural General	N/A	N/A

Zone Standard	Requirement	Comment	Consent required?
(i) Lot Sizes	No minimum – Discretionary Activity	N/A	N/A
(ii) Lot Averages	N/A	N/A	N/A

Note that under s86F of the Act (when rules in proposed plans must be treated as operative), a rule in a proposed plan must be treated as operative (and any previous rule as inoperative) if the time for making submissions or lodging appeals on the rule has expired and, in relation to the rule, no submissions in opposition have been made or appeals have been lodged; or all submissions in opposition and appeals have been determined; or all submissions in opposition have been withdrawn and all appeals withdrawn or dismissed.

The relevant site and zone standards of the Transport chapter are addressed as follows:

Site Standard	Requirement	Comment	Consent required
14.2.4.1 (i) Minimum Parking Space Numbers	Two parking spaces are required per residential unit	Two parking spaces can be accommodated for on each lot.	No
14.2.4.1 (vi) Parking Area and Access Design	Accord with NZS4404:2004 standards. Private shared vehicle access shall have legally enforceable arrangements for maintenance put in place at the time they are created. Formed access widths for 1 to 6 units shall provide passing bays.	A right of way will be created from Te Awa Road to service the proposed lots. Passing bays are proposed along the right of way (further detail in the Infrastructure report at Attachment H).	No
14.2.4.1 (ix) Reverse Manoeuvring	Where off-street manoeuvring facilities are required, a 90 th -percentile car shall be able to manoeuvre into an out of any required parking spaces with only one manoeuvre.	Reverse manoeuvring is required because five lots will share a single access way. This can be accommodated for on each lot given the size of the lots.	No
14.2.4.1 (x) Residential Parking Spaces	Residential parking spaces for Class 1 and Class 2 users minimum dimensions Single: 3.1m x 5.5m Double: 5.6m x 5.6m	Car parking space dimensions can be achieved on each lot.	No
14.2.4.1 (xiv) Surface of parking and loading areas	The surface of all parking, loading and associated areas shall be formed, sealed or	The right of way and private access ways will be formed with a metal	No

	otherwise maintained so as not to create a dust or noise nuisance, to avoid water ponding on the surface and to avoid run-off onto adjoining roads.	surface. Dust and noise nuisance will be avoided.	
Zone Standard			
14.2.4.2 (i) Length of vehicle crossing	Vehicle crossing providing access to a road in a Rural Zone shall comply with standards in Appendix 7.	The vehicle crossings will be constructed at the time of subdivision and provide access from a private right of way therefore the 6m length is not applicable.	No
14.2.4.2 (ii) Design of vehicle crossing	Vehicle crossings providing access to a road in a Rural Zone shall comply with the standards in Appendix 7.	All vehicle crossings must cross the property boundary at 90 degrees (plus or minus 15 degrees), and intersect the carriageway at 45 degrees to 90 degrees. These requirements can be achieved.	No
14.2.4.2 (iii) Maximum gradient for vehicle access	The maximum gradient for any private way used for vehicle access shall be 1 in 6.	No details have been provided in respect of the access gradients, however given the topography of the site, compliance is expected to be achieved.	No
14.2.4.2 (iv) Minimum sight distances from vehicle access	The minimum sight distances are set out in table 3 and must be complied with. 50km – 45m 60km – 65m 70km – 85m	Sight distances are not applicable as the proposed subdivision will be accessed from a private access way.	No
14.2.4.2 (v) Maximum Number of Vehicle Crossings	The maximum number of vehicle crossings for roads depends on the frontage length.	The proposal does not include any additional crossings to the State Highway or Te Awa Road.	No
14.2.4.2 (vi) Distances of Vehicle Crossings from Intersections	No part of any vehicle crossing shall be located closer to the intersection of any roads than 25m.	The vehicle crossing is existing via Te Awa Road.	No

1.4.2. Proposed District Plan

The Queenstown Lakes District Council notified Stage 1 of the District Plan review on 26 August 2015. The Stage 1 Decisions were notified on 7 May 2018. The appeal period has closed and rules that are not subject appeal are to be treated as operative.

The site is within the Rural Zone of the Proposed District Plan (**PDP**) and is contained within the Rural Character Landscape (**RCL**) Classification.

Rule	Activity	Status	Consent Required
Chapter 21 – Rural Zone			

21.4.10	The identification of a building platform not less than 70m ² and not greater than 1000m ² .	Discretionary	Yes
Chapter 27 – Subdivision			
27.5.11	All subdivision activities in the Rural and Gibbston Character Zones and Airport Zone – Wanaka, unless otherwise provided for.	Discretionary	Yes
27.7.10	Every allotment created for the purposed of containing residential activity shall identify one building platform of not less than 70m ² in area and not greater than 1000m ² in area.	Non-Complying	No

The Queenstown Lakes District Council notified Stage 2 of the District Plan review on 23 November 2017. Stage 2 included an Earthworks chapter, of which a number of provisions have immediate legal effect.

Pursuant to Rule 23.3.2.5, earthworks associated with subdivision under Chapter 27 are exempt from the maximum volume, cut and fill standards. All other rules in the Earthworks Chapter apply to earthworks associated with subdivision, these have been assessed and no consent is required under the Earthworks Chapter.

Rule	Activity	Status	Consent Required
Chapter 29 – Transport			
29.5.14	Access and Road Design a. All vehicular access to fee simple title lots, cross lease, unit title or lease, unit title or leased premises shall be in accordance with Table 3.2 (Road Design Standards) of the QLDC Land Development and Subdivision Code of Practice 2018, including the notes within Table 3.2 and Appendices E and F; except as provided for in 29.5.14b.	Restricted Discretionary	Yes – for the slight deviation in relation to the distance required between passing bays, the sealing of access ways and the movement lane width required.

1.4.3. National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

Under the NES, land is considered to be actually or potentially contaminated if an activity or industry on the Hazardous Activities or Industries List (**HAIL**) has been or is more likely than not to have been undertaken on that land.

Therefore, the NES only applies to land that is potentially or actually affected by contaminants because of its historical and/or current use and the type of activities previously undertaken on the site. The land use history is therefore the trigger to determining whether the land is considered by the NES. For the land subject to this application and from the information available it can be concluded that:

- (a) The site has historically been used for agricultural purposes, primarily for the light grazing of stock and rural residential activities within the existing barn.

- (b) There are no, and have never been any, sheep dips, silage storage or pesticide storage areas, or other storage of any chemicals.
- (c) There has been no persistent application of pesticides.

Overall, based on the information available the land is not a HAIL site, and there is no risk to human health resulting from the change of use from farm land to residential use, over part of the land.

The land for which resource consent is being sought is not considered as being a HAIL site under sub clause (7) in section 5 of the NES and no further consideration is necessary.

1.4.4. Summary of consents required

Under the Proposed District Plan

- A **Discretionary** activity consent pursuant to Rule 27.5.11 for subdivision in the Rural Zone;
- A **Discretionary** activity consent pursuant to Rule 21.4.10 for the identification of residential building platforms on each lot.

Overall the proposal requires a **Discretionary** activity resource consent.

The relevant assessment matters for resource consent application are addressed in detail below in Part 4 below.

2. Site History

RM010623 – To erect a barn with living area, kitchen and bathroom.

RM190648 – To establish a right of way to legalise the current access formation.

RM190957 – For additions to an existing residential dwelling (the barn) and to construct a shed outside an approved building platform.

3. Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

The location of the lots and building platforms were considered in detail during the design phase of this proposal by the Landscape Architect and Engineers. The proposed locations will have the least impact on the surrounding environment when viewed from public places.

The activity will not result in any significant adverse effects on the environment, and therefore no alternative locations or methods have been considered in this application.

4. An assessment of the actual or potential effect on the environment of the proposed activity:

4.1. Introduction

This assessment of effects on the environment addresses:

- The permitted baseline and existing environment;

- Effects on landscape and visual amenity values;
- Effects of earthworks;
- Effects in relation to servicing and infrastructure;
- Effects in relation to traffic and roading;
- Cumulative effects;
- Assessment matters;
- Summary.

4.2. Permitted/Consented Baseline and existing/receiving environment

Section 104 (2) of the Resource Management Act states that when forming an opinion on whether there are adverse effects from an activity on the environment, the consent authority may disregard adverse effects if the plan explicitly permits that certain activity.

On this site, permitted activities include:

- Earthworks which do not breach site standard 5.3.5.1(vii) or are included in Rule 5.3.3.3(i)(a)(ii);
- A fence less than 2 metres high anywhere within the site, including deer fencing, post and rail, post and wire.
- A structure associated with farming activities (as defined) anywhere within the site.
- Any structure erected more than 10m from a road boundary, which is less than 5 meters in length, and less than 1m in height.
- Planting of trees and vegetation (excluding forestry activity¹, shelterbelt planting in an alpine area with an altitude greater than 1070masl, and landscaping that falls within Rule 5.3.3.3(i)(a)(ii).
- Horticultural, viticulture and agricultural farming activities (if complying with those relevant site and zone standards).

4.3. Effects on landscape and visual amenity values

The subject site is zoned Rural General and classified as VAL in the ODP. Under the PDP the site is zoned Rural and classified as an RCL.

Visibility

The boundary of the site has been planted with rural character trees that are now mature and restrict views into the site from all surrounding public and private viewpoints.

Patch Landscape has prepared a masterplan design (**Attachment F**) which includes a small amount of infill planting along the boundary and clusters of trees around the curtilage areas to mitigate potential views of the any future building within the proposed building platforms, as discussed below.

¹ Forestry Activity means the use of land primarily for the purpose of planting, tending, managing and harvesting of trees for timber or wood production in excess of 0.5ha in area.

The building platform on Lot 2 may be visible from eastern parts of Te Awa Road. The proposed poplar planting to the south of the building platform will assist in mitigating potential views of any future dwelling on this site.

The building platform on Lot 4 may be visible through a gap in the boundary planting along Albert Town – Lake Hawea Road where an existing farm gate is located. The proposed cluster of rural character trees to the west of the building platform will assist in mitigating this intermittent view.

The building platform on Lot 5 is visible from the stretch of Albert Town – Lake Hawea Road as it descends from Camp Hill to the Te Awa terrace; as well as a small gap in vegetation, and parts of Te Awa Road. Where there are small gaps in the boundary planting, cypress and poplars are proposed to mitigate views of the building platform. Clusters of rural character trees near the curtilage area on Lot 5 are also proposed to mitigate views from Albert Town – Lake Hawea and Te Awa Roads.

With regard to views from public places, the proposal is not visible from the Hawea River walking track on the opposite side of the river. The site benefits from the mature vegetation that exists on site, and any view from public roads is intermittent, at a distance and confined to narrow gaps in the existing vegetation.

The proposal will not be visually prominent or detract from public or private views.

Effects on landscape character and visual amenity values

The site is located within a flat river terrace categorised as a VAL/RCL; and is located more than 700m from the nearest Outstanding Natural Landscape (ONL). Given the proposal is visually confined by mature boundary planting and vegetation within the site, the proposal will maintain the surrounding landscape character.

The proposed landscaping is consistent with the vegetation patterns of the surrounding area and will not detract from the existing landscape character.

As discussed in the Landscape Assessment (**Attachment E**), the proposal will increase the landscape's rural living character, but not at the expense of the landscapes dominant open and rural values.

