

**BEFORE THE COMMISSIONERS APPOINTED BY THE QUEENSTOWN
LAKES DISTRICT COUNCIL**

IN THE MATTER

of Stage 3b of the Proposed
District Plan

**CORBRIDGE ESTATE LIMITED
PARTNERSHIP**

Submitter

BRIEF OF EVIDENCE OF DANIEL MICHAEL CURLEY

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BRIEF OF EVIDENCE OF DANIEL MICHEAL CURLEY

INTRODUCTION

1. My full name is Daniel Michael Curley. I hold the qualification of Bachelor of Environmental Management from Lincoln University.
2. I am a director of IP Solutions Ltd, which is a land and asset development consultancy that offers land-development advice, resource management planning and project management. I have over 13 years of planning and land development experience in the Queenstown Lakes District, with many of these in planning specific roles with Vivian+Espie Ltd (Queenstown), Paterson Pitts Partners (Wanaka) and Civic Corporation Ltd (Wanaka).
3. Throughout my professional career, I have been involved in a wide range of resource management matters. I have made numerous appearances in front of hearing panels and I have also provided planning evidence to the Environment Court.
4. I have reviewed the Environment Court's code of conduct for expert witnesses and confirm that this evidence has been prepared in accordance with it. All opinions that I offer in this evidence are within my expertise. I have not omitted to refer to any relevant document or evidence except as expressly stated. I agree to comply with the code and in particular to assist the Commissions in resolving matters that are within my expertise.
5. I have been engaged by Corbridge Estate Limited Partnership (Corbridge) since Feb 2019. I have provided advice regarding development options for the Corbridge land and worked as part of a wider consulting team to develop the rezoning proposal as submitted to Council.

SCOPE OF EVIDENCE

6. My evidence will cover the following:
- (a) Description of the site;
 - (b) Existing consents and use of the site;
 - (c) Background to the development of the re-zoning proposal;
 - (d) Description of rezoning proposal including:
 - (i) The Corbridge Structure plan;
 - (ii) Proposed rules applicable to Corbridge and how they are intended to operate to manage effects within the Corbridge land;
 - (e) Conclusions.

DESCRIPTION OF THE SITE

7. The site is located approximately 3.5km east of Wanaka, on the northern side of State Highway 6 (the Wanaka-Luggate Highway), and is the largest single rural land-holding located adjacent the State Highway roading corridor between the intersection of Mount Barker Road with State Highway 6 and Wanaka township.
8. Zoned Rural General under the Operative District Plan (ODP) and Rural under Stage 1 decisions of the Proposed District Plan (PDP), the site comprises 322 ha of arable farm land, identified by survey parcels Part Sections 64-67, Block IV, Lower Wanaka Survey District (held in Certificate of Title OT14C/457), and Section 1, Block II Lower Wanaka Survey District (held in Certificate of Title OT17A/336). See certificate of titles attached at **Appendix 1** of this evidence.
9. When viewed as one land holding, the site is of irregular geometry, spanning from the Wanaka Luggate Highway at its southern extent, to Crown Land (Marginal Strip) adjacent the True Right bank of the Clutha River at its northern extent.

10. Over a distance of approximately 2.0km, site elevation gradually rises from the Wanaka Luggate Highway towards the north before dropping steeply to the True Right bank of the Clutha River. Only a portion of the site's depth (which spans a distance of approximately 2.0km from State Highway 6 to the north) is readily visible from the State Highway corridor. The site has significant topographical variation within it which renders much of the site either only partially visible or invisible from many locations.
11. Rural land beyond the Clutha River corridor (directly north of and set significantly lower than the site) is intensively farmed as a dairy grazing and production unit (comprised of multiple titles, listed as being owned by James Wilson Cooper).
12. The site's eastern extent is flanked by five rural living properties (held in individual titles 15960, OT17B/422, OT17B/421, 104106 & 104098), one of which is accessed from State Highway 6 (15960), and four of which are accessed from Stevenson Road. These sites range in area from 6.1ha to 39ha.
13. Approximately 650m further east of the site is the Wanaka Airport (and associated land) and existing Windermere Rural Visitor Zone (ODP), both of which are generally encompassed by rural living allotments of the Poplar Beach Subdivision on the northern side of State Highway 6 (RM020018) and the Bell subdivision (RM980306) on the south side of State Highway 6 between Mount Barker Road and Ballantyne Roads.
14. Much of the land directly south of the site (southern side of State Highway 6) has also been developed for rural living purposes, with a relatively dense establishment of rural living activity and associated domestication situated within the triangular area of land that sits between State Highway 6, Ballantyne Road and an un-named (partly formed) legal road. The sites within this triangular area of land range in area from 1.9ha to 4.6ha.
15. The site's western extents are flanked by a combination of rural living and rural production land-holdings that are accessed from both the State

Highway (titles OT18D/59, 2462 & 2463) and Halliday Road (title 774712). Three of the aforementioned rural living properties range in area from 4ha to 9.7ha, while the larger land holding accessed from Halliday Road comprises 161ha.

16. From State Highway 6, the visible parts of the site are viewed as a large tract of rural pasture, which on further assessment is somewhat incongruous given the predomination of smaller rural titles (many of which support rural living activity) situated between the Wanaka Airport and the township of Wanaka.
17. One such significant feature is a topographical depression that features a reservoir (described in evidence as a 'lake'), earthworks for which were approved by RM100152. As described by Mr Espie a combination of site contour and extensive lengths of mature shelterbelts obstruct views into the site from many locations, including the State Highway corridor.
18. In terms of existing built form/building infrastructure, a farm manager's house and accessory facilities are established in the south eastern extent of the site. These are accessed from a vehicle crossing near the intersection of Ballantyne Road and State Highway 6.
19. Visually, the existing house, accessory buildings and yard areas are well defined not only by the presence of buildings themselves but also by established landscape plantings and curtilage activities indicative of settlement/rural land occupation.
20. A wool shed, that is being used to host various functions (approved by RM150918) is situated approximately 200m north of the existing farm manager's house and accessory buildings/facilities. This woolshed is situated upon an area of grounds that can be described as well manicured, and in close proximity to a small lake that covers an area of approximately one acre.
21. The site's main access point (constructed for the purpose of RM120572) extends from State Highway 6 approximately 230m to the northwest of the

Ballantyne Road intersection with the State Highway. This vehicle crossing is currently formed to high traffic volume standard, as approved by NZTA. Further detail related to the engineering design of this access point is detailed within the evidence of Mr Botting.

22. The Wanaka Airport Outer Control Boundary (OCB) extends into the site towards the north eastern corner of the site. The extent of the site's area that is affected by the OCB is illustrated on the plan attached as **Appendix 1** of Mr Espie's evidence. The implications of the OCB for the site are assessed in the Evidence of Mr Smith.
23. Two unformed legal roads cross the site. One of these legal roads travels north to south between State Highway 6 and the top of the Clutha river escarpment, while the other travels east to west across the site, separating Section 67 Block IV and Section 1 Block II. A foul sewer pipe runs under the latter road to the Project Pure waste water treatment facility which is adjacent to the Wanaka airport to the north east of the site.
24. As part of Subdivision Approval RM120572 (to be detailed further within this evidence), these unformed legal roads are to be re-aligned and/or closed where necessary during stages of development approved by consent. There is a separate process associated with the road stopping.

EXISTING CONSENTS AND USE OF THE SITE

25. Resource consent RM100152 granted approval for the establishment of an irrigation reservoir in the central depression within the site. That consent has been exercised and the reservoir established. This creates an area of high amenity that will serve as a central focus for the proposed visitor accommodation and golf course development.
26. Perhaps of most significance to the site's existing environment is the approval of RM120572.
27. Resource consent RM120572 was issued in 2013 (with a ten year lapse period) approving 35 residential allotments and a balance farming allotment. Each allotment has a residential building platform, and the consent enables the establishment of communal work and social buildings, four guest

accommodation units, a boat shed and jetties at the location of the lake (labelled and described within the proposal as a 'community hub'), two utility buildings and associated earthworks.

28. The residential lots approved by RM120572 range in size from 2,150 m² to a maximum of 10,500m².
29. The balance of the site, including the existing house, communal buildings, access and services to the 35 residential lots would be collectively owned by the owners of lots 1-35.
30. The lots and their respective building platforms were approved in three broad areas of the site. The Riverside area, comprising 12 lots arranged in four small groups overlooking the Clutha River, the Westview cluster comprising 12 lots positioned within an open gully immediately to the northeast of the lake, and the Lakeview lots which will comprise 11 north facing lots overlooking the large natural topographical depression which features the water reservoir established pursuant to RM100152.
31. The community hub approved by RM120572 was proposed as and acknowledged by Council as a key element of the development and was referred to in the application as the 'heart' and/or 'social fabric' of the overall concept.
32. The community hub will comprise work and social buildings, a lawn area, patio, vegetable and fruit tree gardens, a swimming pool, two tennis Courts, four guest accommodation buildings, two jetties, a boatshed and a car park, all of which will be connected to other parts of the development via an internal network of off-road walking and cycling tracks.
33. The reservoir approved by RM100152 is at the centre of the approved subdivision development and will be where the community hub is to be located, providing amenity and outdoor recreational opportunities for residents.
34. A copy of the RM120572 decision is attached at **Appendix 2** of this evidence.

35. Resource consent RM150918 approved the use of the wool shed (previously described) for up to 65 events per calendar year (weddings, receptions, corporate events etc.). That consent has been exercised. The nature of the venue can be seen at www.corbridgewoolshed.com.

BACKGROUND TO THE PROPOSED REZONING

36. In February 2019, Corbridge Estate Limited Partnership engaged IP Solutions Ltd and Vivian Espie Ltd to advise on how to establish visitor accommodation and associated activities, including a significant outdoor recreational facility (golf course) upon the Corbridge land.
37. After a number of meetings, including multiple site visits, an understanding of the Corbridge team's vision was gained. This vision has been described and explained in the evidence of Mr Watkins.
38. Overall, it is my opinion that while a development of the nature approved by RM120572 will result in positive outcomes that are consistent with the purpose and principles of the Resource Management Act, there may be a better alternative that generates greater social and economic benefit for the wider community and contributes more effectively to the strategic objectives of the Queenstown Lakes District.
39. As has been explained in the evidence of Mr Espie, the Corbridge site is large enough to accommodate a reasonably high volume of development, whilst maintaining wider landscape character and amenity values. This is in part due to the presence of significant topographical contour that generally provides for high levels of enclosure.
40. Mr Espie explains in his evidence that broadly speaking, the Rural Character Landscape which the Corbridge site is part of is less sensitive than any Outstanding Natural Landscape. The less sensitive parts of the site do provide an opportunity to carefully locate built form while the more sensitive areas can be maintained free of development and utilised for open space and recreation activities that also rely on an open landscape character and do not compromise wider amenity values.

41. Obviously landscape considerations are particularly important to the assessment of a development's suitability for a particular part of the District's rural environment. We advised Corbridge that landscape considerations needed to be the starting point when considering options for the site. Other considerations included visitor demand, the Wanaka Airport Outer Control Boundary, and at the time of detailed design, options of serviceability. Further to this, as a result of scale, the team also gave consideration to construction industry staffing and ongoing operational staffing matters.
42. In advising Corbridge as to the most appropriate approach to develop the site we initially considered the site's current rural zoning provisions (being Rural General under the ODP and Rural Zone under the PDP). Under that framework we took the view that it would be possible to establish the recreational activity (golf course) relatively easily via consents, but it became apparent that the Rural zone provisions would not enable the type and scale of visitor offering that would be required to support the international nature/standard of golf course envisaged. We were of the view that a consent process for the overall proposal would inevitably be long, fractious and carry significant risk of failure.
43. As a consequence of this view, we advised Corbridge that a zone change would be the preferred approach. Rezoning would also provide a greater degree of flexibility in terms of timing and implementation of the development, allowing it to be 'rolled out' as market demand occurred. This is particularly relevant for Corbridge given that there is a degree of uncertainty surrounding the future of the Wanaka Airport and what consequences that has on the visitor economy within the Upper Clutha. Obviously, Covid-19 has added a further layer of complexity in this regard.
44. In 2015 Stage 1 of the Proposed District Plan provided landowners an opportunity to request new zoning for land that was zoned Rural General under the ODP. However, Council deferred requests for Rural Visitor Zoning until such time as the Rural Visitor Zone was reviewed as part of future stages of the District Plan Review process.
45. While it is arguable that Council's later review of existing Resort Zones (Special Zones) under the ODP provided an opportunity for Corbridge to

address a re-zoning of the site, at the time of resort zoning notification, there was no suitable Chapter and associated suite of rules that suitably fitted the site.

46. The Resort Zones that were notified were bespoke to the Millbrook, Waterfall Park and Jacks Point Resort developments. The provisions were not easily adapted to other sites. Corbridge's intent is to more broadly supply visitor accommodation and associated activities within the Upper Clutha and provide outdoor recreation opportunities (primarily Golf) in proximity to the hub of Wanaka. Notification of the Rural Visitor Zone (Stage 3b of the District Plan Review) provided a fitting opportunity to enable a re-zoning to occur to facilitate the Corbridge vision.