The proposal will result in less than minor adverse effects on the landscape character.

Overall, any adverse effects on the landscape and visual amenity values of the site and the wider vicinity are less than minor.

The Patch report concludes as follows:

“The proposal will see an increase in the landscape's rural living character, but this development will be set within discrete landscape units and within wider areas of open space. The landscape's pastoral and rural character will remain dominant. The enclosed nature of the site by virtue of existing and proposed boundary planting will ensure very little of the development will be visible from outside the boundaries of the site.

Overall, it is considered the development will result in low adverse effects on landscape character and very low adverse effects on visual amenity”

This conclusion equates to a finding that any adverse effects of the proposal on landscape and visual amenity values are less than minor.

4.4. Effects of earthworks

The proposal is consistent with the existing topography and landform of the site. The proposed building platforms are located on flat land and earthworks are only required to create access to proposed building platforms on Lots 2 – 5.

The total volume of earthworks is 2427m³ comprising of 500m³ of cut, 500m³ of fill and 1472m³ of topsoil. The total area of earthworks is 5706m².

Future earthworks within the proposed lots will be required to install services such as water tanks and waste water disposal fields. These earthworks will be assessed at the time of building consent, but this will not cause any adverse effects. The applicant will accept the standard environmental management conditions and implement controls as and when required to mitigate any potential adverse environmental effects arising from the earthworks construction phase.

The proposed earthworks are appropriate to facilitate the proposed subdivision. The earthworks will modify the landform to only a minor degree and will not adversely affect the natural landscape characteristics.

4.5. Effects in relation to services and infrastructure

Wastewater

Mt Iron Geodrill has confirmed the proposed Lots are suitable for onsite wastewater disposal. The design of the system will need to be considered at the time of building a dwelling on each lot.

No adverse effects will result from the subdivision in terms of waste water disposal and management.

Stormwater

Mt Iron Geodrill has confirmed that the site is suitable for stormwater disposal, and that soak pits could be installed within each lot. Paterson Pitts Group have adopted a low impact stormwater design which includes grassed swales which direct stormwater into open grassed pastures and discharge to ground within the Lots, as discussed in Part 1.3.6 above.

Run off from the proposed ROW and access ways will therefore be dissipated via the existing grassed pastures surrounding the proposed building platforms. No attenuation is required and given the location of the subject site within an existing large rural landscape, any increased run off can simply be absorbed by the existing pasture that surrounds the site.

No adverse effects will result from the subdivision in terms of storm water management.

Potable & Firefighting Water

The proposed lots will be provided with at least 2100L of potable water per day from the water bore, as discussed in Part 1.3.6 above. At the time of building a dwelling on each lot, each lot will be required to install a small domestic water treatment plant and provide water supply for firefighting purposes at the time of building. The future lot owners will need to comply with New Zealand Fire Fighting Standard PAS SNZ4509:2008, and be in place prior to the occupation of any dwelling. A consent notice condition will require compliance the standard and ensure firefighting reserve is provided on each lot.

Any water tanks or treatment plants are to be located within the building platform and to be adequately screened from neighbouring lots; or completely buried within the boundaries of the lot. This will assist in avoiding any potential visual effects that could arise from installing large water tanks in a rural landscape.

Electricity and telecommunications

The provision for underground servicing is available. The respective service providers have confirmed that electricity and telecommunication services are available to each lot and no adverse effects arise on those networks or from the installation of them.

Summary

Overall, the proposed lots will be self-contained and therefore the environmental effects of servicing and infrastructure will be less than minor.

4.6. Effects in relation to traffic and roading

As detailed in Section 1.3.5 above access is to be obtained via Te Awa Road and the existing ROW. The existing ROW is proposed to be upgraded to a width of 3.5m with passing bays. However this ROW will still deviate from the E2 type road standards. The legal width of the existing ROW is 8m. An E2 road type requires a movement lane width of 5.5 – 5.7m. This required width is not achievable due to the existing power transformers and trees that are currently located within the 8m legal width. As such the proposed upgrade and new passing bays along the ROW are appropriate given the constraints and the rural nature of the subdivision.

A new ROW is to be created within the subdivision to provide access to Lots 2 – 5. The proposed ROW will also have a movement width of 3.5m. Passing bays are proposed but do not meet the distance standard given the existing vegetated nature of the site. However given the ROW will serve 4 lots, high traffic volumes are unlikely and the proposed width will be safely and efficiently appropriate to service the proposal.

Access ways to each lot will be constructed in association with the proposed subdivision. These will consist of a minimum 150mm compacted layer of M4 AP40 metal as recommended by the designer at Paterson Pitts (**Attachment H**). This is a slight deviation from the Code of Practice standards, however the departure is appropriate given the rural nature of the subdivision.

The proposal provides for an addition of four residential dwellings to the subject site that will be accessed from Te Awa Road, which is a local road extending from Lake Hawea – Albert Town Road. This will result in increased vehicle movements along Te Awa Road and the new ROW that provides access to the subject site and proposed lots.

The proposed subdivision is not considered to increase traffic movements significantly, there are no issues identified on the ability of the existing road way network (Lake Hawea – Albert Town Road and Te Awa Road) to cope with the level of additional traffic.

The proposed subdivision will not give rise to adverse traffic and roading effects.

4.7. Cumulative effects

There are a number of smaller rural lifestyle sized lots in the vicinity of the proposal, adjacent to the Clutha River. These lots are visible from Lake Hawea – Albert Town Road, Te Awa Road and the walking track on the opposite side of the Hawea River.



Figure 3. Map illustrating smaller lot sizes

■ Subject site ■ Smaller lots

Given the proposed subdivision is not highly visible and will be difficult to view from the aforementioned roads and public places and within the wider landscape, any cumulative adverse visual effects arising from the existing level of development along with the proposed subdivision are less than minor. The proposal will be consistent with the immediate and wider rural character of the locality.

4.8. Assessment Matters

The relevant assessment matters are:

21.21.2 Proposed District Plan – Rural Zone (Rural Character Landscape (RCL) Assessment Matters)

Assessment Matter	Assessment Matter detail	Assessment
21.21.2.1	<p><i>Existing vegetation that:</i></p> <p>a) <i>Was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,</i></p> <p>b) <i>Obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:</i></p> <p>i. <i>As beneficial under any of the following assessment matters unless the Council considered the vegetation (or some of it) is appropriate for the location in the</i></p>	<p>The existing vegetation on site was planted in stages during 2000/2001 and therefore can be considered beneficial under the following assessment matters and to form part of the permitted baseline.</p>

	<p>context of the proposed development; and</p> <p>ii. As part of the permitted baseline</p>	
21.21.2.2	<p><i>Effects on landscape quality and character:</i> <i>The following shall be taken into account:</i></p> <p>a) <i>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;</i></p> <p>b) <i>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;</i></p> <p>c) <i>Whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Character Landscape.</i></p>	<p>The site is not adjacent to an ONF or ONL and therefore clause (a) is not relevant.</p> <p>On clauses (b) and (c), as detailed in the Landscape Assessment at Attachment E, the proposal will not degrade the quality and character of the surrounding RCL.</p> <p>The proposed landscaping is illustrated on the Landscape Plans at Attachment F, which has been designed to mitigate any potential visual effects from public places whilst complementing the character of the surrounding RCL.</p>
21.21.2.3	<p><i>Effects on visual amenity:</i> <i>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:</i></p> <p>a) <i>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 road, 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;</i></p> <p>b) <i>The proposed development is likely to be visually prominent such that it detracts from private views;</i></p> <p>c) <i>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;</i></p> <p>d) <i>The proposed development is enclosed by confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;</i></p> <p>e) <i>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;</i></p>	<p>The visibility of the proposal has been discussed above in Section 4.3. Any adverse effects on landscape character will be less than minor as the site is visually confined by existing and additional tree planting.</p> <p>The site is not visually prominent, and potential views into the site will be narrow and intermittent in nature.</p> <p>The proposed landscaping will provide mitigation of views to Lots 2, 4 and 5, and will remain in keeping with the existing vegetation and landscape character.</p> <p>The proposed ROW, access ways and lot boundaries take advantage of the existing topography and vegetation on site.</p>

	<i>f) Boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.</i>	
21.21.2.4	<p><i>Design and density of development:</i></p> <p><i>In considering the appropriateness of the design and density of the proposed development, whether and to what extent;</i></p> <p><i>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);</i></p> <p><i>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;</i></p> <p><i>c) Development, including access, is located within the parts of the site they will be least visible from public and private locations</i></p> <p><i>d) Development, including access, is located in parts of the site where they will have the least impact on landscape character.</i></p>	<p>The lot sizes range from 12,500m² to 79,900m².</p> <p>The subdivision is accessed via Te Awa Road and a ROW.</p> <p>Given the site is surrounded with existing vegetation, is only visible in intermittent glimpse views, it has the ability to absorb change and provide for rural living development. The lots are not necessarily clustered however they are generally located centrally rather than on the periphery of the site.</p> <p>The ability to absorb development and the design of the proposal ensures access and buildings will not be highly visible.</p> <p>Based on this, any adverse effects of the proposal on the landscape character are less than minor.</p>
21.21.2.5	<p><i>Tangata Whenua, biodiversity and geological values:</i></p> <p><i>a) Whether and to what extent the proposed development will degrade Tangata Whenua values including Topuni 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.</i></p> <p><i>The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.</i></p>	<p>There are no historic heritage values listed on the site, nor is the site within the wahi tupuna overlay. As such it is understood that no tangata whenua values or wahi tupuna sites are affected by the proposal.</p> <p>There are no indigenous biodiversity values on the site.</p>
21.21.2.6	<p><i>Cumulative effects of development on the landscape:</i></p> <p><i>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;</i></p> <p><i>a) The proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situation that would result in loss of valued quality, character and openness due to the prevalence of</i></p>	<p>As previously discussed in section 4.7, the proposed subdivision and location of building platforms are not highly visible from Lake Hawea – Albert Town Road, Te Awa Road and surrounding public places, and therefore has limited ability to degrade the landscape quality, character and visual amenity values.</p> <p>The proposal is located within an area that has capacity to absorb development, and therefore will not give rise to adverse cumulative effects.</p>

	<p><i>residential or non-farming activity within the Rural Landscape.</i></p> <p>b) <i>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.</i></p>	
21.21.3.1	<i>In the case of proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.</i>	The proposal includes establishing building platforms.
21.21.3.3	<p><i>In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:</i></p> <p>a) <i>Whether the proposed subdivision or development provide an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;</i></p> <p>b) <i>Whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;</i></p> <p>c) <i>Any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;</i></p> <p>d) <i>Any opportunity to retire marginal farming land and revert it to indigenous vegetation where adverse effects cannot be avoided, mitigated or remedies, the merits of any compensation;</i></p> <p>e) <i>Whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the values landscape character.</i></p>	<p>The site is a relatively small rural lot which provides for rural living and light grazing (by the neighbour's sheep). There are no indigenous biodiversity values or opportunities for open space covenants or esplanade reserves.</p> <p>The existing boundary planting, and additional planting, will be imposed by consent notice, which will protect the current rural amenity.</p> <p>There are no practical opportunities, or the necessity for, any easements for public access.</p> <p>There is no need to retire the land from farming or to revert to indigenous vegetation.</p>

4.9. Summary of effects on the environment

Any potential adverse effects of the proposal on the environment are less than minor, due to:

- Utilising the existing topography and vegetation in respect of the location of the proposed lot boundaries and building platforms;
- Proposed landscaping which further limits the extent to which the development is visible from surrounding public and private locations;
- Locating services and infrastructure underground to avoid adverse visual effects;
- Low impact stormwater design.