DESCRIPTION OF PROPOSAL FOR REZONING

47. As explained in Mr Espie's evidence, prior to formulating a suitable Structure Plan (spatial planning framework for the site), Mr Espie assessed the site and identified the areas that are capable of absorbing development and those that would require management in order to maintain landscape character and visual amenity values.
48. Mr Espie's advice was to utilise a structure plan to manage use and development within the site by identifying various areas of the site the different types of built development anticipated by Corbridge. The structure plan also enables the identification of areas to be managed for landscape character and amenity maintenance purposes.
49. The Structure Plan approach sought to direct and administrate:
- (a) the maintenance of road side buffer/open space that would comprise open pastoral land (and key landscape features such as existing shelterbelts). This area is generally visible from and located adjacent the State Highway and contributes to the landscape character and amenity of the approach to and exit from Albert Town and Wanaka. The other open space areas are located around the external perimeter of the site or in areas of higher topography such that they contribute to the open landscape character and amenity values of the area. These parts

of the site were referred to on the draft structure plan (attached with the Corbridge Submission) as '*road side buffer/landscape open space*'. The refined version of the structure plan attached with this evidence labels the open space areas as AA6 (Open Space) & AA7 (Open Space Road Buffer).

- (b) the development of recreational facilities in the form of a golf course within areas of the site where an open landscape character is to be maintained. These areas were labelled as '*golf activity area*' and are now referred to as AA8.
- (c) provision for the establishment of residential and visitor accommodation units within the periphery of the golf course. These areas will have a low density of development and the units will enjoy high levels of amenity associated with the large swathes of open space associated with the golf course activity. This area within the site was labelled as '*golf fairways residential*'. The refined version of structure plan labels these areas as AA1, and in total these areas combine to cover approximately 28.7ha of the proposed RVZ.
- (d) Two areas identified to enable the establishment of lower density visitor accommodation units. These units will be set amongst generous open space within park-like grounds. The northern area is located centrally (east west), significantly set back from the Clutha River Terrace edge and to the north of an existing shelter-belt. The southern area is located between two existing shelterbelts that run east west (tending south east) between the reservoir and the Road Side Buffer Area. These areas were labelled '*residential/dwelling style visitor accommodation*', now identified as AA2 and in total these areas combine to cover approximately 24ha of the proposed RVZ.
- (e) Two areas of land have been identified to enable the establishment of higher density visitor accommodation units of varied building typologies up to a maximum height of 12.0m. The southern most of these areas has been identified upon a steep

terrace riser on the southern side of the central lake, directly north of a large shelterbelt (the trees range between 22-30m in height), while the north eastern such area is located at the north eastern corner of the lake. Both of these areas provide substantial topographical enclosure and were identified on the draft Structure Plan as '*visitor accommodation*'. The refined version of the structure plan labels these areas as AA3 and in total they combine to cover approximately 13.5ha of the proposed RVZ.

- (f) A Hotel and Golf Club Facilities area that is to provide for larger format buildings up to 16.0m in height within some of the site's lowest and most enclosed topography, directly east of and adjacent the central lake. This area was labelled '*Hotel/Golf Club House*' and is now identified on the structure plan as AA4, covering approximately 3.8ha of the proposed RVZ.
 - (g) A '*workers village*' (labelled the same) in the south eastern extent of the site that will cater to the accommodation of construction and ongoing Rural Visitor Zone operational staff. This activity area covers approximately 12.4ha of the proposed RVZ.
50. The submission filed by Corbridge sought incorporation of the structure plan and some provisions to enable development in accordance with it. Since filing the submission and reviewing the Council's response, the Corbridge team have sought to further refine the relief sought and provide greater detail with respect to the provisions required to support and implement the structure plan. The provisions proposed by Corbridge are attached at **Appendix 3** of this evidence.
51. Council's reporting officer has accepted that a Rural Visitor Zone is able to be identified within rural areas of the District that are not classified as Outstanding Natural Landscapes, and that zoning the site Rural Visitor Zone would succeed in providing access to areas of Rural Character Landscape and generate economic and social benefits. However, the reporting officer recommends that the Corbridge submission be rejected for the following reasons:

- (a) The Corbridge site exhibits limited capacity to absorb the type of development anticipated by the RVZ, specifically the development proposed is not sensitive to the site-specific attributes and values envisaged within the RVZ, and does not exhibit all of the key characteristics for RVZ areas;
 - (b) The provision of residential development within an RVZ will be contrary to the strategic objectives and policies contained within Chapter 3 of the PDP;
 - (c) The submission provided no clarity as to how the provision of onsite accommodation for construction staff would give effect to the objectives of the RVZ;
 - (d) The submission did not demonstrate that the effects of height exceptions to built form were appropriate for Controlled activity status;
 - (e) The Rural Zone framework provides greater protection for reverse sensitivity effects related to Wanaka Airport activities;
 - (f) Similar benefits would be more appropriately achieved through either a discretionary resource consent application, or in the case of the site, a different type of zone, such as a resort zone.
53. Evidence related to the economic benefits acknowledged by Council's reporting officer is provided by Mr Colegrave for Corbridge.
54. In response to Points 1 and 4 above, Mr Espie's evidence sets out the purpose of a Structure Plan, this is a specific response to manage development within the site to address landscape and amenity effects. It concentrates and contains the denser forms of development in the central, topographically enclosed part of the site, whilst keeping the more exposed and sensitive parts of the site generally open in character.
55. As is obvious on site, the height controls proposed (including provision for buildings up to 12.0m and 16.0m within two Activity Areas) are specifically in response to site topography. The site contains significant variations in

topography which are not apparent from public view points. The proposed height rules have been developed in response to that topography as it is able to absorb the effects of higher built form while maintaining wider rural landscape values.

56. In response to Points 2,3 & 6 above, Mr Edgar's evidence addresses the proposal's alignment to Strategic Objectives and Policies that are contained in Chapter 3 of the PDP.
57. Specifically in respect of the Point 3, I note that providing a Rural Visitor Zone with its own supply of construction staff and on-going operational staffing accommodation (on site worker accommodation) is Permitted by the Zone Rules as proposed by Council and so I do not foresee a conflict of this outcome with Objectives of the Rural Visitor Zone. Mr Watkin's outlines in his evidence why Corbridge wish to include worker accommodation. Those reasons are equally applicable to construction and operational staff.
58. In response to Point 5, Mr Smith's evidence discusses the implications of the Wanaka Airport Outer Control Boundary, and to what degree airport activities will affect Rural Visitor Zone activities upon the site.
59. Further in response of this point, not only does the Structure Plan avoid locating noise sensitive activities within the Outer Control Boundary, the proposed rules attached at **Appendix 3** of my evidence secures this outcome by prohibiting Noise Sensitive Activities within the OCB. This is the same method adopted by the Rural Zone provisions. In my opinion this adequately addresses the concerns raised by the Queenstown Airport Corporation in their further submission.
60. In response to the Council Officer's conclusion of how similar benefits of an RVZ being identified at the Corbridge site could be achieved by a different mechanism (resource consent and/or different zoning), Mr Edgar has undertaken a cost benefit analysis of the various options available at for the site.

PROPOSED ZONE PROVISIONS AND RULES

61. In response to Council's Section 42A recommendation report, and after numerous further site visits and assessment, the following amendments to the proposal have been made:
- a. The refinement of Zone Purpose as presented in evidence by Mr Edgar;
 - b. The drafting of new Objectives and Policies as presented in evidence by Mr Edgar;
 - c. The production of a plan that details areas of High Landscape Sensitivity, produced for the purpose of and supported by the landscape evidence of Mr Espie. I note that these areas are recognised through the structure plan and the activity areas that apply to the high sensitivity areas. It is not necessary to identify these areas on the district planning maps in my view as they are inherent in the Structure Plan;
 - d. The further refinement of each area identified on the Corbridge Structure Plan, specifically including the removal of potential development opportunity for noise sensitive activities in proximity to and within the Wanaka Airport Outer Control Boundary (formerly that area identified as '*Golf Fairways Residential*', now AA1), , and a reduction of land identified for the establishment of '*worker accommodation*' (now AA5) in that part of the landscape that provides less enclosure when viewed from the State Highway;
 - e. Limitations relating to the total number of Accommodation Units in Activity Areas AA1 and AA2;
 - f. Limitations relating to the total number of accommodation units that are able to be used for residential activity within Activity Area AA1;

- g. Limitations relating to the number of on-site worker/staff residential accommodation units within Activity Area AA5;
- h. A re-labelling of each Activity Area in the format of AA1-AA8;
- i. The introduction of a Corbridge specific rule tables that provide for structure plan wide and Activity Area (AA1-8) restrictions to streamline plan administration within respect to Corbridge and other RVZ's. These rules are attached as **Appendix 3** to this evidence.

Proposed Rules

- 62. The proposed rules follow the drafting approach in the balance of the RVZ with the primary 46.6 Activities Table addressing activity types, specifically where and what activities can and cannot occur in the zone, while the more activity specific Table 46.7 includes controls on development in each Activity Area through maximum quantum/density, bulk and location controls, building material controls etc.
- 63. Below I provide a brief explanation of each provision:
 - a. **Rule 46.6.1** applies a Non Complying activity status to any activity that is not in accordance with the Corbridge Structure Plan. As has been discussed in this evidence, it is proposed that the structure plan be included and referred to within Chapter 46, and all future development outcomes be directed by it. For that reason the rules seek to discourage development that deviates from the structure plan;
 - b. **Rules 46.6.2 – 46.6.5** provide for activities that are inherent to either the 'rural', 'visitor' or 'outdoor recreational' nature of the Rural Visitor Zone and are able to be afforded Permitted Activity status;
 - c. **Rule 46.6.6** specifically provides for on-site construction staff and staff worker accommodation within one Activity Area, being AA5. This contains this development to a small portion

of the site, as opposed to other RVZ's which enable the activity itself throughout an RVZ as a Permitted Activity;

- d. **Rule 46.6.7** provides Permitted Activity status for residential activity in AA1. This is the only Activity Area within the Corbridge Structure Plan that provides for residential activity more generally. A further AA1 specific rule provides for a maximum number of Visitor Accommodation units to accommodate such activity (35 – consistent with the 'existing environment' established pursuant to RM120572). **Rule 46.6.8** provides for homestay activities as part of those 35 maximum residential activities;
- e. **Rule 46.6.9** applies a Non Complying Activity status to any residential activity other than those provided for within Activity Area AA1 (capped at 35 by the inclusion of an Activity Area specific rule) and AA5 (capped at 100 by an Activity Area specific rule). The purpose of this rule is to ensure that residential activity remains secondary to the other activities on the site as discussed in the evidence of Mr Edgar;
- f. **Rule 46.6.10** requires that any building to be established on site will require Controlled Activity resource consent. The matters of control have been kept fairly wide to ensure that the full suite of effects can be addressed by way of conditions, whilst providing some certainty to the developer.
- g. **Rule 46.6.11** appoints a full Discretionary Activity status to any buildings located within Activity Area AA6 – Open Space, as while buildings are not generally anticipated in the activity area, there may be a certain type of building proposed within this location, which Council is able to exercise full discretion surrounding its appropriateness;
- h. **Rule 46.6.12** provides for the alteration of existing buildings within Activity Area AA7 as a Restricted-Discretionary Activity. This is to recognise the existing buildings, but manage any

alterations to ensure they occur sensitively to the landscape and amenity values of the rural environment;

- i. **Rule 46.6.13** makes the construction of any new building within Activity Area AA7 (distinct from existing buildings recognised by 46.6.12 above) Non Complying in activity status as they are not anticipated by the structure plan. This is to discourage establishment of buildings within AA7 because this area is particularly sensitive and retaining its openness is important from a landscape perspective;
- j. **Rule 46.6.14** provides recognition that buildings associated with player shelters, grounds keeping, maintenance or storage of equipment or machinery associated with a golf course in Activity Area AA8 are appropriate and a necessary part of the golf activity. Discretionary and Non Complying Activity status has been appointed by Activity Area specific rules that apply limitations as to building format;
- k. **Rule 46.6.15** provides Council with full Discretion in respect to parts of a golf course in or extending beyond the area identified for the golf course activity (AA8). While a Non-Complying activity consent would be triggered in any case (Rule 46.6.1). This specific rule is more enabling of pragmatic consent administration associated with minor degrees of variation from the structure plan in this respect;
- l. **Rule 46.6.16** carries over the Rural Zone status for any Noise Sensitive Activity within the Wanaka Airport Outer Control Boundary – simply prohibiting any noise sensitive activity in this location;
- m. **Rules 46.6.17-19** appoint Non Complying Activity status to activities simply not envisaged in the RVZ, while **Rule 46.6.20** seeks to avoid any potential conflict between airport activities on the site and Wanaka Airport Activities;