5. Objective and Policies of the relevant planning instruments

The relevant planning instruments, and the relevant sections of each, are:

- Queenstown Lakes Operative District Plan – Chapters 4, 5, 14 and 15;
- Queenstown Lakes Proposed District Plan – Chapters 3, 6, 21, 27 and 29;
- The Operative and Proposed Regional Policy Statements.

These are addressed as follows.

5.1. Operative District Plan (District Wide, Rural General, Transport and Subdivision)

5.1.1. Objectives and Policies – District Wide (Part 4)

Part 4 Provision	Detail of Provision	Assessment
4.2.5 – Broad District Wide Objective	<i>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.</i>	The proposed subdivision will result in less than minor adverse effects on the landscape and visual amenity values as discussed in the Landscape Assessment (Attachment E). The proposal is consistent with Objective 4.2.5.
Policy 1 – Future Development	<p>(a) <i>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.</i></p> <p>(b) <i>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.</i></p> <p>(c) <i>To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.</i></p>	<p>The landscape and visual amenity values of land within the RCL can be vulnerable to degradation. The site's attributes provide it with the ability to absorb development in a way that potential adverse effects are avoided or adequately mitigated by the location of the building platforms and mitigation planting to complement the existing planting.</p> <p>The topography and existing mature vegetation provides the opportunity for low visibility and appropriate development. The proposal harmonises with the topography given it is relatively flat with a terrace running north – south.</p> <p>The proposal is consistent with Policy 1.</p>
Policy 4 – Visual Amenity Landscapes	(a) <i>To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:</i>	As discussed in the Landscape Assessment (Attachment E), the proposal is not highly visible from public roads and places.

	<ul style="list-style-type: none"> • <i>Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in the Plan); and</i> • <i>Visible from public roads</i> <p>(b) <i>To mitigate loss of or enhance natural character by appropriate planting and landscaping.</i></p> <p>(c) <i>To discourage linear tree planting along roads as a method of achieving (a) or (b) above.</i></p>	<p>A small amount of planting is proposed along the southern boundary to assist in mitigating views, and to enhance the natural character.</p> <p>The proposal is consistent with Policy 4.</p>
<i>Policy 8 – Avoiding Cumulative Degradation</i>	<p><i>In applying the policies above the Council's policy is:</i></p> <p>(a) <i>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.</i></p> <p>(b) <i>To encourage comprehensive and sympathetic development of rural areas</i></p>	<p>The proposal involves the creation of 5 rural living lots that will not be highly visible from public roads and places, and the combined effects of the eventual dwellings, access and mitigation planting will not be outweighed by potential adverse effects on the landscape values, nor will it result in over domestication of the landscape because of the very low degree of visible change overall.</p> <p>The proposal is consistent with Policy 8.</p>
<i>Policy 9 – Structures</i>	<p><i>To preserve the visual coherence of:</i></p> <p>(a) <i>Outstanding natural landscapes and features and visual amenity landscapes by:</i></p> <ul style="list-style-type: none"> • <i>Encouraging structures which are in harmony with the line and form of the landscape</i> • <i>Avoiding, remedying or mitigating any adverse effects of structures on the skyline, ridges and prominent slopes and hilltops;</i> • <i>Encouraging the colour of buildings and structures to complement the dominant colours in the landscape;</i> • <i>Encouraging placement of structures in locations where they are in harmony with the landscape;</i> • <i>Promoting the use of local, natural material in construction.</i> 	<p>The proposal includes the establishment of five building platforms which are restricted by maximum height controls implemented by way of consent notice. These height limits are appropriate to avoid or mitigate any potential effects of the future building on the landscape.</p> <p>Given the site is relatively flat with a terrace feature through the middle of the site, there is no opportunity for future buildings to be located on skylines, ridges or prominent slopes and hilltops.</p> <p>The materials and colours of future buildings will be controlled by the PDP standards.</p> <p>The proposal is consistent with Policy 9.</p>

5.1.2 Objectives and Policies – Rural General (Part 5)

Part 5 Provision	Detail of Provision	Assessment
Objective 1 – Character and Landscape Value	<i>To protect the character and landscape value of the rural area by promoting sustainable management of the natural and physical resource and the control of adverse effects caused through inappropriate activities</i>	<p>The proposal includes measures to ensure that the character and landscape value of the area is protected, and to avoid or adequately mitigate any potential adverse effects arising from the development.</p> <p>The proposal is consistent with Objective 1.</p>

<i>Policy 1.1</i>	<i>Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.</i>	The proposal will not compromise the values of the VAL for the reasons set out in the assessment in Part 5.1.1 above. The proposal is consistent with Policy 1.1.
<i>Policy 1.2</i>	<i>Allow for the establishment of a range of activities, which utilise the soil resource of the rural area in a sustainable manner.</i>	The site is currently used for rural living and light grazing purposes. The separation into additional rural living allotments will still retain some arable and pastoral potential of the land and soil resources. The lots will be attractive to residents seeking a large expanse of rural land for a variety of rural purposes including light grazing, horses, amenity or productive gardening, or for open space qualities, all of which are enabled in the rural location. The proposal is consistent with Policy 1.2.
<i>Policy 1.3</i>	<i>Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.</i>	The development will not compromise the potential productivity of the land as discussed above in relation to Policy 1.2. The proposal is consistent with Policy 1.3.
<i>Policy 1.4</i>	<i>Ensure activities based on the rural resource of the area occur only where the character of the rural area will not be adversely impacted.</i>	The rural character of the area will not be adversely impacted by the proposal as discussed in Part 4.3 above. The proposal is consistent with Policy 1.4.
<i>Policy 1.5</i>	<i>Provide for a range of buildings allied to rural productive activity and worker accommodation.</i>	The policy is not relevant insofar as the proposal is not intended to provide for worker accommodation, and any buildings for any rural productive activity (barn, shed etc) will be either within the building platform or subject to future consent applications.
<i>Policy 1.6</i>	<i>Avoid, remedy or mitigate adverse effects of development on the landscape values of the District.</i>	As previously discussed, the proposal does not give rise to adverse landscape effects that are minor or more than minor. The proposal is consistent with Policy 1.6.
<i>Policy 1.7</i>	<i>Preserve the visual coherence of the landscape by ensuring all structures are to be located in area with the potential to absorb change.</i>	As the site is visually confined by the existing vegetation, it has the ability to absorb development that is not visually prominent. The proposal is consistent with Policy 1.7.
<i>Policy 1.8</i>	<i>Avoid remedy or mitigate the adverse effects of the location of structure and water tanks on skyline, ridges, hills and prominent slopes.</i>	The site has flat terraces and building platforms are not visually prominent and therefore no structure or water tank has the ability to break skylines, ridges, hills or prominent slopes. The proposal is consistent with Policy 1.8.
Objective 2 – Life Supporting Capacity of Soils	<i>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.</i>	The site does not contain highly productive soils. The vegetation that exists on site will be retained and can be protected for future generations. The proposal is consistent with Objective 2.

<i>Policy 2.1</i>	<i>Avoid, remedy or mitigate adverse effects of subdivision and development on the life-supporting capacity of the soils.</i>	The proposed subdivision does not result in adverse effects of the soil. The sites can still be used for small scale rural activities as discussed above. The proposal is consistent with Policy 2.1.
Objective 3 – Rural Amenity	<i>Avoiding, remedying or mitigating adverse effects of activities on rural amenity.</i>	As discussed in the Landscape Assessment (Attachment E) the proposal will result in low adverse effects on rural amenity with grazing and pastoral land continuing to form the character of the site. The proposal is consistent with Policy 3.
<i>Policy 3.1</i>	<i>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.</i>	Policy 3.1 is acknowledged, and it is expected that any future owner is aware of these effects.
<i>Policy 3.2</i>	<i>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.</i>	The site can still be grazed by stock and crop/produce will be able to be grown on each lot. The proposal is consistent with Policy 3.2.
<i>Policy 3.3</i>	<i>To avoid, remedy or mitigate adverse effects of activities located in rural areas.</i>	There will be no minor or more than minor adverse effects on the environment – any potential adverse effect has been recognised and measure for avoiding, remedying and mitigating such effect have been adopted in the proposal, and adverse effects are less than minor. The proposal is consistent with Policy 3.3.
<i>Policy 3.5</i>	<i>Ensure residential dwelling are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.</i>	All proposed building platforms are generously setback from boundaries to ensure rural amenity is maintained within and outside the subject site. The proposal is consistent with Policy 3.5.

5.1.3 Objectives and Policies – Transport (Part 14)

Part 14 Provision	Detail of Provisions	Assessment
Objective 2 – Safety and Accessibility	<i>Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.</i>	Te Awa Road will be maintained and the ROW will be upgraded to provide access to the site.
<i>Policy 2.2</i>	<i>To ensure the intensity and nature of activities along particular roads is compatible with road capacity and function, to ensure both vehicle and pedestrian safety.</i>	The proposal will not result in traffic generation that is incompatible with the road capacity and function, nor will be adversely affect vehicle safety. The proposal is consistent with Policy 2.2.
<i>Policy 2.7</i>	<i>To ensure vegetation plantings are sited and/or controlled so as to maintain adequate visibility and clearance at road intersections and property access and to prevent the icing of roads during winter months, except and unless that vegetation is important to the visual amenity of the</i>	The proposed access has adequate visibility from the existing ROW into the site. The proposal is consistent with Policy 2.2.

	<i>District or is protected as part of the Heritage Provisions.</i>	
Objective 3 – Environmental Effects of Transportation	<i>Minimal adverse effects on the surrounding environment as a result of road construction and road traffic.</i>	The construction of the ROW and access ways will not create adverse effect on the environment. The proposal is consistent with Objective 3.
<i>Policy 3.2</i>	<i>To discourage traffic in areas where it would have adverse environmental effects.</i>	The additional traffic anticipated by the proposal will not result in adverse environmental effects. The proposal is consistent with Policy 3.2.
<i>Policy 3.4</i>	<i>To ensure new roads and vehicle access ways are designed to visually complement the surrounding area and to mitigate visual impact on the landscape.</i>	The proposed ROW and access ways have been designed within the existing landscape, and therefore will complement the surrounding area. Additionally these will not be visible from any public place. The proposal is consistent with Policy 3.4.