- n. **Rule 46.6.21** provides for Licensed Premises as a Controlled Activity to enable Council to exercise a level of control over such activities given their potential effects. **Rule 46.6.22** restricts such activities to Activity Areas 3 and 4 only, appointing a Non Complying Status to such activity outside of these Activity Areas. The purpose of this is in part to contain the more 'commercial' elements of the proposal to the central part of the site where effects are internalised;
 - o. **Rule 46.6.23** directs appropriate external surface colours and reflectivity, with contravention of this rule triggering Restricted-Discretionary Activity consent. This rule is as proposed by Council's reporting officer for the RVZ zone;
 - p. **Rule 46.6.24** directs all buildings to be set-back a minimum of 15m from the RVZ boundary, which is consistent with the minimum set-back rule adopted by the Rural Zone provisions of the PDP;
 - q. **Rule 46.6.25** is a 'catch all other activities' rule, effectively applying a Non Complying status to any activity not provided for, and perhaps in that case not envisaged within a Rural Visitor Zone.
64. Moving onto the Activity Area Specific rules contained in Table 46.7, the first Activity Area addressed is Fairway Visitor Accommodation Activity Area AA1. This area is entirely managed by rules which if broken will trigger a Non Complying Activity status. In order, Rules 46.7.1 – 46.7.6 direct the following outcomes:
- a. The construction of no more than 150 visitor accommodation units;
 - b. The use of no more than 35 visitor accommodation units for residential activity;
 - c. The gross floor area of each unit shall not exceed 400m²;

- d. Visitor accommodation units and their accessory buildings shall be set back a minimum of 8m from other units and their accessory buildings;
 - e. Buildings shall be set back 10m from any road or service lane; and
 - f. Buildings shall not exceed 6.0m in height.
65. Overall the provisions specifically applicable to Activity Area AA1 will enable the establishment of up to 150 larger format accommodation units set within the high amenity peripherals of Golf Course Fairways. A minor apportionment (35) can be permanently occupied by residents. Activity Area AA1 totals approximately 28.7ha which equates to a potential end density of 1 accommodation unit per 1,913m² of Activity Area. The location of these units will benefit from the amenity and open space created by the adjacent golf course activity.
66. The rules specifically applicable to development within Low Density Visitor Accommodation Activity Area AA2 replicate those of Activity Area AA1, however set the maximum number of units to 100 and reduce the maximum footprint of each unit to 300m². These specific Activity Area provisions in combination with the 24ha of Activity Area will provide for the establishment of 100 individual accommodation units set amongst generous areas of space. If fully developed the density within AA2 will be approximately 1 accommodation unit per 2,400m² of Activity Area.
67. The rules specifically applicable to development within the Higher Density Visitor Accommodation Activity Area AA3 take a slightly different approach to Activity Areas AA1 & AA2. Within AA3 it is not intended to cap the number of units, but restrict built form by imposing a building coverage limit at 50% of the Activity Area.
68. Given the high levels of topographical enclosure at the location of Activity Area AA3, the rules provide for a greater maximum footprint of individual building form, while also providing a maximum height of 12.0m to provide greater design scope to enable a mixture of building types including

detached, semi-detached, or terraced buildings. This also provides the developer with flexibility about the nature of the accommodation offering within this area.

69. Breaches of the maximum building footprint control have been classified as Restricted Discretionary to acknowledge that the effects of greater building footprint may be appropriate in the Activity Area AA3 provided that the design is managed such that effects of built form within the RVZ from outside of the zone are appropriately mitigated. For example, it may turn out a building footprint far larger than 1,000m² suitably fits the topography of Activity Area 3, whilst not giving rise to adverse effects related to visual outcomes associated with the visibility of its final design and location.
70. The rules specifically applicable to development within the Hotel/Golf Facilities Activity Area AA4 generally follows the same format as Activity Area AA3 however, extends building coverage control to 70% of the Activity Area, and provides for building height between 12.0m and 16.0m as a Restricted Discretionary activity.
71. The Activity Area AA4 specific rules will provide for the largest format buildings within the RVZ, which will provide an opportunity to create a strong physical focal point for the development, but which also supports establishment of facilities including spa and pool facilities, conference rooms, restaurants, club houses etc that are associated with a 5 star hotel and a Marquee golf course.
72. The rules specifically applicable to the Worker Accommodation Activity Area AA5 provides for a total of 100 worker accommodation units, with a Discretionary Activity consent being triggered for any number exceeding 100. The purpose of this control is to provide for worker accommodation at a scale that is commensurate with the anticipated scale of the long term work force that may require accommodation on site, but also provide some opportunity for more units if required.
73. The rules seek to cap the maximum gross area of each unit such that they remain of a style consistent with their purpose (as set out by Mr Watkins and

Mr Falconer), and also provide set back provisions that will ensure a good amenity outcome for residents.

74. While the rules provide a cap on total building coverage (45%), the limit of 100 units no larger than 160m² will give rise to an approximate coverage of 13%. Therefore the building coverage rule is proposed to assist in managing outcomes if further development is applied for under Rule 46.7.19.
75. The activity specific height rules proposed provide for an expectation that single storied building forms will predominate within the activity area. The proposed Restricted Discretionary status appointed to building heights between 5.0m and 6.5m will provide some design scope for accommodation units to incorporate two stories in appropriate locations.
76. The rules specifically applicable to Open Space Activity Area AA6 provide for some small scale buildings by the inclusion of Rules 47.7.26 and 47.7.27 but ensure that open character is maintained.
77. The rules specifically applicable to the Open Space Road Buffer Activity Area AA7 seek to protect existing shelterbelts by the inclusion of Rule 46.7.28, and by the inclusion of Rule 46.7.29 protect the landscape values associated with open landscape values that contribute to an observers appreciation of the site's landscape when observed from the State Highway.
78. The rules specifically applicable to the Golf Course Activity Area AA8 provide for establishment of the golf course itself and the associated buildings that may be appropriate to be established to support the Golf Course Activity. .
79. In respect of future subdivision, it is proposed that a Corbridge specific minimum allotment size is applied to subdivision of land within the Worker Village Activity Area AA5 to provide Council with a mechanism to protect and maintain the intended use of the activity area and units within it for worker accommodation by preventing small scale subdivision that is more akin to residential development.
80. It is envisaged that larger lots created by subdivision (greater than 3.0ha) may offer opportunities of tenure for either investment by third party, or visitor

industry operators who seek to secure a stronger position around the feasibility of accommodating staff.

CONCLUSIONS

81. Overall, it is my opinion that the Corbridge Land is able to provide for visitor accommodation and associated activities, whilst providing significant outdoor recreational opportunities. The proposed provisions enable the establishment of these activities while managing the effects of the development on the surrounding environment. In my opinion the rules will be efficient and effective.
82. The establishment of a Rural Visitor Zone upon the site will give rise to significant positive social and economic outcomes as set out in the evidence filed in support of the Corbridge submission, particularly that of Mr Colegrave. Other evidence filed in support of the submission demonstrates that these benefits can be secured whilst managing the potential adverse effects of the proposed development in accordance with the PDP's objectives and policies.
83. The structure plan approach, in combination with the rules detailed within this evidence will direct development outcomes to those parts of the site that are most capable of absorbing the effects related to the type of development anticipated by each Activity Area.
84. At the time of resource consent, the site specific and Activity Area specific rules will enable the detailed design of development within those locations to be further assessed by Council, with matters of control and discretion being exercised to further manage effects.

Dan Curley

IP Solutions

Date: 28 May 2020

APPENDIX 1 – RECORDS OF TITLE



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




R. W. Muir
Registrar-General
of Land

Identifier **OT17A/336**
Land Registration District **Otago**
Date Issued 08 November 1995

Prior References

OT14C/196

Estate Fee Simple
Area 76.7658 hectares more or less
Legal Description Section 65 and Part Section 64 Block IV
Lower Wanaka Survey District

Registered Owners

Corbridge Estates Limited Partnership

Interests

Subject to Section 11 Crown Minerals Act 1991

Subject to Part IV A Conservation Act 1987

5041484.1 Gazette Notice (2001/1044) declaring adjoining road (S.H. No 6) to be limited access road - 11.5.2001 at 9:31 am

5136378.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 11.1.2002 at 11:39 am

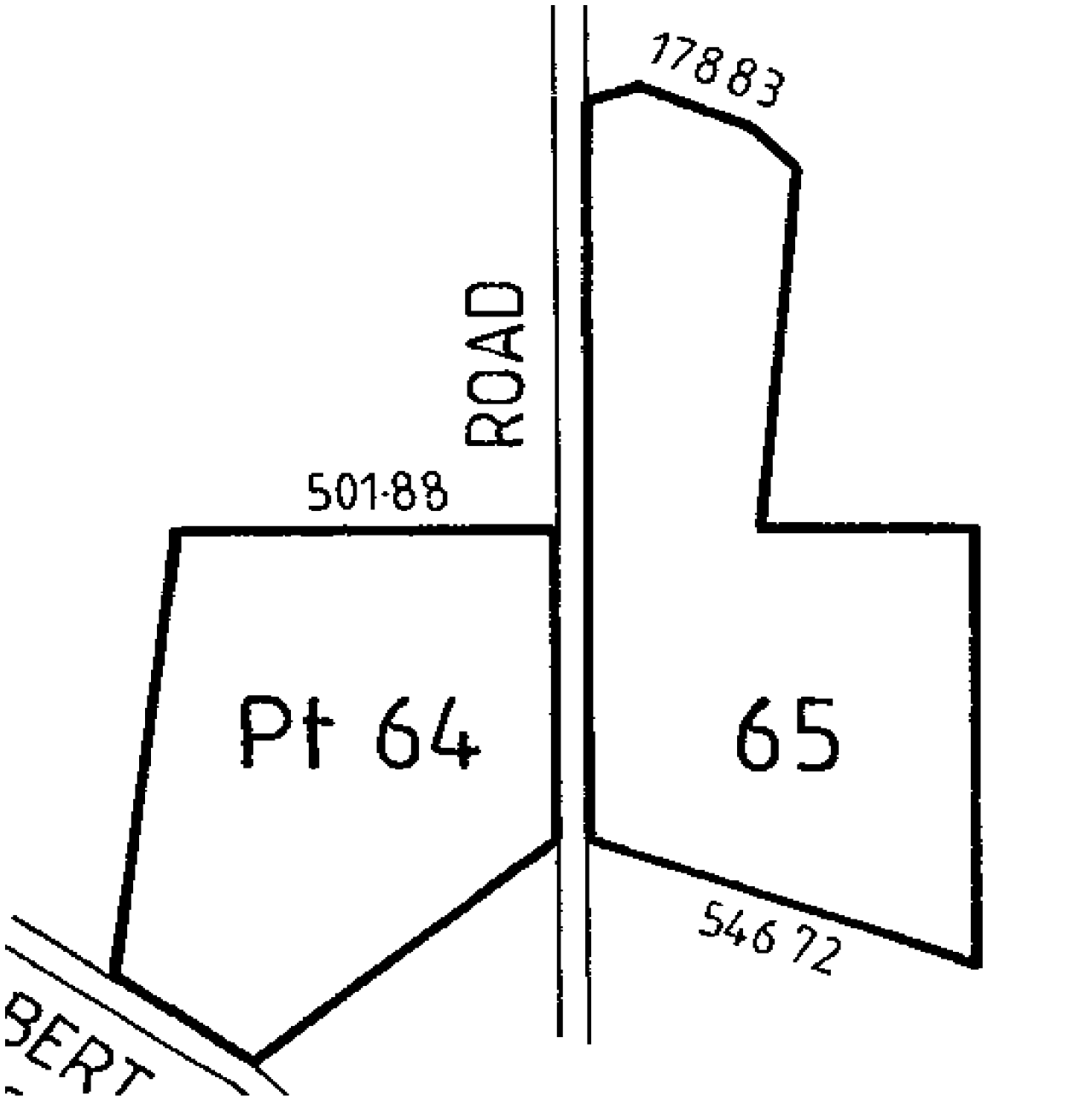
Land Covenant in Easement Instrument 9829345.2 - 10.12.2014 at 12:24 pm

10061658.1 Mortgage to ASB Bank Limited - 19.5.2015 at 10:11 am

10193683.1 CAVEAT BY FRANCES MARGARET ANN TAYLOR - 17.9.2015 at 3:37 pm

Identifier

OT17A/336





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




R. W. Muir
Registrar-General
of Land

Identifier OT14C/457
Land Registration District Otago
Date Issued 16 June 1992

Prior References

OT8C/244

Estate Fee Simple
Area 245.2592 hectares more or less
Legal Description Section 1 Block II Lower Wanaka Survey
District and Section 66-67 Block IV Lower
Wanaka Survey District

Registered Owners

Corbridge Estates Limited Partnership

Interests

Subject to Section 11 Crown Minerals Act 1991

Subject to Part IV A Conservation Act 1987

5041484.1 Gazette Notice (2001/1044) declaring adjoining road (S.H. No 6) to be limited access road - 11.5.2001 at 9:31 am

5061036.1 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 18.7.2001 at 1:38 pm

5061036.2 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 18.7.2001 at 1:38 pm

5061036.3 Notice pursuant to Section 91 Transit New Zealand Act 1989 - 18.7.2001 at 1:38 pm

9058499.1 Certificate pursuant to Section 417 Resource Management Act 1991 to Corbridge Estates Limited Partnership - 11.5.2012 at 3:13 pm (affects Section 1 Block II Lower Wanaka SD and Section 67 Block IV Lower Wanaka SD)

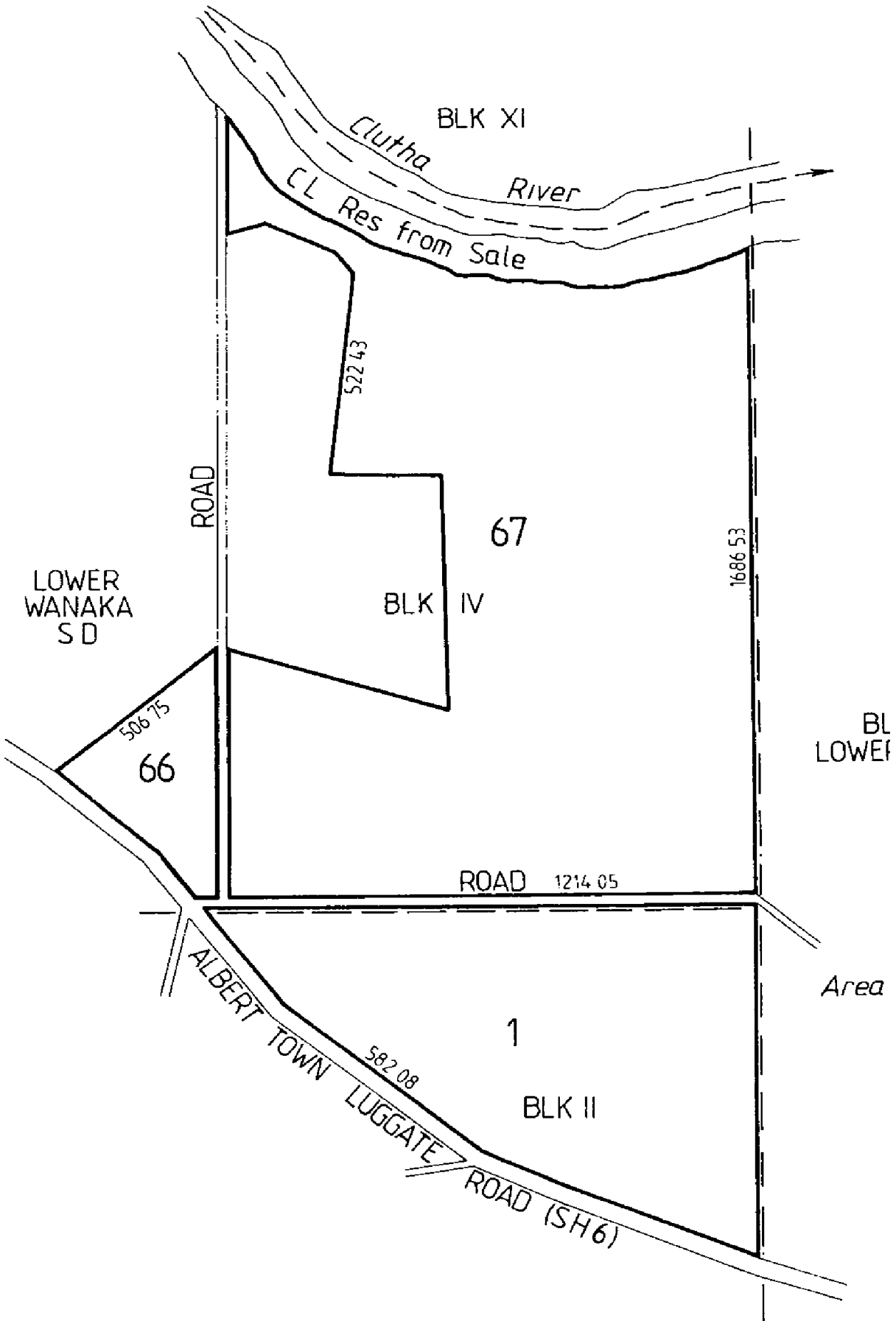
Land Covenant in Easement Instrument 9829345.2 - 10.12.2014 at 12:24 pm

10061658.1 Mortgage to ASB Bank Limited - 19.5.2015 at 10:11 am

10193683.1 CAVEAT BY FRANCES MARGARET ANN TAYLOR - 17.9.2015 at 3:37 pm

Identifier

OT14C/457



7 18615 952

APPENDIX 2 – RM120572 DECISION



DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

Applicant:	Corbridge Estates Partnership Limited
RM reference:	RM120572
Location:	707 Wanaka-Luggate Highway (SH6), Wanaka
Proposal:	To subdivide a property into 35 allotments and a balance farming lot, each with a residential building platform; to construct communal buildings, a boatshed, jetties, two utility buildings and earthworks.
Type of Consent:	Subdivision and Land Use
Legal Description:	Section 1 Block II Lower Wanaka Survey District and Section 66 to 67 Block IV Lower Wanaka Survey District held in Computer Freehold Register OT 14C/457, together with Section 65 and Part Section 64 Block IV Lower Wanaka Survey District held in Computer Freehold Register OT 17A/336.
Valuation Numbers:	2906304800, 2906305800 and 2906304900
Zoning:	Rural General
Activity Status:	Discretionary
Notification:	Publicly notified
Commissioner:	Commissioners Taylor and Kelly
Date:	23 July 2013
Decision:	GRANTED, subject to conditions

BEFORE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an application by Corbridge Estates Partnership Limited for consent to create 35 residential lots and a balance farming lot, each with a residential building platform, together with communal work and social buildings, four guest accommodation units, a boatshed, jetties (collectively identified as the “community hub”), two utility buildings and associated earthworks at a property located at 707 Wanaka - Luggate Highway (State Highway 6), Wanaka

Council file: RM 120572

DECISION OF COMMISSIONERS APPOINTED BY QUEENSTOWN LAKES DISTRICT COUNCIL

23 July 2013

Commissioners:

D Jane Taylor (Queenstown)

Christine Kelly (Glenorchy)

EXECUTIVE SUMMARY OF THE DECISION

1. Having carefully considered all of the reports and documentation supplied with the application, submissions and the evidence presented to us during the course of the hearing, we have determined that the application made by **Corbridge Estates Partnership Limited** is consistent with the relevant objectives and policies of the Queenstown Lakes District Plan and achieves the principles set out at Part 2 of the Resource Management Act 1991 (the Act) in relation to sustainable management of natural and physical resources, and should be granted, subject to conditions.
2. In terms of section 113(1)(a) of the Act, we are required to give reasons for our decision. Throughout Chapter 8 of this decision we have considered the actual and potential effects on the environment and have drawn our own conclusions as to how each of these issues impacts on our decision. Having done so, we have undertaken an overall evaluation of the adverse impacts of the proposal in light of the expected positive effects.
3. In Chapter 8 of our decision, we have examined the proposal with reference to the matters that we are required to have regard to set out at section 104 and Part 2 of the Act, including particular matters brought to our attention at the hearing.
4. In exercising the powers delegated to us by Queenstown Lakes District Council, we have resolved to grant consent to the application. A ten year lapse period is approved.
5. In accordance with sections 108 and 220 of the Resource Management Act 1991, conditions are attached to this consent.

Jane Taylor and Christine Kelly
Hearings Commissioners

Dated: 23 July 2013

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1 THE APPLICATION

1.1 Description of the proposed activity

[1] Corbridge Estates Partnership Limited (the Applicant) has applied for resource consent to create 35 residential lots and a balance farming lot, each with a residential building platform, at its property located at 707 Wanaka – Luggate Highway (State Highway 6), Wanaka. Land use consent is also sought to establish communal work and social buildings, four guest accommodation units for the exclusive use of residents, a boat shed, jetties (collectively identified as the “community hub”), two utility buildings and associated earthworks.

[2] The property is legally described as Section 1 Block II Lower Wanaka Survey District and Section 66 to 67 Block IV Lower Wanaka Survey District held in Computer Freehold Register OT 14C/457, together with Section 65 and Part Section 64 Block IV Lower Wanaka Survey District held in Computer Freehold Register OT 17A/336. The property comprises 322.02 hectares in total and is currently managed as a dryland sheep and cropping farm. The site extends northwards from the State Highway to the marginal strip along the south bank of the Clutha River.

[3] A comprehensive master plan outlines the proposed development, which is designed to provide 35 “premium” residential sites and shared amenities while maintaining the property’s rural and pastoral visual amenity landscape character. The site’s ecological values will be enhanced through the protection and restoration of remnant eco-systems. The proposed ecological and amenity enhancements and shared work, social and recreational facilities provided by the community hub have been designed to provide a very high level rural living environment (in terms of amenity) and community set amongst a jointly-owned productive and sustainable working farm.

[4] The proposal is described in detail in the application at paragraph 2.2. We briefly summarise the main aspects as follows.

1.1.1 Subdivision

[5] The 35 residential lots range in size from 2,150 m² to a maximum of 10,500 m². The balance of the farm, including the farmhouse, communal buildings, and access and services to the 35 residential lots, is to be collectively owned by the 35 residential property owners. The relatively small lot sizes have been designed to minimise land loss to production farming. A number of design controls have been offered (to be registered as a consent

notice condition) to govern the appearance of future buildings on the proposed residential building platforms.

[6] The proposed lots and associated building platforms are located in three broad areas of the property. The Riverside area comprises 12 lots arranged in four small groups overlooking the Clutha River (at the top of the scarp). The Westview cluster consists of 12 lots in an open gully immediately to the northeast of the proposed lake that enjoy rural views towards the mountains to the north and southwest. The remaining cluster – the Lakeview lots – comprises a string of 11 north facing lots overlooking the lake to be constructed in the large natural depression in the centre of the farm.

[7] The Applicant has offered to form public walking and cycling tracks, either utilising or in close proximity to the two unformed legal roads that transect the property in a north-south and east-west direction. The application notes that there are three potential options in relation to the future of the unformed legal roads and the protection of public access ways, which will be discussed later in this decision.¹ Scheme plans have been provided for each of the proposed options and the Applicant has requested that consent be granted to each of the three potential scenarios to avoid the need for a variation to the resource consent. Ultimately the scheme plan adopted will be determined after a further public process (which is outside the scope of this hearing) and will be a decision of Council.

[8] An amalgamation condition is required under section 220(1)(b)(iii) of the Act to secure the balance area (currently in three separate titles) in the common ownership of the 35 lot owners.

1.1.2 Proposed Lake

[9] The Applicant proposes to form a 7.9 hectare lake in the existing natural depression located near the centre of the farm. Resource consent for the earthworks necessary to construct the lake has already been approved (RM100152); accordingly, the lake and the earthworks involved in its creation form part of the existing environment.

[10] The lake will form the centre of the development and the proposed community hub. Its depth will be approximately 4 metres in order to provide amenity and recreational opportunities for residents. The lake will also be used as irrigation water storage and will enable the farm's irrigated area to be increased from 30 to approximately 200 hectares. It

¹ The application includes three options for the provision of the proposed walking/cycling track. Which of the three options is eventually implemented is subject to processes that are outside the scope of this resource consent. The Applicant (through Mr White at the hearing) stated that the most likely scenario is the realignment of the paper roads to the preferred walking and cycling track orientation, which is consistent with the outcome sought by the Upper Clutha Tracks Trust and submitters.

has been designed to be natural in appearance with a variety of shoreline typologies, including gravel beaches and coves, deeper boulder edge headlands, or edges planted in native vegetation, as well as gabion baskets and timber walls around the communal buildings.

[11] As the lake is the central feature of the development, considerable design effort has gone into maintaining the water quality to ensure that it remains clear and is suitable for contact recreation. Further details in relation to the maintenance of water quality are set out on pages 15 and 16 of the application.

1.1.3 Community Buildings

[12] The community hub is a key element of the proposed development and is referred to by the Applicant as the “heart” or “social fabric” of the overall concept. The community hub comprises “work and social” buildings, a lawn area, patio, vegetable and fruit tree gardens, a swimming pool, two tennis Courts, four “boatshed inspired” guest accommodation buildings, two jetties, a boatshed and a car park. Further details of the architectural plans for the proposed hub can be found in Appendix F to the application and were attached to Ms Salmond’s evidence presented at the hearing.

[13] The objective of the community hub is to encourage interaction amongst and foster the development of strong social and business relationships between residents. The hub will be connected to the rest of the development via an internal network of off-road walking and cycling tracks.