5.1.4 Objectives and Policies – Subdivision and Development (Part 15)

Part 15 Provision	Detail of Provision	Assessment
Objective 1 – Servicing	<i>The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of the land use activities on those lots and within the developments.</i>	As discussed above, the appropriate services can be provided for each lot. The proposal is consistent with Objective 1.
<i>Policy 1.1</i>	<i>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.</i>	The proposal will connect to the existing road network which will remain efficient. The proposal is consistent with Policy 1.1.
<i>Policy 1.2</i>	<i>To ensure safe and efficient vehicular access is provided to all lots created by subdivision and to all developments.</i>	Vehicular access is provided to all lots via a proposed ROW and private access ways. This access the most appropriate way to provide access to the subdivision in terms of safety, efficiency and minimising adverse effects. The proposal is consistent with Policy 1.2.
<i>Policy 1.4</i>	<i>To avoid or mitigate any adverse visual and physical effects of subdivision and development roading on the environment.</i>	The proposed ROW and access ways are not highly visible from public places. No adverse effects on the environment area anticipated. The proposal is consistent with Policy 1.4.
<i>Policy 1.5</i>	<i>To ensure water supplies are of a sufficient capacity, including firefighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.</i>	As discussed in the Infrastructure Report (Attachment H) the onsite bore provides sufficient water for the development. The proposal is consistent with Policy 1.5.
<i>Policy 1.6</i>	<i>To ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the</i>	All lots are to be self-contained, with onsite waste and stormwater systems. There is to be no upgrading of existing

	<i>upgrading of existing infrastructure is undertaken and paid for by subdividers and developers in accordance with Council's Long Term Community Plan Development Contributions Policy.</i>	infrastructure therefore this policy is not applicable.
<i>Policy 1.7</i>	<i>To ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity, with Council being responsible for meeting any additional capacity of infrastructure above that required for the subdivision then being consented to in accordance with Council' Long Term Community Plan Development Contributions Policy.</i>	All future lot owners will be required to install their own infrastructure, therefore no provision for future development in the vicinity has been accounted for. All subdivision in the Rural Zone requires resource consent and therefore necessary infrastructure would be assessed at that time.
<i>Policy 1.8</i>	<i>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.</i>	Stormwater is to be disposed of onsite. There are no natural lakes or rivers on the site that can be used for stormwater retention and disposal. The stormwater disposal method is low impact and will maintain the quality of the surface and ground water. The proposal is consistent with Policy 1.8.
<i>Policy 1.9</i>	<i>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.</i>	The Geotechnical Report (Attachment I) has confirmed that all lots are suitable for disposal of wastewater to ground. The proposal is consistent with Policy 1.9.
<i>Policy 1.10</i>	<i>To ensure, upon subdivision or development, that all new lots or building are provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available.</i>	The site is rural and therefore reticulated services are not available.
<i>Policy 1.11</i>	<i>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.</i>	Electricity and telecommunication can be provided to the proposed lots as per the Infrastructure Report (Attachment H). These services will be installed underground. Visual amenity values of the area will be maintained. The proposal is consistent with Policy 1.11.
Objective 2 – Cost of Services	<i>The costs of the provision of services to and within subdivisions and developments, or the upgrading of services made necessary by that subdivision or development to be met by subdividers.</i>	The cost of the services will be met by the developer. The proposal is consistent with Objective 2.
<i>Policy 2.1</i>	<i>To require subdivider and developer to meet the costs of the provision of new services or the extension or upgrading of existing services (including headworks),</i>	All new services will be provided to the boundary of the proposed residential lots, therefore the costs are met by the developer.

	<p><i>whether provided before or after the subdivision and/or development, and which are attributable to the effects of the subdivision or developments, including where applicable:</i></p> <ul style="list-style-type: none"> ○ <i>Roading and access;</i> ○ <i>Water supply;</i> ○ <i>Sewage connection, treatment and disposal;</i> ○ <i>Stormwater collection, treatment and disposal;</i> ○ <i>Trade waste disposal;</i> ○ <i>Provision of energy;</i> ○ <i>Provision of telecommunications.</i> 	The proposal is consistent with Policy 2.1.
Objective 5 – Amenity Protection	<i>The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.</i>	<p>The rural amenity will be maintained through the proposed subdivision.</p> <p>The proposal is consistent with Objective 5.</p>
<i>Policy 5.1</i>	<i>To ensure lot sizes and dimensions to provide for the efficient and pleasant functioning of their anticipated land uses, and reflect the levels of open space and density of built development anticipated in each area.</i>	<p>The proposed lots will provide desirable rural living opportunities.</p> <p>The proposal is consistent with Policy 5.1.</p>
<i>Policy 5.2</i>	<i>To ensure subdivision patterns and the location, size and dimensions of lots in rural areas will not lead to a pattern of land uses, which will adversely affect landscape, visual, cultural and other amenity values.</i>	<p>The proposal is consistent with existing and consented patterns of development. It is contained within a discreet and confined area has the ability to absorb development that is not highly visible or prominent.</p> <p>The proposal is consistent with Policy 5.2.</p>
<i>Policy 5.3</i>	<i>To encourage innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services.</i>	<p>The proposed subdivision maintains the amenity values of the landscape. The subdivision is self-sufficient in regards to servicing and does not create safety concerns.</p> <p>The proposal is consistent with Policy 5.3.</p>
<i>Policy 5.5</i>	<i>To minimize the effects of subdivision and development on the safe and efficient functioning of services and roads.</i>	<p>The proposal is self-sufficient and will not adversely affect the safe and efficient functioning of services and roads.</p> <p>The proposal is consistent with Policy 5.5.</p>

5.1.5 Conclusion – Objectives and Policies of the Operative District Plan

Overall, the proposal is consistent with the relevant objectives and policies from Parts 4, 5, 14, and 15 of the Operative District Plan.

5.2. Proposed District Plan (Strategic Direction, Landscape and Rural Character, Rural, Transport and Subdivision.)

Stage 1 of the PDP was notified on 26 August 2015. The submissions and further submissions have been heard and decisions were issued on 7 May 2018.

Stage 2 of the PDP was notified on 23 November 2017. Submissions and further submissions have been heard. The appeal period for both stages has closed and there are a number of objectives and policies that are subject to appeals yet to be resolved, therefore limited weighting can be afforded to them at the time of lodgment of this consent

The site is proposed to be zoned Rural (Stage 1 of the review) and the following objectives and policies are relevant.

5.2.1 Objectives and Policies – Strategic Direction (Part 3)

Part 3 Provision	Detail of Provisions	Assessment
Objective 3.2.1	<i>The development of a prosperous, resilient and equitable economy in the District, (addresses issue 1)</i>	
3.2.1.7	<i>Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)</i>	The site is currently used for rural living and light grazing purposes. As previously discussed the proposal will maintain the character of the rural landscape. The proposal is consistent with Policy 3.2.1.7.
3.2.1.8	<i>Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngai Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)</i>	The proposal will diversify the land uses away from traditional farming, by creating rural living blocks where owners can undertake rural activities including farming, gardening (productive and amenity), grazing of horses, and so on, while maintaining the character of the rural landscape. The proposal is consistent with Policy 3.2.1.8.
Objective 3.2.5	<i>The retention of the District's distinctive landscapes. (addresses issues 2 and 4)</i>	
3.2.5.2	<i>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.</i>	The rural character of the site and wider environment will be maintained by the proposed development. The site is within an area which has the potential to absorb change without materially affecting rural values because of the existing and proposed vegetation which internalises all visual effects. The proposal is consistent with Policy 3.2.5.2.
3.3 – Strategic Policies		
3.3.20	<i>Enable continuation of existing farming activities and evolving forms of agricultural land use in rural areas except where those</i>	The proposal will maintain the potential for rural activities with the rural living lots, including light grazing, equestrian,

	<i>activities conflict with significant nature conservation values or degrade the existing character of rural landscapes. (relevant to S.O. 3.2.1.7, 3.2.5.1 and 3.2.5.2)</i>	gardening etc. The rural character will not be degraded by the proposal as discussed above and in the landscape report. The proposal is consistent with Policy 3.3.20.
3.3.22	<i>Provide for rural living opportunities in areas identified on the District Plan maps as appropriate for rural living developments. (relevant to S.O. 3.2.1.7, 3.2.5.1 and 3.2.5.2)</i>	This policy is not relevant as it is for the purpose of identifying specific Rural Lifestyle and Rural Residential Zones.
3.3.24	<i>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. (relevant to S.O. 3.2.1.1, 3.2.1.8, 3.2.5.1 and 3.2.5.2)</i>	The proposal provides for rural living opportunities and does not substantially alter the character of the rural environment, for the reasons expressed above. Therefore the proposal does not give rise to adverse cumulative effects on rural character values. The proposal is consistent with Policy 3.3.24.
3.3.26	<i>The 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. (relevant to S.O. 3.2.1.8, 3.2.4.1 and 3.2.4.3)</i>	The construction phase of the subdivision will be carried out in accordance with an approved construction management plan/environmental management plan to ensure best practice techniques are adopted and to avoid adverse effects. The proposal is consistent with Policy 3.3.26.
3.3.32	<i>Only allow further land use change in areas of the Rural Character Landscape able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded. (relevant to S.O. 3.2.19 and 3.2.5.2)</i>	As discussed above, the application site has the ability to absorb change, in the manner proposed in this application, with less than minor adverse effects on the landscape character and visual amenity values. The proposal is consistent with Policy 3.3.32.

5.2.2 Objectives and Policies – Landscapes and Rural Character (Part 6)

Part 6 Provisions	Detail of Provision	Assessment
<i>Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone.</i>		
6.3.4	<i>Avoid urban development and subdivision to urban densities in the rural zones.</i>	The proposal does not meet the definition of urban development. The proposal is consistent with Policy 6.3.4.
6.3.5	<i>Ensure that the location and direction of lights does not cause excessive glare and avoid unnecessary degradation of views of the night sky and of landscape character, including the sense of remoteness where it is an important part of that character.</i>	The relevant lighting and glare standards within the Rural Zone will need to be adhered to for future dwellings. No street lighting is proposed along the ROW. The proposal is consistent with Policy 6.3.5.
6.3.7	<i>Ensure continuation of the contribution low-intensity pastoral farming on large</i>	The proposal allows for the continuation of pastoral farming activities, however this site is not a large landholding.

	<i>landholdings makes to the District's landscape character.</i>	
6.3.9	<i>Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.</i>	There are no conservation values present on site. The proposal does provide for a small area of indigenous vegetation on proposed Lot 2 which will promote, to a small extent, indigenous biodiversity regeneration on the site. There is no need to retire the land from farming or to revert to indigenous vegetation. The proposal is consistent with Policy 6.3.9.
Managing Activities in Rural Character Landscapes		
6.3.19	<i>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.</i>	The proposal is not unsuitable as it results in only less than minor adverse effects on the rural character and is consistent with the various relevant objectives and policies of the Plan. The proposal is consistent with Policy 6.3.19.
6.3.21	<i>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.</i>	Cumulative effects have been assessed above at Section 4.7. The proposal does not result in adverse cumulative effects. The proposal is consistent with Policy 6.3.19.
6.3.22	<i>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.</i>	As discussed above, the site is visually confined by vegetation and therefore the proposal is not highly visible, nor does it constitute sprawl along Albert Town – Lake Hawea Road. The proposal is consistent with Policy 6.3.22.
6.3.23	<i>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.</i>	The proposal does not degrade the landscape quality or character as discussed above and in the Landscape Assessment (Attachment E). The proposal is consistent with Policy 6.3.23.
6.3.26	<i>Avoid adverse effects on visual amenity from subdivision, use and development that:</i> <i>a. Is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined by this Plan); or</i> <i>b. Forms the foreground for an Outstanding Natural Landscape or Outstanding Natural Feature when viewed from public roads.</i>	The proposal is not highly visible from public places nor does it form the foreground of an ONL or ONF. The proposal is consistent with Policy 6.3.26.
6.3.28	<i>In the Upper Clutha Basin, have regard to the adverse effects from subdivision and</i>	The site does not present open landscape character itself, and therefore the proposal will not have adverse effects on the wider

	<i>development on the open landscape character where it is open at present.</i>	open landscape character of the Upper Clutha Basin. The proposal is consistent with Policy 6.3.28.
6.3.29	<i>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.</i>	The existing ROW and bore will be utilised, all access ways and boundaries have been located to minimise impact on the natural landform. The development will not result in adverse effects on the rural character. The proposal is consistent with Policy 6.3.29.