[14] The Applicant has advised that the community buildings, work and social hub, guest accommodation and jetty are for the exclusive use of residents; there is currently no intention that commercial activities be undertaken from these buildings.

1.1.4 Utility Buildings

[15] Two 40 x 20 metre utility buildings are proposed. The purpose of these buildings is to provide residents with storage for boat sheds, surplus vehicles and the like to reduce the necessity for large-scale individual garages on the residential building platforms.

1.1.5 Landscape Concept

[16] The proposed development has been designed to accord with a number of landscape principles, which are set out at part 6.1 of the Landscape report that forms an appendix to the application. The principles seek to balance the retention of the existing open pastoral

landscape, enhancement of the natural character of the river landscape, the maintenance of rural amenity (and the amenity of the neighbouring properties), the provision of public recreational trails and the location of built development where it can be absorbed into the landscape.

[17] Extensive revegetation and amenity tree planting has been proposed across the entire property. The Landscape Masterplan that accompanied the application (and which was updated at the hearing) shows the location of the various types of planting proposed, ranging from purely amenity to natural areas to be enhanced for ecological diversity and protection.

[18] The Masterplan includes four areas of regenerating native ecosystems that are to be protected (and enhanced) by a QE11 Open Space Covenant. The largest of these is the terrace escarpment bordering the Clutha River reserve. If the QEII Trust withdraws its interest in accepting an Open Space covenant, the Applicant has offered to seek alternative protection mechanisms such as a covenant under the Conservation Act 1987 or Section 108(2)(d) of the Resource Management Act 1991. The purpose of formally protecting the covenanted areas is to preserve the natural and open character of the subject land, and to provide for ecological enhancement and the improvement of visual amenity through native planting. Weed and animal pest control is to be undertaken within the covenanted area, including removal of wilding pines.

1.1.6 Services

[19] A comprehensive infrastructure report was provided with the application detailing the geology of the site and the services (including roads and earthworks) proposed for the development. Full details can be located at Appendix E of the application.

[20] It is not intended that any infrastructure assets, roads or services will vest in or be the responsibility of Council. Rather, these assets are to be held within a private management structure and their management and ongoing maintenance will be the collective responsibility of the 35 lot owners.

1.1.7 Agricultural Sustainability

[21] The application contained a farm management report that assessed the productivity of the balance land (lots 101, 102 and 103) following implementation of the proposed development. The proposed increase in irrigation is expected to allow a commensurate increase in the area irrigated from the current 30 hectares to 215 hectares, which would increase the carrying capacity of the farm from 2,500 stock units to 5,000 stock units.

Irrigation would also facilitate diversification from dryland sheep and limited crops into a wider range of cereal crops and other forms of grazing, including lamb and beef finishing. The report concluded that the increase in stocking rate and the ability to secure higher returns from alternative grazing regimes and crops would ensure that the farm is sustainable in an economic sense; however it was noted that this is dependant on “*further capital being available from sales of residential properties*”.

[22] An irrigation feasibility report has also been provided which details the existing and consented sources of water for irrigation and the measures necessary to increase the area of the site under irrigation.

1.1.8 Management of the balance lot and infrastructure assets

[23] The application provides that a “Body Corporate” or “Incorporated Society” will be established, comprising the proprietors of the 35 residential lots. This management body will be responsible for the operation and maintenance of the common infrastructure, access, services, communal buildings, facilities, ground maintenance, the management of the QEII covenanted areas and other ecological areas and the farming operations. It will also determine appropriate rules in relation to noise and regulate other activities likely to be carried out on the property. The form of the management organisation has not been finalised, although it is likely to take the form of a residents’ association or similar body.

1.1.9 Consent Period

[24] The application seeks a 10 year consent period due to the scale and complexity of the development. It is proposed that the development will be carried out in stages as provided in the conditions.

1.2 The physical environment of the site

[25] The site and its context are extensively described in the application, particularly in sections 2, 4 and 5 of the Landscape Assessment report.

[26] The property is hummocky in contour, rising overall from State Highway 6 towards the north before dropping precipitously to the Clutha River. There is a significant natural hollow in the centre of the site – this is to be flooded to form the proposed lake.

[27] The Lakes Environmental Landscape Assessment report noted that the site is remarkable for its extensive mixed shelterbelts, its indigenous hedgerows and reasonably significant areas of remnant indigenous vegetation. The site is reasonably enclosed, with

shelterbelts obstructing views of the mountains to the north, and exhibits a strongly pastoral character with little built form evident.

[28] Two unformed legal roads cross the site. One runs north to south between State Highway 6 and the top of the river escarpment. Part of this route is entirely within the property and part runs along the boundary of the neighbouring Riverrun farm property (Part Lot 2 DP 301725). The other unformed legal road runs east west across the property and separates Section 67 Block IV and Section 1 Block II. A sewerage pipe runs under the latter road to the Project Pure site adjacent to Wanaka airport to the northeast.

[29] The only prior resource consent application recorded is RM100152, in which consent was granted for the establishment of a lake in the central depression within the property.

1.3 Modifications to the proposal following the receipt of submissions and Section 42A reports

[30] The Applicant has made a number of amendments to the original application to address concerns raised in the Section 42A reports and by submitters. The most important of these are:

[i] A consent notice condition providing that there should be no further subdivision or development of the property has been offered.

[ii] Additional mitigation in the form of native shrubland planting has been proposed to screen views of the Westview lots from the Umbers and Stewart properties, together with additional exotic tree planting to screen views to the Lakeview lots and the community hub building from the Umbers property.

[iii] An ecological report was commissioned in relation to the benefit of the proposed ecological enhancement. Some amendments have been made to the proposed conditions regarding implementation of the associated planting.

[iv] In relation to concerns over the potential visibility of future dwellings on Lots 1 to 13 from the Clutha River corridor, a condition has been offered requiring that any built form not be visible at any time from the river corridor, particularly from the public walking and cycling tracks.

[v] Additional tree planting has been proposed to provide long-term screening of the visibility of the village-like development around the lake, which might otherwise detract from public views.

[vi] A condition has been offered to protect selected (significant) existing shelterbelts and to implement a rotational programme of planting and management under the proposed Landscape and Ecological Development Plan, with the intention that mature trees are present at all times.

2 SUBMISSIONS, CONSULTATION AND WRITTEN APPROVALS

[31] The application was publicly notified on 18 October 2012. The closing date for submissions was 18 November 2012. Eight submissions were received in response to notification as follows:

[32] Submissions in opposition to the application (or to parts of the application) were received from Upper Clutha Environmental Society Incorporated, Julie Umbers, Diane Stewart, FMA Taylor, and the Wanaka Airport Management Committee:

- **Upper Clutha Environmental Society Inc.** (“UCESI”) opposed the application in part and requested the Commission decline consent for lots (and associated building platforms) 1 to 13. UCESI also submitted that a no subdivision and development covenant in perpetuity should be imposed on the balance lot. Although the Society saw merit in the clustering of 22 dwellings and communal facilities around the proposed lake, as adverse effects are contained and the Arcadian values of the site retained, it is of the view that the proposal will result in a high level of domestic “scattering” that is inappropriate in the Rural General zone if consent for Lots 1 to 13 is granted. In the Society’s view, the scattering of development to the north of the site (represented by the Riverview lots 1-12 plus lot 13) results in over-domestication, especially along the Clutha River corridor, in a manner where effects are not adequately contained.
- **Ms J Umbers and Ms D Stewart** own lifestyle blocks on the eastern boundary of the property. Both parties were primarily concerned with visibility of the development and the effects on their rural amenity, and consider that the application will set a precedent for more intensive development along the Clutha River. In their submission, a number of the building platforms will be highly visible from public places and the directly

adjoining properties to the east. In addition, they view the proposed density of residential dwellings to be out of character with the rural environment.

- **Ms FMA Taylor** is the owner of Riverrun Farm, which borders the subject site to the west. Her prime concern was maintaining access to the upper terraces of her property via the existing unformed legal road. Ms Taylor also expressed concern that the proposed development should not limit any future development of her property and that any potential reverse sensitivity effects from Riverrun’s farming operation on future residents of the proposed development be mitigated.
- The **Wanaka Airport Management Committee** expressed concern about the potential for reverse sensitivity effects arising from aircraft noise associated with the Wanaka Airport. The Committee also expressed concern that the lake would increase the risk of bird strike for aircraft. However, immediately prior to the hearing, the Wanaka Airport Management Committee withdrew its submission on the basis that had reached agreement with the applicant “*as to appropriate methods for resolving its concerns to the proposal*”.

[33] Submissions were received that neither opposed nor supported the application but in some cases required conditions to be attached to mitigate or remedy any effects that were considered material.

- The **Upper Clutha Tracks Trust** stated that it has long to medium term plans to utilise the unformed legal roads within the property as an additional link track to the Clutha River track. In general, the Trust supported the creation of the proposed tracks but expressed a hope that the Applicant would also choose to maintain the tracks if they are created.
- The **New Zealand Transport Agency** (“NZTA”) was concerned about the potential for reverse sensitivity effects arising from residential dwellings adjacent to, or in close proximity to the State Highway. NZTA requested a consent notice be registered on the title for all lots within 80 metres of the State Highway requiring dwellings to be acoustically treated. A number of other standard conditions were required by NZTA. We were advised at the hearing that the Applicant was prepared to volunteer all of the conditions proposed by NZTA in response to the issues raised.

- **Mr John Roberts** raised a number of issues in his written submission; however, the written approval of Mr Roberts to the proposal was subsequently supplied to Council on 17 May 2013. Accordingly, any effects on Mr Roberts' property have been disregarded pursuant to Section 104(3)(a)(ii) of the Act.

[34] Three neighbouring property owners supplied written approvals as set out at page 7 of the Section 42A report. Any effects on these properties have been disregarded pursuant to section 103(3)(a)(ii) of the Act.

3 THE HEARING AND APPEARANCES

[35] The hearing was convened in Wanaka on Wednesday 5 June 2013 and concluded on the afternoon of Thursday 6 June 2013. The Applicant was represented by Mr Graham Todd of G Todd Law who called evidence in support of the Applicant's case from Ms Anne Steven - a registered Landscape Architect of Wanaka; Mr Michael Botting – a registered professional Surveyor and Director of Patterson Pitts Partners; Ms Anne Salmond – a registered Architect; and Mr Duncan White – a Planner with Patterson Pitts Limited.

[36] Submitters appearing in person were as follows:

- Ms Julie Umbers, who called evidence from Mr Neil McDonald, a Land Development Consultant and Principal of Clark Fortune McDonald & Associates of Queenstown;
- Mr Julian Howarth, representing the Upper Clutha Environmental Society Incorporated;
- Mr John Wellington, representing the Upper Clutha Tracks Trust;
- Mr James Coutts, representing the New Zealand Transport Authority; and
- Ms FMA Taylor, who was represented by her legal counsel, Dr Roydon Somerville QC.

[37] Lakes Environmental Limited was represented at the hearing by the Reporting Planner - Mr Ian Greaves, supported by the Planning Team Leader - Ms Paula Costello. The

principal Landscape Architect - Dr Marion Read, and Engineer – Ms Lyn Overton, were also in attendance.

[38] Prior to the hearing we had the benefit of a comprehensive Section 42A planning report prepared by Mr Greaves which included internal reports in relation to landscape (prepared by Dr Read) and engineering (prepared by Ms Overton). Mr Greaves recommended that subject to new or additional evidence being presented at the hearing, the application be granted in part pursuant to section 104B of the Resource Management Act 1991 (“the Act”) for the following reasons:

[i] Subject to amending the proposal as recommended in his report, Lots 1 to 35 and the balance farming lot and associated residential building platforms, utility sheds and earthworks are appropriately located so as to avoid, remedy or mitigate any adverse effect. Mr Greaves recommended that the community hub (as notified) has the potential to give rise to significant nuisance effects on neighbouring properties and should therefore be deleted from the proposal.

[ii] Provided that the proposal is amended by removing the community hub, the application is consistent with the objectives and policies of the District Plan.

[iii] Provided that the proposal is amended by removing the community hub, the application is consistent with Part 2 of the Act and represents the sustainable management of the site.

[39] Immediately prior to the hearing, we conducted a site visit accompanied by Mr Greaves and the Applicant’s Planner, Mr White. We comprehensively toured the subject site, and viewed the proposed development from both the Umbers and Stewart building platforms (which currently do not contain any built form). We are satisfied that we gained a good appreciation of the site and the receiving environment. Following the hearing, the Commission viewed the site from the top of Mt Iron to gain an appreciation of the subject site in the context of the wider landscape.

[40] We gratefully acknowledge the contributions and assistance received from counsel and the witnesses for the Applicant, the submitters and the Lakes Environmental staff. The written reports, together with the quality of the evidence provided, was outstanding and has greatly assisted us to both clarify the important issues and to inform our subsequent assessment. We express our thanks in particular to Mr McDonald, Mr Howarth and Mr Wellington for their considered and balanced views, which were extremely helpful, and thank all parties for the manner in which they conducted themselves during the hearing.

4 PROVISIONS OF THE DISTRICT PLAN

[41] The site is zoned Rural General under the District Plan. The purpose of the Rural General zone is to manage activities so that they can be carried out in a way that:

- Protects and enhances nature conservation and landscape values;
- Sustains the life-supporting capacity of the soil and vegetation;
- Maintains acceptable living and working conditions, and amenity for residents of and visitors to the Rural zone; and
- Ensures a wide range of outdoor recreational opportunities remain viable within the zone.

[42] The Rural General zone is characterised by farming activities and the diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine areas and national parks.

[43] In accordance with the District Plan zoning, the proposed activity requires resource consent for the following reasons:

Land Use

- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(i)(a) for the construction of any building outside an approved building platform. The following buildings are proposed outside of a building platform: communal work and social hub buildings, four guest accommodation units, boat shed, two jetties and two storage buildings.
- A **discretionary** activity resource consent pursuant to Rule 5.3.3.3(v) for three jetties that pass through the surface of the proposed lake.
- A **restricted discretionary** activity resource consent pursuant to Rule 5.3.3.3(xi) to infringe Site Standard 5.3.5.1(vi) relating to a 15 metre internal boundary setback. The building platforms on Lots 23 and 25 to 35 inclusive are situated within the 15 metre internal boundary setback by varying distances up to 11 metres. The Applicant seeks consent for the construction of non-specific buildings in building platforms 23 and 25 to 35 inclusive that breach the 15 metre internal boundary setback.

- A **restricted discretionary** activity resource consent pursuant to Rule 5.3.3.3(xi) to infringe Site Standard 5.3.5.1(viii) relating to earthworks to create the lakes and wetland. Earthworks estimates are 99,000 m³ of topsoil stripping and 286,000 m³ of cut to fill over an area of 28.5 hectares. The maximum fill height is to be 9 metres. We note Mr Greaves advice that Rule 5.3.3.3(ii) relating to visitor accommodation for the four guest accommodation buildings within the community hub has not been triggered on the advice of the Applicant, which has confirmed that the guest accommodation buildings will not be available for commercial use.

Subdivision

- A **discretionary** subdivision activity pursuant to Rule 15.2.3.3(vi) which specifies that in the Rural General zone all subdivision and location of residential building platforms shall be a discretionary activity.

[44] Overall, the proposal must be assessed as a **discretionary** activity. Part 1.5.3 of the District Plan sets out the status of activities, noting that discretionary activities may be subject to standards specified in the District Plan. At 1.5.3iii the District Plan sets out the reasons why activities may have been afforded discretionary status and relates these to the landscape classification. Of significance is point (iv), which states that activities may have been afforded discretionary status because “*in VALs the relevant activities are inappropriate in many locations*”. We have considered the reasons why the activity has been made discretionary in forming our required assessment under section 104 of the Act.

5 STATUTORY CONSIDERATIONS

[45] This application and any submissions received must be assessed in accordance with the provisions of section 104 of Act. Section 104(1) sets out the matters that the Commission must, subject to Part 2 of the Act, have regard to when considering the application, which include for the purposes of this particular assessment:

- any actual and potential effects on the environment of allowing the activity;
- any relevant provisions of the Queenstown Lakes District Plan; and

- (c) any other matter the Commission considers relevant and reasonably necessary to determine the application.

[46] When forming an opinion in relation to subsection (1)(a), the Commission may, in accordance with section 104(2), disregard an adverse effect on the environment if a national environmental standard or the plan permits an activity with that effect.

[47] Section 104B provides that after considering an application for a resource consent for a discretionary activity, the Commission may grant or refuse the application and, if it grants the application, may impose conditions under section 108.

[48] Section 220 empowers the Commission to impose additional conditions (without limiting section 108) on which subdivision consent may be granted.

[49] Overall, the application must be assessed with respect to the purpose of the Act set out in Part 2, which is to promote the sustainable management of natural and physical resources.

6 THE PRINCIPAL ISSUES IN CONTENTION

[50] The principal issues in contention in relation to this application are:

[i] The extent to which the proposal will create effects on the environment that are significantly adverse when considered in terms of the assessment criteria set out at Part 5.4.2.2(1) – *Outstanding Natural Features* and (3) – *Visual Amenity Landscapes*, as applicable, in particular:

- The appropriateness of Lots 1 to 13 in terms of the effects of these proposed lots and associated building platforms on natural and pastoral character and the visibility of development, and
- The degree of the cumulative effect of development on the landscape resulting from the intensity of residential development on the property;

[ii] The extent to which the positive effects of the proposal, together with any environmental compensation offered by the Applicant, is sufficient to outweigh any significant adverse effects on the environment;

[iii] Whether the proposal is consistent with the objectives and policies of the District Plan, in particular those objectives and policies contained in Part 4 – *District Wide Issues*, Part 5 – *Rural Areas*, and Part 15 – *Subdivision Development and Financial Contributions*; and

[iv] Whether the proposal represents sustainable management of the physical and natural resources in accordance with section 5 of the Act.

7 SUMMARY OF THE EVIDENCE HEARD

7.1 The Applicant's evidence

[51] **Mr Graeme Todd** introduced the case for the Applicant. Prior to calling expert evidence, Mr Todd addressed the landscape classification, acknowledging that although the site is primarily a Visual Amenity Landscape, the Outstanding Natural Feature assessment matters are relevant because of the visual association of the property with the Clutha River (which is an Outstanding Natural Feature). In other words, the assessment of Lots 1 to 9 from the south (the Clutha River corridor) must, in Mr Todd's submission, be assessed in relation to both the ONF and the VAL criteria.

[52] Mr Todd considered that the main issues were in relation to the visibility of proposed Lots 1 to 13 from the Clutha River corridor and whether the proposed development would be reasonably difficult to see from this perspective, together with the cumulative effects of development on the landscape in the wider context of neighbouring subdivisions and development.

[53] Mr Todd outlined the background to the proposal, which he considered was a comprehensive development that had been formulated over an extended period of time. He described the proposal as a "win win" – the economic return from the proposed residential development would enable the majority of the site to remain in pastoral farmland.

[54] Mr Todd outlined the proposed changes to the application as a result of both submissions and issues raised in the Section 42A reports (as have previously been described in section 1.3 of this decision).

[55] Mr Todd then addressed the potential nuisance effects arising from the community hub, which was an issue raised in the Umbers and Stewart submissions, and in the Lakes Environmental Officer's report. He stressed that the hub is an important component of the

development as it is the cohesive element that provides the “social fabric” for the community. He submitted that the Applicant was not seeking any exemption from the noise standards in the District Plan and that the nearest neighbours would be some 650 to 700 metres away. Any noise associated with the community hub would effectively be self-policing due to its close proximity to the Lakeview and Westview lots. Mr Todd further submitted that this kind of facility is not unique in this District and cited Closeburn, Millbrook, Jacks Point, the Far Horizon and Riverside developments as all having similar community hubs in relation to which there have not, to his knowledge, been any significant nuisance issues.

[56] In relation to the views from private properties (addressing the concerns of Ms Umbers and Ms Stewart), Mr Todd submitted that there could be no reasonable expectation that no further development would be visible in VAL landscapes. He pointed out that the Applicant had not tried to “plant out” the Umbers property; rather, it had gone to some effort to screen or mitigate the development in a manner that still afforded substantial rural and pastoral views to the Umbers and Stewart building platforms.

[57] Mr Todd then addressed the positive effects of the application, which included the cycleways and walkways, the ecological protection and restoration proposed, and the retention of the balance of the land as a working farm. He acknowledged that although there were adverse effects arising as a result of development, the positive effects heavily outweighed these such that consent should be granted. Mr Todd also advised the Commission that the proposed development was a “complete package” and that any substantial modification (such as the removal of lots 1 to 13) would render it non-viable as a development proposition.

[58] **Ms Anne Steven** gave evidence in relation to the landscape aspects of the development. Her evidence included any corrections or changes that had been made to the proposal in relation to the effects on the landscape and the relevant assessment matters.

[59] Ms Steven reviewed the main features and characteristics of the site and its context that had influenced the proposed design (within the planning framework). She then addressed the key site-specific design principles that underpinned the proposal and touched briefly on the landscape classification. The main landscape issues raised in submissions, through consultation with neighbours and the Section 42A reports from the Council’s landscape architect and planner were discussed, with an explanation of the changes that had been made in response. Ms Steven then set out the recommended changes to conditions on

landscape matters. We will refer to Ms Steven's evidence in further detail in our assessment.

[60] **Mr Mike Botting** gave a summary of the infrastructure required for the development. He noted that the infrastructure report supplied with the application concluded that existing infrastructure, together with new infrastructure elements, could cope with the potential demand for services resulting from the development. He referred to supporting reports that had been obtained from Tonkin & Taylor in relation to geotechnical investigation, NZTA for the State Highway 6 traffic assessment, Delta Utility Services Limited for power, and Telecom New Zealand Limited for telecommunications.

[61] Mr Botting then addressed the stability of the land and earthworks, noting that the majority of earthworks are confined to the central depression involved in the formation of the lake and the certified fill required on Lots 25 to 33. He confirmed that the design of the lining of the lake, which was an issue that had been raised in response to the potential for liquefaction to occur, would be confirmed during detailed engineering design. In his view, some form of geotextile lining or imported clay lining would be necessary to seal the lake. The final type of lining would be confirmed following detailed engineering design and further consultation with a geotechnical engineer. He confirmed that it is technically feasible to construct the lake and to achieve an impermeable base.

[62] Mr Botting gave evidence in relation to the proposed earthworks for the internal roading, the lake, the formation of the building area for the utility shed, and gave revisions of the updated area and cubic metres of earthworks proposed.

[63] Mr Botting then addressed roading, the conditions required by NZTA in relation to the proposed intersection with State Highway 6 and the proposed entrance to the walking track car park, storm water, waste water, water supply, power, telecommunications, gas and the staging of development. In relation to staging, Mr Botting explained that from an engineering perspective there is an obvious order of works that needs to be followed, such as access, bringing power and telecommunications from the State Highway into the site and the installation of the water supply and sewer reticulation. Accordingly, the logical staging of the development would involve Stage 1 comprising the formation of the southern third of the development (the main entry point and the central lots and formation of the lake); the second and third stages would then proceed northwards.

[64] Mr Botting concluded by advising that from an engineering perspective, there is *"nothing that stands out that would limit the development proceeding"*. Overall, he

considered that the development is well designed and serviced to a high standard. Any effects arising from earthworks are, in his opinion, appropriately mitigated.

[65] **Ms Anne Salmond** gave evidence in relation to the design of the community hub buildings and the design controls proposed for the site. She outlined the Corbridge design approach, which draws on the amenity offered by this “stunning landscape”. In her opinion, *“the rural location and character of the property are the qualities that will attract people to live here, where they can enjoy being part of a working farm while attending to their main business and making the most of what Wanaka has to offer”*. She explained that the strong desire to retain and enhance rural character and amenity had inspired design of the proposed community hub buildings.

[66] Ms Salmond then described the buildings proposed for the community hub, which have been designed with reference to both farm buildings such as wool sheds and barns, and also to other buildings which serve a communal purpose including the local clubhouses at Millbrook and Jacks Point (which are located on the water) and the communal facilities at Bendemeer, Sunrise Bay and Peninsula Bay. Her overall aim was to keep the building simple in form, utilising natural materials, good solar orientation, good connections between inside and outside, and flexible control of light and shade.

[67] Ms Salmond described in more detail the design controls applicable to the proposed residential housing and the communal buildings around the new lake. She stressed that the hub buildings and boatshed apartments would be designed to be high performance, low energy use, well-insulated buildings providing day lighting, cross-ventilation and good outlooks. Overall, she submitted that the collection of buildings that form the communal core to the residential development would set the tone for a simple, elegant and robust design language. Strong rural forms, natural colours and textured surfaces, and the extensive boardwalks and jetties proposed that would bring people to the lake edge would combine to give the development a character appropriate for the area.

[68] **Mr Duncan White** gave evidence in relation to the planning aspects of the proposal, in particular addressing issues raised in the Section 42A reports and by submitters. He noted that there is considerable agreement between the Applicant’s experts and the Council’s Section 42A planning report in relation to many of the assessment matters. His focus was therefore on the issues where there was some difference of opinion, including the development concept, the environmental baseline, landscape and visual effects, the nuisance effects on adjacent properties, and the unformed legal roads. He then commented briefly on

the objectives and policies of the District Plan and Part 2 matters; following which he outlined the revised proposed conditions of consent.