5.2.3 Objectives and Policies – Rural (Part 21)

Part 21 Provision	Detail of Provision	Assessment
Objective 21.2.1	<i>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.</i>	The proposal will provide for rural living and various rural activities including light grazing, gardening, equestrian, etc. The rural amenity values of the site will be maintained. The proposal is consistent with Objective 21.2.1.
<i>Policy 21.2.1.1</i>	<i>Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lanes and rivers and their margins.</i>	Farming activities will be able to continue on the site. There are no significant indigenous biodiversity values on the site. A small area of indigenous vegetation is proposed on Lot 2. The landscape values will be maintained by the proposal. The proposal is consistent with Policy 21.2.1.1.
<i>Policy 21.2.1.3</i>	<i>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.</i>	The proposed building platforms are set back the required distance from the internal and road boundaries. The proposal is consistent with Policy 21.2.1.3.
<i>Policy 21.2.1.5</i>	<i>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.</i>	The proposal does not include buildings, however any future buildings will be required to comply with the lighting and glare standard in the Rural Zone.
<i>Policy 21.2.1.6</i>	<i>Avoid cumulative impacts on ecosystem services and nature conservation values.</i>	There are no nature conservation values on site.
<i>Policy 21.2.1.7</i>	<i>Have regard to the spiritual beliefs, cultural traditions and practices on Tangata whenua</i>	The site is not of cultural significance.
<i>Policy 21.2.1.8</i>	<i>Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.</i>	Fire risk is not a concern of the subject site. The proposal is consistent with Policy 21.2.1.8.
<i>Policy 21.2.1.9</i>	<i>Provide adequate firefighting water and fire service vehicle access to ensure an</i>	Adequate water supply can be provided to each lot for firefighting purposes.

	<i>efficient and effective emergency response.</i>	Firefighting supply tanks will be assessed at the time of building. The proposal is consistent with Policy 21.2.1.9.
Objective 21.2.2	<i>The life supporting capacity of soils is sustained.</i>	For the greater part of the site, the soil will remain undisturbed.
<i>Policy 21.2.2.1</i>	<i>Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.</i>	The proposal allows for rural living and light grazing activities. The proposal is consistent with Policy 21.2.2.1.
<i>Policy 21.2.2.2</i>	<i>Maintain the productive potential and soil resource of Rural Zone lands and encourage land management practices and activities that benefit soil and vegetation cover.</i>	The productive potential of the soil resources will be maintained; the subdivision into smaller rural living lots presented new opportunities for the productive potential to be realised. The proposal is consistent with Policy 21.2.2.2.
<i>Policy 21.2.2.3</i>	<i>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.</i>	Earthworks are confined to the formation of the access ways. No indigenous vegetation will be cleared, nor will wilding exotic trees be planted. The proposal is consistent with Policy 21.2.2.3.
Objective 21.2.4	<i>Situations where sensitive activities conflict with existing and anticipated activities are managed to minimize conflict between incompatible land uses</i>	Conflict between existing rural activities and the proposed rural living opportunities are not anticipated to arise. It is expected that the surrounding farming and rural living activities are acknowledged by any future owner. The proposal is consistent with Objective 21.2.4.
<i>Policy 21.2.4.1</i>	<i>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 visitor in rural areas.</i>	As discussed above, this should be acknowledged by any future owner. The site is not surrounded by highly productive or an intensive farming operation, therefore effects are not likely to arise on future residents. There are sufficient setbacks between external boundaries and the new residential building platforms to assist in avoiding or mitigating any potential impacts. The proposal is consistent with Policy 21.2.4.1.
<i>Policy 21.2.4.2</i>	<i>Control the location and type of non-farming activities in the Rural Zone, so as to minimize conflict between permitted and established activities and those that may not be compatible with such activities.</i>	The proposal involves rural living activities within a rural environment. Any potential conflicts between activities are unlikely to arise and are managed by the setbacks and existing and proposed boundary planting. The proposal is consistent with Policy 21.2.4.2.
Objective 21.2.9	<i>Provision for diversification of farming and other rural activities that protect landscape</i>	The proposal includes rural living where light grazing of stock can continue and other rural activities can be undertaken. As

	<i>and natural resource values and maintains the character of rural landscapes.</i>	discussed above landscape values and rural amenity values will be maintained. The proposal is consistent with Objective 21.2.9.
<i>Policy 21.2.9.1</i>	<i>Encourage revenue producing activities that can support the long-term sustainability of the rural areas of the district and that maintain or enhance landscape values and rural amenity.</i>	Landscape values and rural amenity will be maintained. The proposal is consistent with Policy 21.2.9.1
<i>Policy 21.2.9.2</i>	<i>Ensure that revenue producing activities utilize natural and physical resources (including existing buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources.</i>	The proposal utilises rural land for rural living opportunities and ongoing farming and other rural activities in a way that maintains landscape quality, character and rural amenity, as discussed above. The proposal is consistent with Policy 21.2.9.2.

5.2.4 Objectives and Policies – Subdivision and Development (Part 27)

Part 29 Provision	Provision Detail	Assessment
Objective 27.2.1	<i>Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.</i>	The proposal will create a high amenity rural subdivision that will be a desirable place to live, play and work. The proposal is consistent with Objective 27.2.1.
<i>Policy 27.2.1.1</i>	<i>Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognizing opportunities for innovative design.</i>	The proposed stormwater design is low impact, the water is sourced from an existing bore and telecommunications and power connections are achievable and fit for purpose. Wastewater will be designed at the time of building and may include opportunities for innovative design. The proposal is consistent with Policy 27.2.1.1.
<i>Policy 27.2.1.3</i>	<i>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.</i>	The Infrastructure Report (Attachment H) provides confirmation that the proposed lots can be serviced accordingly. The proposal is consistent with Policy 27.2.1.3.
<i>Policy 27.2.1.5</i>	<i>Recognise that there is an expectation by future landowners that the key effects of and resource required by anticipated land uses will have been resolved through the subdivision approval process.</i>	This policy will be achieved through the resource consent process and the subdivision 224c process.
Objective 27.2.2	<i>Subdivision design achieves benefits for the subdivider, future residents and the community.</i>	The subdivision design allows the applicant to own a lot and sell a number of lots to fund the build of their dwelling. The design also provides a high amenity rural subdivision for future residential to enjoy. The proposal is consistent with Objective 27.2.2.
<i>Policy 27.2.2.1</i>	<i>Ensure subdivision design provides a high level of amenity for future residents by</i>	The rural subdivision will allow rural living opportunities for future owners without having to own a large rural property or farm.

	<i>aligning road and allotments to maximize sunlight access.</i>	The subdivision design provides for a significant level of amenity and takes advantage of sunlight access. The proposal is consistent with Policy 27.2.2.1.
Objective 27.2.4	<i>Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhances within subdivision design.</i>	The only natural feature is the terrace that runs through the site. This has been incorporated into the design. The proposal is consistent with Objective 27.2.4.
<i>Policy 27.2.4.1</i>	<i>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.</i>	No waterways are present. Existing vegetation has guided the subdivision design and provides amenity values for the subdivision. The proposal is consistent with Policy 27.2.4.1.
<i>Policy 27.2.4.4</i>	<i>Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:</i> <i>a. Whether any landscape or vegetation are of a sufficient value that they should be retained and the proposed means of protection;</i> <i>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.</i>	The existing vegetation will be maintained and will be protected through the masterplan. The proposal is consistent with Policy 27.2.4.4.
Objective 27.2.5	<i>Infrastructure and services are provided to new subdivisions and developments.</i>	The proposal will be serviced accordingly. The proposal is consistent with Objective 27.2.5.
Transport, Access and Roads		
<i>Policy 27.2.5.1</i>	<i>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.</i> <i>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.</i>	The subdivision is integrated with the existing road networks of Te Awa Road. Given the proposal is for 5 lots, the levels of traffic generated from the proposal is not likely to exceed that anticipated by the Rural Zone. The proposal is consistent with Policy 27.2.4.1.
<i>Policy 27.2.5.2</i>	<i>Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.</i>	Each lot will be serviced by individual vehicle accesses, these are to be constructed in general accordance with district plan provisions and therefore will provide safe and efficient access. The proposal is consistent with Policy 27.2.5.2.
<i>Policy 27.2.5.4</i>	<i>Ensure the physical and visual effects of subdivision and roading are minimized by utilizing existing topographical features.</i>	The access way and individual driveways take advantage of the natural topography and will not result in any visual effects.

		The proposal is consistent with Policy 27.2.5.4.
Policy 27.2.5.5	<p><i>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:</i></p> <ul style="list-style-type: none"> <i>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;</i> <i>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;</i> <i>c) the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;</i> <i>d) the provision and vesting of corner splays or rounding at road intersections;</i> <i>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;</i> <i>f) the provision of appropriate tree planting within roads;</i> <i>g) any requirements for widening, formation or upgrading of existing roads;</i> <i>h) any provisions relating to access for future subdivision on adjoining land;</i> <i>i) the provision and location of public transport routes and bus shelters.</i> 	<p>The ROW and private access ways have been designed in accordance with the QLDC Land Development and Subdivision Code of Practice albeit the width of the ROW's, the distance between passing bays and the sealing of lot access ways.</p> <p>The proposal is generally consistent with Policy 27.2.5.5.</p>
Water supply, stormwater, wastewater		
Policy 27.2.5.6	<i>All new lots shall be provided with connection to a reticulated water supply, stormwater disposal and/or sewage treatments and disposal system, where such systems are available or should be provided for.</i>	As discussed above, the proposed lots are self-sufficient and reticulated services are not available.
Policy 27.2.5.7	<i>Ensure water supplies are of a sufficient capacity, including firefighting requirements, and of a potable standard, for the anticipated land uses on each lot of development.</i>	<p>Sufficient water can be supplied to each lot. Domestic treatment systems will be installed at the time of building. Each lot will also be required to install their own water tanks at the time of building to provide sufficient static water for firefighting.</p> <p>The proposal is consistent with Policy 27.2.5.7.</p>

<i>Policy 27.2.5.9</i>	<i>Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.</i>	It is likely roof rain water capture systems will be installed at the time of building on the lots, however potable water can be supplied by the bore connection. The proposal is consistent with Policy 27.2.5.9.
<i>Policy 27.2.5.10</i>	<i>Ensure appropriate water supply, design and installation by having regard to:</i> a) <i>the availability, quantity, quality and security of the supply of water to the lots being created;</i> b) <i>water supplies for firefighting purposes;</i> c) <i>the standard of water supply installed in subdivisions, and the adequacy of existing supply system outside the subdivision;</i> d) <i>any initiatives proposed to reduce water demand and water use.</i>	As previously discussed, the bore can provide sufficient water supply for all lots. Each lot will install a domestic treatment plant. Tanks will be required to be installed to provide for firefighting water supply. The proposal is consistent with Policy 27.2.5.10.
<i>Policy 27.2.5.11</i>	<i>Ensure appropriate storm water design and management by having regard to:</i> a) <i>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;</i> b) <i>the capacity of existing and proposed stormwater systems;</i> c) <i>the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;</i> d) <i>the location, scale and construction of stormwater infrastructure;</i> e) <i>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.</i>	Low impact design features are proposed, including onsite soakage and grass swales. More detail regarding the stormwater management is contained within the Infrastructure Report at Attachment H . The proposal is consistent with Policy 27.2.5.11.
<i>Policy 27.2.5.13</i>	<i>Treat and dispose of sewage in a manner that:</i> a) <i>maintains public health;</i> b) <i>avoids adverse effects on the environment in the first instance; and</i> c) <i>where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.</i>	The Geotechnical Report confirms the proposed lots are suitable for disposal of waste water to ground. Each lot will be required to install a waste water treatment and disposal system at the time of building. These systems will be designed to a standard that maintains public health and avoids potential adverse effects on the environment. The proposal is consistent with Policy 27.2.5.13.