[69] Overall, Mr White concluded that the proposed development has been designed to provide a very high amenity rural living environment for residents with shared work, social, recreation and storage facilities set amongst a jointly owned productive and sustainable farm. In his opinion, the development would maintain the site's rural and pastoral landscape character while protecting and enhancing the site's ecological values. The proposed ecological and amenity enhancements and significant screen plantings have been designed to avoid or mitigate against the effects of development, particularly on users of the Clutha River corridor tracks, the adjacent property owners and users of the proposed public walking and cycle tracks within the site.

[70] Mr White discussed the ecological restoration proposed, which is a significant feature of the proposal. The most significant of the native vegetation areas, which include the chronically threatened grey shrubland areas (including 21 hectares of the river scarp and restoration/screen planting along the scarp top), are to be protected by a proposed QEII Open Space covenant (or a similar mechanism if this is not practicable). In addition to the four QEII covenanted areas, the remainder of the farm would be protected by a no further subdivision or development consent notice condition. In Mr White's view, these layers of protection would provide for the proposed environmental benefits to be retained in perpetuity.

[71] Mr White emphasised that the proposed development provides for the continued and sustainable operation of the existing farming operation. The lake, as well as being a recreational and amenity feature, provides irrigation storage to enable an increase in irrigable area and therefore agricultural productivity. The farm is to be jointly owned by all 35 proposed lot owners whom, through a management body, would continue to develop and enhance the farming operations. In his opinion there would be an incentive to manage the farm sustainably for economic gain in a manner that protects the rural amenity of the site.

[72] Overall, Mr White concluded that the proposed development would promote the sustainable management of natural and physical resources, represents the efficient use and development of the site's natural and physical resources, and that the development maintains and enhances amenity and ecological values, the quality of the environment and public access to the Clutha River. Overall, he considered that consent should be granted.

7.2 Submission of Ms Julie Umbers and Ms Dianne Stewart

[73] **Ms Julie Umbers** called **Mr Neil McDonald** of Clark Fortune McDonald & Associates to give evidence on behalf of herself and Ms Stewart. The Umbers and Stewart properties adjoin Corbridge at the eastern boundary of the site. Both properties have approved building platforms (yet to be developed) overlooking the Corbridge site. An unformed legal road that runs through Corbridge continues to the east through the centre of the Stewart site.

[74] Mr McDonald commented on aspects of the Lakes Environmental Section 42A reports and the District Plan, particularly in relation to landscape and visual amenity effects and rural amenity. In his opinion, the proposed development is likely to be visually prominent such that it detracts from the views from the Umbers and Stewart properties otherwise characterised by natural or Arcadian pastoral landscape. In his opinion, the proposed additional screen planting, which has been designed to mitigate the visual impact of development from the Umbers and Stewart properties would, on the contrary, exacerbate this effect. Mr McDonald noted that Mr Greaves considered the development would have an adverse effect on private views but that this effect should be balanced against positive effects of the development. He acknowledged that the adverse effects associated with private views was the crux of the submitters' concerns, although he accepted that any adverse effects on visibility and natural character must be balanced against the positive effects of the proposed development.

[75] Mr McDonald expressed particular concern in relation to the cumulative effects of development on the landscape, stating that there are seven matters to be considered under the relevant assessment matters. In his opinion, the cumulative effect of development on the landscape is significantly adverse; it affects the wider vicinity including the submitters' properties and cannot be mitigated by extensive screen planting.

[76] Mr McDonald considered that Mr Greaves "greatly overstated" the positive effects associated with the proposed public walking and cycling access and the protection of nature conservation values. He pointed out that the opportunity for public pedestrian access exists at present without this proposal "*along the general line of the access easements proposed, by utilisation of the unformed legal roads to contain such access*". In relation to the proposed protection of the remnant grey scrubland ecosystems, Mr McDonald considered that, in his experience, the Corbridge remnant shrubland is not an unusual ecosystem in the vicinity of the Clutha River Banks and elsewhere. Accordingly, although he agreed that such ecosystems should be protected, undue weight should not be given to the positive effects of protection to offset the adverse effects on the submitters' properties.

[77] Mr McDonald then addressed the objectives and policies of the District Plan, concluding that the proposal was contrary to Policy 1(b) of the objectives set out at 4.2 – *Landscape and Visual Amenity*, Policy 4 – *Visual Amenity Landscapes*, and Policy 8 – *Avoiding Cumulative Degradation*. Mr McDonald concluded that the proposal is contrary to a number of the objectives and policies relating to landscape and visual amenity, and rural amenity, and represents over-domestication in the Rural General zone. He considered that the approval should be declined.

[78] **Ms Julie Umbers** addressed the Commission in relation to her submission. She outlined the history of the site and her personal concerns, stating that “*we stand to be overlooking an over-domesticated village-like development comprising 35 residential allotments and including what we can only imagine will be an extensive community hub including motorised water activity and which I would consider out of character with the present rural environment*”.

[79] Ms Umbers also expressed concern in relation to the pollution effect of smoke from chimneys of the proposed lakeside properties in winter, and the mitigation planting, which she considered would essentially “mean overlooking dense forest” and would take at least 30 years to realise its true potential screening effect. Ms Umbers concluded by stating that she failed to understand how a village-like development could be approved within the Rural General Land zone when the District Plan has already made other provision for visitors/tourists (referring to the Rural Visitor zone next to the airport).

[80] In response to questions from the Commission, Ms Umbers confirmed that views to the south and west over the Corbridge property are currently limited by a mature shelterbelt that is located on the Umbers and Stewart properties. She also accepted that the Stewart site would be impacted by any development of the east - west unformed legal road (which is located in close proximity to the building platform on this property) if the proposed walking and cycling track proceeds, as this track will logically continue from Corbridge through the Stewart property to connect to the Poplar Beach subdivision and the Clutha River tracks.

7.3 Upper Clutha Environmental Society (Incorporated)

[81] Mr Julian Howarth appeared on behalf of the Upper Clutha Environmental Society (Inc.) (“UCESI”). He opened by stressing that the Society was only opposed to parts of the application as described in its original submission. UCESI has not opposed most of the development in the proposal because the Society believes that aspects of the development are “what the District Plan contemplates”. Mr Howarth also considered that this proposal is

a “test case” as it is a very large development and has the potential to set a precedent for future applications within a Visual Amenity Landscape. Should consent be granted for the entire proposal, it is the Society’s view that a precedent would be set for similar subdivisions in the surrounding landscape “*that are cumulatively changing the character of this rural area*”.

[82] Essentially, the Society saw considerable merit in the proposal’s design where 22 houses and communal facilities are loosely clustered around the lake and where the large central depression is utilised in a manner that integrates the development into the landscape, while leaving large areas of the site available for continued farming use. In the Society’s view, this aspect of the subdivision design contains adverse effects and retains Arcadian values on much of the site as required by the District Plan assessment matters. However, the Society was concerned that parts of the proposed subdivision and development are located in unsuitable areas and that the overall form and density of subdivision and development is inappropriate. In particular, the cumulative effects on rural amenity will be significantly adverse and, in the Society’s view, have not been meaningfully avoided, remedied or mitigated (even when weighed against the positive effects and volunteered environmental compensation measures). In particular, the Society considered that Lots 1 to 13 result in a “scattering of development” leading to over-domestication along the important Clutha River corridor. Mr Howarth submitted that mitigation that relies on planting to be in place does not always work in the long term and, further, is difficult for Council to appropriately monitor and, if necessary, remedy.

[83] Mr Howarth then referred in further detail to Policy 4.2.5.5 – *Outstanding Natural Features*, to expand on his reasons for the Society’s proposed deletion of Lots 1 to 13. He considered the proposed residential building platforms and associated domesticity are scattered on the landscape in a manner that would not protect Arcadian values, cultural heritage or visual appeal and would result in inappropriate domestication. He considered that the Applicant erred when assessing the adverse effects of the additional dwellings by failing to fully appreciate the effects of development and clutter associated with an additional 35 dwellings, such as extensive roading, swimming pools, tennis courts and other curtilage activities. In the Society’s opinion, this “scattering effect” can only be remedied by deleting the row of 1 to 9 lots and associated building platforms along the ridge above the Clutha River corridor, together with lots/building platforms 10 to 13, which are “outliers”; while retaining lots/building platforms 14 to 35 because they are loosely clustered around the proposed lake development. In the Society’s view, the proposed development around the lake is largely consistent with District Plan provisions (in particular, the assessment

matters) while the lots/building platforms 1 to 9 and 10 to 13 are “*something of an incongruous add-on to the plan*”.

[84] Mr Howarth then addressed the wider cumulative effects of the application, particularly the cumulative visual effects when taking into account consented subdivision and development in the area surrounding the subject site, including development at the airport, development beside State Highway 6, and development on the lots to the east (the Poplar Beach subdivision, where there are 15 residences consented but yet to be built on the upper and lower terraces beside and above the Clutha River). In his opinion, the cumulative effects on the landscape would be significant and adverse, and would affect the existing amenity enjoyed by the community and residents in this area when viewing the subject site from public places and public roads.

[85] In relation to walking tracks, the Society supported the development of public walking and biking tracks in general and views these as socially and economically very positive for the Upper Clutha. Mr Howarth then addressed the visibility of development from the volunteered public tracks, which he considered to be both significant and adverse. In his opinion, views of considerable residential development would markedly change the experience of users of the tracks, although he did concede at the hearing that some track users might, on the contrary, appreciate glimpses of residences when passing through the property. Overall, the Society gave very little weight to the positive effects of the proposed walking and cycling tracks, or the Applicant’s offer to form and maintain the tracks.

[86] Mr Howarth addressed the covenants proposed by the Applicant in relation to the protection of the site against further subdivision and development, recognising that such covenants have been given value by the Court. In the Society’s view, such a covenant covering the entire site and the lake area would have a significant landscape value and must be a condition of consent of the application is to proceed. He noted that this is consistent with protecting the landscape for future generations as required by Section 5 of the Act.

[87] Mr Howarth then briefly addressed the Applicant’s landscape reports, the Officer’s reports and referred us to several cases in which the Court has declined subdivision of land in this area.

7.4 Upper Clutha Tracks Trust (“UCTT”)

[88] Mr John Wellington appeared on behalf of the Upper Clutha Tracks Trust. He reiterated the contents of UCTT’s submission and advised that the Trust neither supports nor opposes the application but does view the offer of the construction and on-going

maintenance of secure and enduring public access through the property as a valuable addition to the walking and cycling track network in the Upper Clutha basin. The Trust wished to see this offer as a condition of consent if the application is granted.

[89] In relation to the three scheme plans outlining alternative routes for the proposed recreational tracks, Mr Wellington reinforced the Trust's position that moving the unformed legal roads is the preferred option (Option 2). In the Trust's opinion, this is a good outcome in terms of public access, would create a valuable addition to the track network and provide a positive gain from the development should it be approved. In this respect, the Trust noted that any changes/use of the unformed legal roads would be the subject of a different public process and it believes that the Applicant will have the least resistance from the public to Option 2 (realignment of the public roads).

7.5 Ms F M A Taylor, Riverrun, Wanaka

[90] **Ms Meg Taylor** called **Dr Roydon Somerville QC** to make a submission on her behalf. Ms Taylor owns the property referred to in the application as Riverrun, a 500 acre farm that extends between Haliday Road and Corbridge Estate. Riverrun borders the Applicant's property along its eastern and southern boundaries and is, in Ms Taylor's opinion, the property that is most affected by the Corbridge application.

[91] Dr Somerville explained that Ms Taylor's main concern was that the development originally proposed by the Applicant prejudiced access to the upper terraces of Riverrun via the unformed legal road. However, following discussions the parties have agreed on a condition that protects Ms Taylor's interests by retaining access through the unformed legal road or some alternative provision. In essence, any process necessary to realign the unformed legal roads and/or the creation of easements to provide for public walking and cycling access along the proposed tracks, and/or for alternative legal access to Lot 2 DP 460617 in addition to or in substitution of the land shown as "Road Stopped" on the Scheme Plan, shall be completed prior to the issue of the section 223 Certificate for the first stage of the subdivision. Essentially, this would ensure that even if the public walking and cycling tracks are relocated from the existing unformed legal road, vehicular access to Riverrun will continue to be provided through an alternative mechanism by private agreement between the parties.

7.6 New Zealand Transport Agency ("NZTA")

[92] Mr James Coutts gave evidence on behalf of NZTA. Mr Coutts is a Planner with the Dunedin Regional Office.

[93] Mr Coutts addressed the role of NZTA, its statutory objective and the reason for its involvement in this process, focussing on:

- The strategic significance of the State Highway system;
- The role and characteristics of State Highway 6; and
- NZTA's submission, including a summary of requested modifications to the proposal.

[94] NZTA neither supported nor opposed the application but outlined some strategic concerns about the actual and potential effects of the development on the State Highway network. NZTA sought the inclusion of a number of conditions to mitigate any actual or potential adverse effects on the State Highway, all of which have been agreed to by the Applicant.