<i>Policy 27.2.5.14</i>	<p><i>Ensure appropriate sewage treatment and disposal by having regard to:</i></p> <ul style="list-style-type: none"> <i>a) the method of sewage treatment and disposal;</i> <i>b) the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;</i> <i>c) the location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.</i> 	<p>The location of all wastewater treatment systems will be assessed at the time they are applied for.</p> <p>The proposal is consistent with Policy 27.2.5.14.</p>
<i>Policy 27.2.5.15</i>	<p><i>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.</i></p>	<p>The proposed subdivision is self-contained and therefore it is not appropriate to take into account the requirements of future development in the near vicinity. Any development will require resource consent, therefore infrastructure will be considered at that time.</p>
<i>Policy 27.2.5.16</i>	<p><i>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:</i></p> <ul style="list-style-type: none"> <i>a) providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;</i> <i>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;</i> <i>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.</i> 	<p>Chorus and Aurora Energy have confirmed that electricity and telecommunications can be provided to the proposed subdivision. These services will be installed underground to avoid adverse visual effects, and provided to the boundary of each lot.</p> <p>The proposal is consistent with Policy 27.2.5.16.</p>
<i>Policy 27.2.5.17</i>	<p><i>Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.</i></p>	<p>The ROW and all services will be managed appropriately through easements.</p> <p>The proposal is consistent with Policy 21.2.5.17.</p>
<i>Policy 27.2.5.18</i>	<p><i>Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.</i></p>	<p>This policy is acknowledged.</p>

5.2.5 Conclusion – Objectives and Policies

The proposal is consistent with and achieves the relevant objectives and policies from the Operative and Proposed District Plans.

6. Regional Policy Statement / National Policy Statements

The Otago Regional Policy Statement (“RPS”) and the Partially Operative Regional Policy Statement 2019 (“PORPS19”) set out the direction for future management and promotion of the sustainable management of the region’s natural and physical resource.

While a large portion of provisions are now contained within the PORPS19, the RPS is still operative in regard to Chapter 5 – Land. The relevant objectives in Chapter 5 seek to avoid, remedy or mitigate degradation of Otago’s natural and physical resources resulting from activities utilising the land resource, and to protect Otago’s outstanding natural features and landscapes from inappropriate subdivision, use and development.

Below is an assessment of the relevant RPS objectives and policies.

Objective 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 resource; and*
- b. To meet the present and reasonably foreseeable needs of Otago’s people and communities.*

As previously discussed, the proposed subdivision utilises a generally small rural block that is not sustainably productive, therefore the proposed residential use is considered to be a sustainable use of the land, providing for the needs of people and communities with respect to the rural residential living opportunities.

Policy 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*

The proposed subdivision seeks to avoid any adverse effects, as the site was carefully chosen, there is no indigenous vegetation removal, or disturbance of productive soils. Potential adverse effects of the construction activity will be mitigated through the use of a construction management plan.

Policy 5.5.4 – To promote the diversification and use of Otago’s land resource to achieve sustainable landuse and management systems for future generations.

The proposed subdivision will allow for diversification of rural land, to achieve a sustainable land use (residential activity) for future generations.

Below is an assessment of the relevant PORPS19 (mediation version 27 October 2017) objectives and policies.

Policy 3.2.6 – Managing highly values natural features, landscapes and seascapes

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

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

This policy is given effect to by the PDP Chapter 3 and 6 provisions, in which this development is consistent with.

The proposed development is consistent with the broad policy direction of the RPS and PORPS19.

7. Part 2 of the Resource Management Act 1991

The purpose of the Act is to “*promote the sustainable management of natural and physical resources*”. Sustainable management is:

... 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 ... to meet the reasonably foreseeable needs of future generations; and***
- b. Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and***
- c. Avoiding, remedying, or mitigating any adverse effects of activities on the environment.***

The proposal is consistent with this purpose. The proposal allows for rural residential use of a smaller block of rural land. The proposal includes re-introducing native species to the site, this will positively affect the biodiversity in the area. The proposal will not have any adverse landscape effects and will not be seen as out of character with the surrounding environment given it is not significantly visible.

No s6 matters are relevant. The land is not within an Outstanding Natural Landscape or Feature; it is not near or adjacent to any waterbody; it does not contain any significant indigenous vegetation or significant habitats of indigenous fauna; it has no cultural values of any significance, no historic heritage values; and there are no significant risks from natural hazards.

Regard must be had to the following relevant s7 matters:

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

The proposal achieves the relevant s7 matters as the subdivision is an efficient use and development in that it provides for the demand for rural living opportunities where the landscape can absorb such development with minimal actual or potential adverse effects. The amenity values of the areas are to be maintained as the development will not be highly visible from any public place. The reintroduction of native species and vegetation on site will enhance the quality of the environment. Overall the proposal aligns with s7 of the Act.

The new lots will provide for the supply of lots for people seeking to live in the rural area. The future owner's social and economic wellbeing, by providing a desirable location to live and enhancing their quality of life. Overall there will be positive social and economic effects as a result of the proposal.

As such, the proposal will align with Part 2 of the Act.

8. Where the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use:

Not applicable.

9. Where the activity includes the discharge of any contaminant, a description of ...

Not applicable.

10. Where it is likely that an activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or method for undertaking the activity:

The proposal will not result in any significant adverse effects on the environment. No alternative sites have been considered.

11. A description of the mitigation measures (safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual and potential effect:

Earthworks will be undertaken in accordance with good practice and the Council's Earthworks Management Guide.

The location and design of the subdivision, including the landscaping and building design controls proposed, are part of the overall mitigation measures adopted to prevent or reduce any actual or potential effects on the environment, as discuss in this AEE and in the supporting landscape assessment.

12. An identification of those person interested in or affected by the proposal, the consultation undertaken, and any response to the views of those consulted.

The properties that have rights over the ROW extending from Te Awa Road could potentially be considered affected by the proposal in relation to transport matters. As such, the applicant is currently seeking Affected Party Approvals (**APA's**) from these property owners and will provide these to the Processing Planner in due course.

Any adverse effects on the environment are less than minor, and adverse effects on any other particular person are less than minor. As such no other APA's have been obtained.

13. Where the scale or significance of the activity's effect are such that monitoring is required, a description of how, once the proposal is approved, effects will be monitored and by whom.

No monitoring is required other than undertaken as part of monitoring of resource consent by the Council.



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
Registrar-General
of Land

Identifier 1931
Land Registration District Otago
Date Issued 09 April 2001

Prior References

OT19A/257

Estate Fee Simple
Area 20.0712 hectares more or less
Legal Description Lot 13 Deposited Plan 300251

Registered Owners

Tony John Berben and Diane Lawson

Interests

Subject to Section 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

5016824.1 Gazette Notice declaring a (State Highway No.6) adjoining within land to be a Limited Access Road -
21.12.2000 at 9:21 am

5033930.3 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 9.4.2001 at 9:00 am

5033930.6 Easement Certificate specifying the following easements - 9.4.2001 at 9:00 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way, right to convey water and telecommunications	Lot 16 Deposited Plan 300251 - CT 1932	Marked F Deposited Plan 300251	Lot 13 Deposited Plan 300251 - herein	Subject to Section 243 (a) Resource Management Act 1991
right to drain foul sewer and stormwater, right to convey electricity				

5046004.4 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 30.5.2001 at 12:13 pm

Appurtenant hereto is a right to convey electricity and water and store water specified in Easement Certificate 5066243.1 - 1.8.2001 at 3:45 pm

Appurtenant hereto is a Right to Convey Water and a Right to Operate and Maintain Bore Pump and a Right to Convey Electricity created by Deed of Easement 5165437.1 - 4.3.2002 at 3:49 pm

Subject to a right to convey electricity and establish & maintain a transformer in gross over part marked A DP 306157 to Dunedin Electricity Limited created by Transfer 5217786.1 - 10.5.2002 at 3:40 pm

Appurtenant hereto is a right of way, right to convey water and telecommunications, right to drain foul sewer and stormwater and a right to convey electricity created by Transfer 5360557.20 - 1.10.2002 at 3:29 pm

The easements created by Transfer 5360557.20 are subject to Section 243 (a) Resource Management Act 1991

5466641.1 Encumbrance to Hawea Water Service Company Limited - 23.1.2003 at 9:00 am

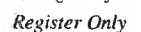
6831536.1 Mortgage to (now) Westpac New Zealand Limited - 19.4.2006 at 9:00 am

Appurtenant hereto is a right of way and a right to convey water, telecommunications and electricity and drain

Identifier

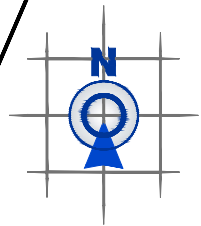
1931

foul sewer and stormwater created by Easement Instrument 11537697.2 - 4.11.2019 at 9:36 am





The map is an approximate representation only and must not be used to determine the location or size of items shown, or to identify legal boundaries. To the extent permitted by law, the Queenstown Lakes District Council, their employees, agents and contractors will not be liable for any costs, damages or loss suffered as a result of the data or plan, and no warranty of any kind is given as to the accuracy or completeness of the information represented by the GIS data. While reasonable use is permitted and encouraged, all data is copyright reserved by Queenstown Lakes District Council. Cadastral information derived from Land Information New Zealand. CROWN COPYRIGHT RESERVED



PROPOSED EASEMENTS

PURPOSE	SHOWN	SERV TEN	DOM TEN
Right of way	A	Lot 3	Lots 2, 4, 5
	B	Lot 5	Lot 4

- Note:
1. Subject to resource consent approval, engineering design and legal survey.
 2. Additional service easements may be required once detailed design has been undertaken.

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WANAKA BRANCH
19 Reece Crescent
or P.O. Box 283
Wanaka 9343
T 03 443 0110
E wanaka@ppgroup.co.nz

Client & Location:

T. Berben
Te Awa Road

Purpose & Drawing Title:

Scheme Plan
Lots 1-5 Being Subdivision
of Lot 13 DP 300251

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Surveyed by:	-	Original Size:	Scale:
Designed by:	-	A3	1:2000 @ A3
Drawn by:	HBM	DO NOT SCALE	
Checked by:	MJB		
Approved by:	MJB		
Job No:	W5991	Sheet No:	Revision No:
		100	A
			Date Created:
			20/08/2019



Legend

- Lot boundaries
- 1000m² building platforms
- Proposed residential curtilage
- Indicative buildings
- Proposed driveways
- Existing trees to be retained
- Existing grey shrubland
- Proposed native shrubs
- Proposed avenue trees
- Proposed rural character trees
- Proposed leyland cypress



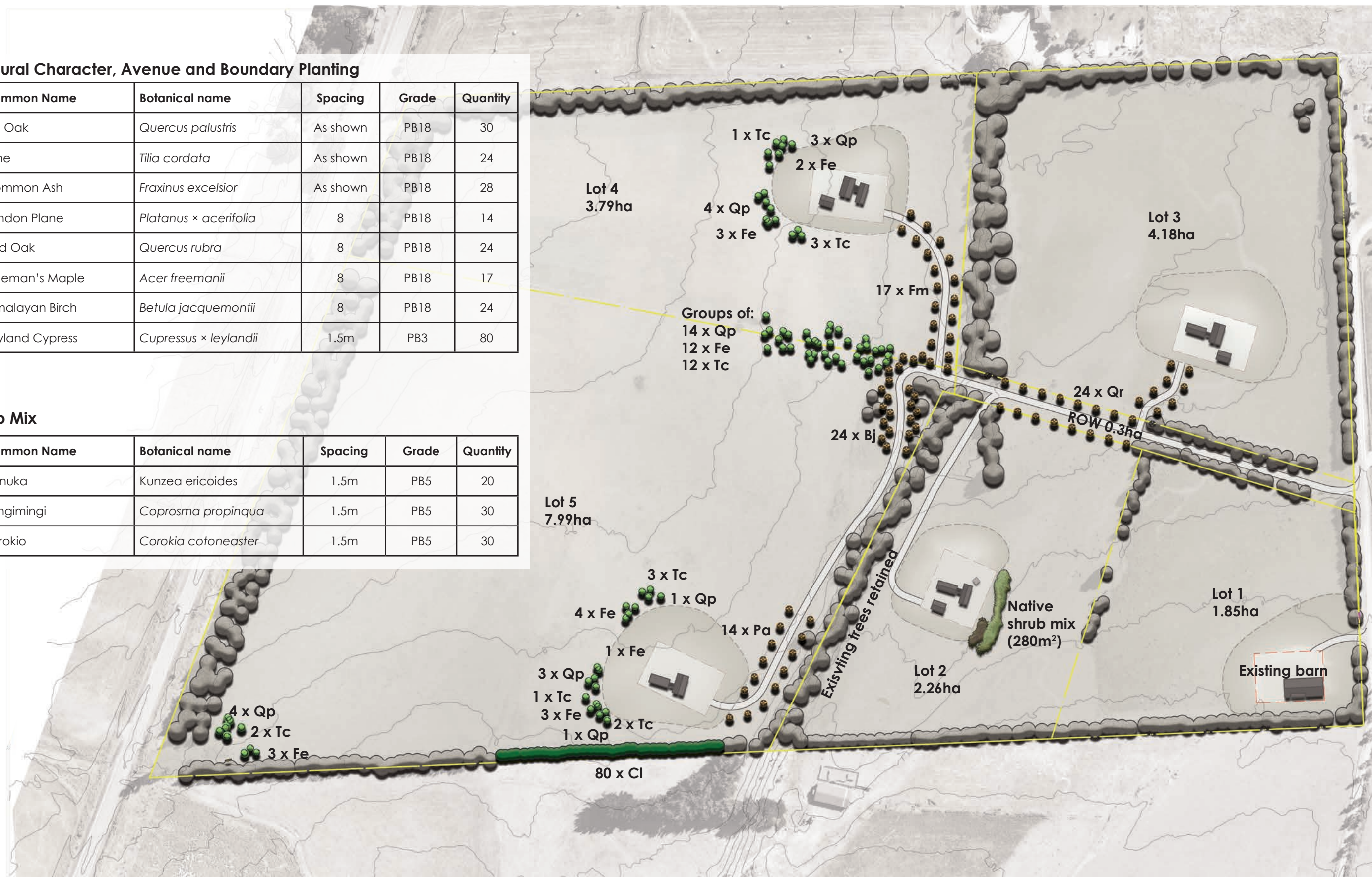


Proposed Rural Character, Avenue and Boundary Planting

I.D.	Common Name	Botanical name	Spacing	Grade	Quantity
Qp	Pin Oak	<i>Quercus palustris</i>	As shown	PB18	30
Tc	Lime	<i>Tilia cordata</i>	As shown	PB18	24
Fe	Common Ash	<i>Fraxinus excelsior</i>	As shown	PB18	28
Pa	London Plane	<i>Platanus × acerifolia</i>	8	PB18	14
Qr	Red Oak	<i>Quercus rubra</i>	8	PB18	24
Fm	Freeman's Maple	<i>Acer freemanii</i>	8	PB18	17
Bj	Himalayan Birch	<i>Betula jacquemontii</i>	8	PB18	24
Cl	Leyland Cypress	<i>Cupressus × leylandii</i>	1.5m	PB3	80

Native Shrub Mix

I.D.	Common Name	Botanical name	Spacing	Grade	Quantity
Ke	Kanuka	<i>Kunzea ericoides</i>	1.5m	PB5	20
Cp	Mingimingi	<i>Coprosma propinqua</i>	1.5m	PB5	30
Cc	Korokio	<i>Corokia cotoneaster</i>	1.5m	PB5	30



Landscape Assessment Report

Berben – Te Awa Road, Hawea



Document prepared by	Stephen Skelton
Document reviewed by	Rosa Virgo
Status	Issue
Issued	5 December 2019

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1. INTRODUCTION

1.1. This report provides an assessment the actual and potential landscape character and visual amenity effects of a proposal to subdivide a property into 5 lots and establish 5 building platforms. The site is legally described as Lot 13 DP 300251 and is 20.0712 ha in area.

1.2. The report includes the following:

- A description of the landscape,
- A description of the proposal,
- A landscape assessment,
- Conclusion,
- Recommendations,
- Attachments.

2. DESCRIPTION OF THE LANDSCAPE

2.1. The subject site is approximately 2km south of Hawea township. It occupies 20ha of river terraces west of the Hawea River and east of the toe of Mount Maude (1315masl) (**Attachment A**). A small terrace escapement runs south/north across the site. SH6 adjoins the site's western boundary and a private road accesses the site from the east.

2.2. The site is part of a rural living landscape where dwellings are set back from the highway and set within pockets of vegetation, landform and wider areas of open space. The surrounding lots are generally 3.5ha – 4.5ha in area with some larger holdings of 20ha. This landscape is one of mixed pastoral and rural living characters dominated by the slopes of Mount Maude to the west and views across the landscape to the distant mountains to the north and east.

2.3. It is beyond the scope of this report to provide a detailed analysis of the receiving landscape and its boundaries. For the purpose of this report the site is considered to be part of the Te Awa terrace area which exists east of SH6, south of the Hawea Dam, west of the Hawea River and north of Maungawera Hill.

2.4. The subject site itself is almost rectangular in shape and is ringfenced in mature poplar, gum and cypress trees with some gaps in the exiting boundary planting. The western, roadside

boundary is planted in three rows of mature rural amenity trees while the private access boundary to the east is densely planted in cypress trees. A row of rural amenity trees enters near the central eastern boundary and turns to the south. Near the site's southeastern boundary is an existing dwelling and shed. Large trees and mixed shrubs extend across the escarpment which crosses the site. The site has a high degree of internal rural amenity embodied in the mature rural character trees and units of open grassland.

3. DESCRIPTION OF THE PROPOSAL

3.1. The proposal seeks to subdivide the site into five lots and establish five 1000m² building platforms (BP) and residential curtilage areas. The existing dwelling and access will occupy the site's south-eastern corner and will be contained within a proposed BP. All other lots will be accessed via a new entrance at the existing avenue of trees perpendicular to private road east of the site.

3.2. The following lots are proposed (refer to the masterplan):

- Lot 1 – 1.87ha lot with a 1000m² BP with 3730m² curtilage area;
- Lot 2 – 2.27ha lot with a 1000m² BP, 6.5m building height restriction and 2835m² curtilage area;
- Lot 3 – 3.81ha lot with a 1000m² BP, 6.5m building height restriction and 3740m² curtilage area;
- Lot 4 – 3.79ha lot with a 1000m² BP, 5.5m building height restriction and 3340m² curtilage area;
- Lot 5 – 8.00ha lot with a 1000m² BP, 5.5m building height restriction and 3885m² curtilage area;
- ROW – 3300m².

3.3. The proposal will situate Lots 1-3 in the lower part of the site furthest from SH6. The largest lot, Lot 5 will be adjacent to SH6 and the boundary between it and proposed Lot 4 will follow an existing fence line. The BP's for lots 4 and 5 will be set back from SH6 and each accessway will follow the exiting trees near the top of the terrace escarpment. Lot 2's BP will be set near the lower part of the terrace escarpment and associated trees, in a pocket of land characterised

by subtle undulating landform and grey shrubland. Lot 3's BP will be set in the proposed lot's southern portion. Lot 1 will occupy the site's south-eastern corner. All lot boundaries will follow existing plantings, natural or cultural lines in the landscape.

- 3.4.** Significant structural vegetation in the form of rural amenity trees is proposed along the driveway and in groups around the proposed curtilage areas. This vegetation will provide some visual mitigation of built development and enhance the site's existing rural amenity. Existing matagouri to the east of Lot 3's BP will be retained and enhanced with new planting of indigenous scrubland. To fill in the gaps along the site's extensive boundary planting, Lombardy poplars and Lawson cypress will be planted along the southern boundary between the proposed Lot 2 and the existing shed on LOT 1 DP 303793. Also, a proposed leyland cypress hedge will be planted along Lot 5's southern boundary which will provide effective screening of the proposed BP on Lot 5 from any views of the BP from southerly places such as SH6 and Te Awa Road

4. LANDSCAPE ASSESSMENT

Methodology

- 4.1.** In undertaking this assessment, building poles were erected on site for each proposed BP at a height of 5.5m on the proposed BPs on lots 4 and 5 and 6.5m on proposed lots 2 and 3. The building poles were viewed from key locations along public roads and photographs were taken. These photographs are attached to this report (**Attachment A and Images 1-7**). The effects of the proposal were then considered within the frame of both the operative and proposed district plans.

Landscape category

- 4.2.** The site is a Visual Amenity Landscape as shown in the Operative District Plan (ODP) and a Rural Character Landscape as shown in the Proposed District Plan (PDP). For the purpose of this report it is considered these are the appropriate landscape categories for the site and surrounding landscape.

Statutory considerations

- 4.3. The site is part of the QLDC Rural General Zone in the ODP and the Rural Zone in the PDP. At the time of writing, the PDP Decisions Version Maps show the site is not subject to appeal. This report will assess the proposal under the relevant matters contained within the ODP part 5.4.2.2(3), Assessment Matters, Visual Amenity Landscapes. Following that assessment this report will provide an assessment of the proposal within the frame of the PDP part 21.21.2 and part 21.21.3 for Rural Character Landscapes and all landscape categories.

Summary of visibility

- 4.4. As described above, the site is ringfenced in mature rural character trees with groups running across the middle of the site near the small terrace escarpment and other trees planted as an avenue through the eastern part of the site. This mature boundary planting restricts views into the site from surrounding public and private places. Where there are gaps in the boundary planting, additional planting of cypress and poplar is proposed. Also, groups of rural character trees are proposed near the curtilage areas of Lot 4 and Lot 5. A location map and images are attached to this report as **Attachment A**.
- 4.5. The BP on Lot 5 is currently visible from a distance along a stretch of SH6, southwest of the BP as the highway drops from Maungawera Hill to the Te Awa terrace (**Images 1, 2 & 3**). The BP on Lot 5 is also currently visible from a small gap in the vegetation along the Highway adjacent to the site (**Image 4**) and from the upper, western parts of Te Awa Road (**Image 7**). Proposed cypress boundary planting south of Lot 5's BP will provide screening such that views 1, 2, 3 and 7 will be mitigated and groups of rural character trees will 'plug the gap' in the site's southwestern corner such that views of the BP from view 4 will be mitigated. It is worth noting that the adjoining site to the south of the subject site has recently planted a row of gum trees on the SH6 boundary. This planting, once mature will significantly reduce any potential visibility of the proposal from SH6.
- 4.6. An existing farm gate occupies a gap in the site's western boundary planting along SH6. The proposed BP on Lot 4 may be visible through this small gap (**Image 5**). Groups of rural character trees to the west of Lot 4's BP will provide some screening of a future building from this view.

- 4.7. A double row of trees along the site's northern boundary provides significant screening such that no part of the development will be visible from SH6 north of the site (**Image 6**).
- 4.8. The proposed BP on Lot 2 may be visible from the lower, eastern parts of Te Awa Road (**Image 8**). Proposed poplar planting south of Lot 2's BP will provide some screening of a future building.
- 4.9. The existing residential barn on proposed Lot 1 is close to 8m in height and parts of the dark, recessive roof are visible over the southern and eastern boundary planting. As these trees continue to mature the existing development will only be visible from near its access from the private drive on the site's eastern boundary.
- 4.10. Near the site's avenue of trees which meets the private drive on the site's eastern boundary, there is a gap in the boundary planting where it may be possible to see a future building in Lot 3's proposed BP (**Image 9**).
- 4.11. With regard to views from private places, the lot immediately south of Lot's 5, 2 and 1 may be able to see the proposed Lot 2 and 5 BPs. As proposed vegetation matures these views will be effectively mitigated.
- 4.12. The lot immediately north of the subject site contains one dwelling and between that dwelling and the subject site there is significant existing and mature boundary planting. This planting will effectively screen views from that dwelling into the site.

Extent of effect

- 4.13. In assessing the extent of effects, this report uses the following seven-point scale:

very high, high, moderate-high, moderate, moderate-low, low, very low.

- 4.14. For the purpose of notification determination an adverse effects rating of moderate – low corresponds to a 'minor' adverse effects rating. An adverse effects rating of 'low' or 'very low' corresponds to a 'less than minor' adverse effects rating.

ODP 5.4.2.2(3), Assessment Matters, Rural General, Visual Amenity Landscape (VAL)

Effects on natural and pastoral character

- 4.15.** It is understood there is an appeal for the Maungawera Hill elevated lands to the south of the site to be included as part of an ONL. This does not include the site. The site is more than 700m from any confirmed or appealed ONL as shown in the PDP Stage 1 and 2 Planning Maps. The site is clearly part of the flat river terrace landscape near the foot of the Mount Maude ONL and the glacier overridden lands of Maungawera Hill. It is considered the proposal will not compromise any open character of the nearby (not adjacent) ONL.
- 4.16.** The proposed development will form part of the landscape's rural and rural living character, with proposed dwellings set within large areas of open space confined within rural plantings of hedgerows and amenity trees. The proposal will reflect the existing character of the receiving landscape and will not lead to over-domestication of the landscape. The proposal will adversely affect the arcadian pastoral landscape of the surrounding VAL to a low degree by increasing the landscape's rural living character

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Visibility of development

- 4.17.** A summary of the proposal's visibility is provided above. Once proposed tree planting matures, with particular regard to the cypress south of Lot 5's BP and poplars south of Lot 2's BP, no part of the proposal will be highly visible from any public road. The proposal will not be visually prominent or detract from public or private views.
- 4.18.** The proposed plantings will be consistent with the existing cultural plantings in the receiving landscape and aid in enclosing and confining the site. Roads, earthworks and landscaping will follow the lines and patterns in the landscape and the naturalness of the landscape will be adversely affected to a very low degree.
- 4.19.** All proposed boundaries follow existing patterns on the site including plantings, the terrace escarpment and fence lines.

- 4.20.** The proposed BP's on Lots 4 and 5 will be set back from SH6 by more than 250m and will not be highly visible from the highway. The proposal will not constitute sprawl of built development along the roads of the District.

Form and density of development

- 4.21.** The proposal has been aggregated such that all proposed BP's will be accessed off a common access way. Each BP will be set within a wider area of open space. All BP's with the exception of Lot 3's BP will be set within a part of the site where existing vegetation and landform can best absorb the development and provide context. Lot 3's BP is surrounded by large areas of open space. Alternative locations for each BP has been explored and it is considered the proposal presents the most appropriate rural living type development for the site.

Cumulative effects of development

- 4.22.** Rural living type development has occurred within the Te Awa terrace area and much of this development, existing and consented is visible from public and private places. No more than one proposed BP will be visible from public places at any one time and this visibility will be well mitigated by proposed vegetation. The proposal will be contained within discreet landscape units, will not require any infrastructure consistent with urban landscapes and will not near or cross at threshold with respect to the landscape's ability to absorb change.

Rural amenities

- 4.23.** The site is well contained within mature boundary plantings. BP's will be set back from property boundaries to avoid potential effects of new activities in the existing amenity of neighbouring properties. Much of the site will still be grazed and areas of pastoral land will continue to be form the dominant character. Overall the proposal will result in low adverse effects on rural amenities.

PDP 21.21.2 Assessment Matters (Landscape), Rural General, Rural Character Landscape (RCL)

Effects on landscape quality and character

- 4.24.** The site's associations to ONL's and ONF's is discussed above in this report. It is considered the site is significantly distant from any ONL or ONF and is clearly part of a separate river terrace landscape. The proposal will not adversely affect the nearby ONL.
- 4.25.** The scale and nature of the proposal will maintain the rural quality of the surrounding landscape with respect to spaciousness, openness, pastoral character and rural amenity. All existing and proposed landscaping is, and will continue to be compatible with the quality and character of the surrounding landscape which is composed of boundary plantings, groups of tree and shrub planting, large areas of open grassland and rural living development.

Effects on visual amenity

- 4.26.** The visibility of development is summarised above in parts 4.4 – 4.12 of this report and effects of visibility are discussed in the frame of the ODP in parts 4.17 – 4.20.
- 4.27.** The proposal will not be visually prominent from any public place and, once trees mature will only be visible from two small gaps in the boundary planting along SH6 where there are existing farm gates. These views will be fleeting for receptors in vehicles moving along the highway. All planting will be consistent with existing vegetation patterns and will not serve to further detract or obstruct views of the landscape from public or private places. The existing planting encloses and confines the site and significantly reduces visibility of the proposal. The use of a common accessway off a private road will aggregate development and all proposed roads will follow the existing patterns and lines in the landscape, which are for the most part not visible from beyond the site. This will ensure the road, boundaries and associated plantings will result in very low adverse effects on visual amenity.

Design and density of development

- 4.28.** Development has been aggregated to utilise a common access way and large areas of open space will exist between all areas of built development. The proposal does not seek to cluster development and instead, sets rural living development within discrete units of land which are largely ringfenced by boundary planting.
- 4.29.** The proposal will not exceed the ability of the landscape to absorb change. Development is located in parts of the site where it will be least visible from public places and with regard to Lot 5's BP, where proposed cypress planting will mitigate potential visual effects.
- 4.30.** The proposed development is generally set against existing landform and vegetation patterns where the wider part of each lot will continue to be open in character. While there will be an increase in the landscape's rural living character. However, the landscape's rural character will remain dominant and the proposal will adversely affect that landscape's character to a low degree.

Tangata Whenua, biodiversity and geological values

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- 4.31.** There are no known Tanaga Whenua values, nohonga or Topuui sites near the subject site. The site contains very little indigenous vegetation and a small group of matagouri near Lot 2's BP will be enhanced through additional indigenous planting near this BP, contributing a very low positive effect of the proposal. Some earthworks will occur on the terrace escarpment to form the new road but the effects of this road on the terrace escarpment will be very low.

Cumulative effects of development on the landscape

- 4.32.** The site is mostly enclosed by boundary planting and the existing open character of the site is internalised and not widely shared or visually accessible from wider public or private places. This internal character will be adversely affected to a low degree due to an increase in the landscape's rural living character. While the Te Awa terrace area is increasing in rural living character, it has and will continue to maintain a predominant open, rural character. The proposal will not represent a threshold to which the landscape can absorb change.

PDP 21.21.3 Assessment Matters (Landscape), Rural General, Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)

- 4.33. No specific building design is proposed for any lot. The site is visually confined by boundary planting and the Te Awa terrace area contains a variety of building forms and styles. Three recommendations with regard to controls on curtilage, fencing and water tanks is provided at the end of this report. However it is considered the appearance of the future buildings do not need to be controlled to maintain the landscape's existing character.
- 4.34. As discussed above in this report, the proposal will increase the landscape's rural living character, but not at the expense of the landscape's dominant open and rural values. The proposal will result in a low adverse effect on the landscape's character, but the quality of the landscape will be maintained.
- 4.35. The proposal does not present any noteworthy positive effects with respect to the matters discussed in part 21.21.3.3 a-f of the PDP.

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5. CONCLUSION

- 5.1. The proposal will see an increase in the landscape's rural living character, but this development will be set within discrete landscape units and within wider areas of open space. The landscape's pastoral and rural character will remain dominant. The enclosed nature of the site by virtue of existing and proposed boundary planting will ensure very little of the development will be visible from outside the boundaries of the site.
- 5.2. Overall, it is considered the development will result in low adverse effects on landscape character and very low adverse effects on visual amenity.

6. RECOMMENDATIONS

- 6.1. I recommend the following conditions be volunteered with the resource consent application:

- All water tanks shall be located within the domestic curtilage area and either buried or screened from views beyond the boundaries of the subject lot by vegetation. If not buried, water tanks shall be of a dark recessive green, brown or grey colour with an LRV of between 7% and 25%.
- All fences shall be post and rail or post and wire only and be a maximum of 1.2m in height. Deer fencing is not subject to the 1.2m height.
- All domestic landscaping and structures including but not limited to clotheslines, outdoor seating areas, water tanks, external lighting, parking areas, caravans, boats, swimming pools, tennis courts, pergolas, sheds and amenity gardens and lawns shall be confined to the domestic curtilage area as shown on the certified landscape plan.
- All exterior lighting shall be down lighting at a maximum height of 1.2m and to not spill beyond the boundaries of the respect lot.

Steve Skelton

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Registered Landscape Architect



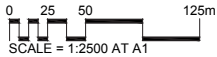
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BERBEN - Hawea
Context Map and Visual Assessment Locations
4 December 2019



12 November 2019



12 November 2019



12 November 2019



12 November 2019



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