8 ASSESSMENT

8.1 The permitted baseline, existing environment and receiving environment

[95] Section 104(2) of the Act provides that when forming an opinion on effects, the consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the relevant plan permits an activity with that effect. Mr Greaves noted that buildings not exceeding 5 m² and 2 metres in height, farming activities including post and wire fencing, and earthworks no greater than 300 m³ may be undertaken on the subject site as of right as a permitted activity under the District Plan. The permitted baseline offers no directly comparable effects when considering this application.

[96] There was some discussion at the hearing in relation to the potential to convert the property to a dairy farm in order to create a more viable farming proposition should consent be declined. Whilst both the Applicant and several submitters expressed their views on the relative merits of dairy farming as compared to the proposal, it is not our role to weigh the effects generated by the application against some other form of potential land use that may or may not eventuate (and which may be the subject of a separate resource consent application if required). Rather, we must assess the application in accordance with section 104 of the Act by considering the effects generated by this proposal, the objectives and policies of the District Plan as a whole and the purpose of the Act set out in Part 2.

[97] The existing environment comprises the current farming use of the site and potentially includes consideration of the future environment by way of activities enabled by unimplemented resource consents. In this respect, we note that RM100152 approved earthworks to construct an irrigation lake within the subject site. This consent is currently unimplemented. The approved lake is in the same location as the lake proposed by this application and is of a similar shape and size (although not identical). We accept Mr Greaves' recommendation that this consent can and is likely to be implemented and should therefore form part of the existing environment. This aspect of the application is not controversial.

[98] The receiving environment is the environment beyond the subject site within which a proposed activity might generate effects. Mr Greaves discussed the various activities that currently occur on neighbouring properties, noting that there are a number of small rural lots approximately 20 hectares in size directly to the east of the subject site, each containing one residential building platform. These lots were approved as part of the Poplar Beach subdivision under Resource Consent RM020018. South of the subject site (across SH6) are a number of smaller rural lots approximately 4,000 m² in size, most of which contain established residential dwellings. West of the site is Riverrun Farm owned by Ms Taylor, which has access from Halliday Road. Also west of the site (along State Highway 6) are a number of small rural lots containing residential dwellings.

8.2 Landscape classification

[99] The Lakes Environmental landscape architect, Dr Marion Read, and the Applicant's landscape expert, Ms Steven, have classified the landscape of which the subject site forms part as a Visual Amenity Landscape ("VAL"). However, Dr Read and Ms Steven disagree with regard to the landscape classification of the Clutha River (to the north of the subject site). Dr Read considered the river to be an Outstanding Natural Feature ("ONF"), while Ms Steven considered it to be an Outstanding Natural Landscape ("ONL"). However, both landscape experts agreed that the landscape classification for the river should include both the river and its immediate banks.

[100] At the hearing, Mr Todd addressed this issue, agreeing with Mr Greaves that whether the Clutha River is classified as an ONF or an ONL has little bearing on the outcome of the application. In Mr Todd's view, the river corridor is an ONF because of its visual association with the Clutha River and, accordingly, there must be a "dual assessment" when assessing Lots 1 to 9 from this aspect. We have concluded that the Clutha River is an ONF within an ONL that requires a high degree of protection from inappropriate development.

Accordingly, we have adopted the landscape classification proposed by Dr Read (ONF), although in the required analysis nothing turns on this distinction.

8.3 Actual and potential effects on the environment

[101] Our assessment of the actual and potential effects on the environment must be informed by the relevant assessment matters set out in the District Plan where appropriate, together with consideration of any other relevant effects that are not specifically covered by the assessment criteria.

[102] Both Mr Greaves and Mr White have addressed the actual and potential effects on the environment (with reference to other expert opinion as applicable) including those raised by landscape and visual amenity, nuisance, services, access and traffic generation, natural hazards, contaminated land, earthworks, bird strike, reverse sensitivity and positive effects.

[103] Having reviewed the evidence in detail, there is a significant degree of agreement between the Lakes Environmental experts and the Applicant's experts in relation to the nature and degree of effects generated by services, access and traffic generation, natural hazards, contaminated land and earthworks. We are satisfied that any adverse effects in relation to these activities are relatively insignificant, contained to the site and are therefore appropriate.

[104] We were advised at the hearing that the reverse sensitivity and potential bird strike issues raised by the Wanaka Airport Management Committee have been addressed by way of a private agreement between the parties. As a consequence these potentially adverse effects are no longer an issue for this Commission.

[105] Accordingly, we need only address in further detail the following actual and potential effects on the environment in relation to which there was clear disagreement between the experts and submitters, or the evidence was inconsistent:

- Landscape and visual amenity (covered by the assessment matters);
- Nuisance; and
- Positive effects.

8.3.1 Landscape and visual amenity effects

[106] Our assessment has been guided by the relevant assessment matters contained in Section 5.4.2.2(1) – *Outstanding Natural Features – District Wide*, and (3) – *Visual Amenity Landscapes*. As previously discussed, the assessment criteria for ONF only apply to the assessment of Lots 1 to 9 when viewed from the Clutha River corridor and the associated public walking tracks.

[107] The VAL assessment criteria apply to the site as a whole, including Lots 1 to 13 when viewed from the east, west and looking north towards the Clutha River. Ms Steven noted that the policy and assessment criteria for ONF set a slightly higher bar for the visibility of development, requiring that development be at worst “reasonably difficult to see”. In addition, the domestication issue is one of “further” domestication as compared to “over-domestication”. Both sets of assessment criteria require consideration of the positive effects of ecological enhancement, however the ONF matters emphasise re-vegetation benefits where the land has been cleared in the past.

[108] The principal area of disagreement in relation to the analysis of the proposal against the assessment matters concerns the relevant criteria (both ONF and VAL) as applied to Lots 1 to 9. Although Mr Greaves recommended that consent be granted to the proposal as a whole (excluding the community hub, which we will cover later in this decision), the landscape evidence was divided over the ability of the site to absorb Lots 1 to 9 as proposed in the application. Both landscape experts applied the VAL criteria and did not discuss the ONF criteria specifically, although as previously noted there is a great deal of overlap between the two sets of assessment criteria, particularly in relation to visibility and cumulative effects, which are the two matters most impacted by the proposal. Dr Read noted, however, that the site is adjacent to an ONF (the Clutha River) and her assessment takes into account the views from the river corridor.

(a) *Effects on natural and pastoral character*

[109] Dr Read and Mr Greaves both expressed concern that future dwellings on Lots 1 to 9 would be visible to a limited extent from the Clutha River corridor. At the hearing Dr Read presented a very useful site-specific analysis of the heights of the building poles on Lots 1 to 9 that were visible from various viewpoints along the river corridor. This analysis showed that from some aspects the height poles were visible for up to 2 m; with three instances of one pole being visible for 2.5 metres on Lots 1, 4 and 8, and 3 metres for one pole on Lot 4.

Mr Greaves noted that, in the main, the parts of the dwellings that would be visible are the rooflines.

[110] Dr Read considered that dwellings visible from the Clutha River “*would have a significant adverse effect on the open character of the ONF*”. Although planting of the scarp has been proposed as mitigation, in her assessment a height of 2 metres would need to be achieved to effectively screen most dwellings on the Lot 1 to 9 building platforms. Dr Read accepted that the proposed vegetation is likely to obscure the visibility of any dwellings from the river corridor once it reaches a height of 2 m; however, she expressed concern about reliance on vegetation as mitigation in this environment, particularly when the landscape values of the Clutha River are considered. A similar view was expressed by Mr Howarth.

[111] In order to further mitigate the adverse effects associated with visibility from the river corridor and avoid the need to rely solely on mitigation planting, the Applicant has proposed a condition of consent requiring that any dwelling constructed on the building platforms on Lots 1 to 13 shall not be visible from any point along the Clutha River reserve (being the areas on the immediate true left and right banks of the Clutha River downstream from the Albert Town Bridge) over which the public have unrestricted legal access. Mr Stevens considered that such a condition could be fulfilled by a combination of sensitive architectural design, appropriate siting of any dwelling within the building platform, earthworks and planting, and would facilitate a unique solution for each lot, depending on the degree of visibility from the river corridor. At the hearing there was discussion about Council’s ability to enforce such a condition and whether it would therefore be effective. We need not address this point other to note that including the condition in the consent notice would confer the necessary powers on Council to enforce compliance.

[112] What is more relevant is the feasibility of constructing a dwelling on the lots that could practically comply with the proposed condition, particularly if mitigation planting cannot be satisfactorily relied on. From the analysis carried out by Dr Read referred to previously, we note that for the 9 lots assessed (other than Lot 1) there were only two poles per lot where visibility was an issue (without the benefit of the mitigation planting). Accordingly, it is reasonable to conclude that a dwelling could be constructed that reaches the maximum height of 6 metres on certain parts of the building platform on Lots 2 to 9 but that height would need to be reduced by some measure on other parts to ensure that the eventual dwelling was not visible from the river corridor. Most of the poles that were visible on Lots 2 to 9 were the northeast and northwest poles located to the north of the building platforms; only Lot 9 had one southeastern pole visible to a height of 1 metre.

However, Lot 9 was only visible from the northeast and southeast poles at a point 150 metres up river of the pines, the top of a low terrace (Site 2 on Dr Read's analysis).

[113] In relation to Lot 1, all four height poles were visible for distances of 0.7 metres to a maximum of 2.5 metres from Coopers Point, about 100 metres up river from the island (Site 4 and Site 5, Coopers Corner). Accordingly, it would not appear that it is possible to build a dwelling to a height of 6 metres without heavy reliance on the proposed mitigation planting, which would take some years to establish to a height of 2.5 metres. Although we generally concur with Ms Steven that lowering the height uniformly is a relatively crude measure, in the case of Lot 1, where a dwelling to the proposed height of 6 metres does not appear to be reasonably feasible in the circumstances, the only practical form of effective mitigation is to reduce the height of the spatial envelope to 5 m. Even with this restriction, it would potentially be difficult to construct a dwelling that meets the requirements of the proposed conditions without the successful establishment of the mitigation planting and/or significant earthworks.

[114] In relation to other effects on the natural and pastoral character, the proposed development would change the nature of the site from one of a predominantly pastoral landscape devoid of any substantial development to one that displays elements of domesticity. Dr Read considered that the extent of this effect would be largely contained to the site and any effect on the natural and Arcadian pastoral character of the surrounding VAL is likely to be insignificant (with the exception of the exotic vegetation proposed at the entrance to the subdivision). The site is large, the lots are generally discreet in their location, and the balance of the farm will be maintained for agricultural purposes. The large tracts of proposed indigenous vegetation would, conversely, enhance the natural character of the site.

[115] Accordingly, we are satisfied that with the proposed condition volunteered by the Applicant in paragraph [111] above, together with the lowering of the maximum height of any dwelling on Lot 1 to 5 metres, the dwellings on Lots 1 to 13 will meet the "reasonably difficult to see" test contained in assessment matter 5.4.2.2(1)(b)(i). We are satisfied that the scale and nature of the development will not compromise the natural or Arcadian pastoral character of the surrounding VAL landscape to any significant degree. In this respect, the proposed indigenous planting along the escarpment crest that would screen future dwellings is essential, particularly in relation to Lot 1. We agree with Ms Steven that this vegetation would not have a domesticating effect on the landscape; rather, it will increase overall naturalness.

(b) *Visibility of development*

[116] Both Dr Read and Ms Steven assessed the visibility of development from the unformed legal roads, State Highway 6 (Wanaka – Luggate Highway), State Highway 6 (Albert Town – Lake Hawea Road) and, as previously discussed, the Clutha River corridor. We have concluded that, as a result of the no-visibility of built form condition offered by the Applicant, the development will, at worst, be reasonably difficult to see from the parts of the Clutha River corridor that can be accessed by the public.

[117] In relation to the visibility of development from the unformed legal roads, we accept that although parts of the proposed development will be visible, the extent of views is not significant in the context of what is proposed. Mr Howarth essentially accepted this point at the hearing. There is, in effect, a trade-off for the positive effects of facilitating public walking and biking access through the site and, indeed, glimpses of the proposed residential development are unlikely to be offensive to the majority of users of these tracks.

[118] Assessment matter (b)(ii) requires us to assess whether the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or Arcadian pastoral landscapes. Dr Read has assessed the visibility of the development from the Umbers and Stewart properties and we have had the benefit of expert evidence from Mr McDonald in this respect. Both the Umbers and Stewart sites obtain largely unobstructed views of open farmland across the subject property, taking in both the immediate and distant mountain views. Mr McDonald is of the opinion that the proposed development would be highly visible from both of these properties, which would significantly detract from the natural and pastoral character and rural amenity that is currently experienced. Dr Read considered that the proposed vegetation would largely mitigate the visual effects of the Westview and Lakeview lots from the Umbers and Stewart properties and the Applicant has offered further mitigation planting in areas to the east of Lots 14 to 16 to soften the future appearance of the development from these views.

[119] We accept Ms Steven's evidence that none of the proposed planting would block views from the Umbers and Stewart properties into and across Corbridge to the mountains (the wider landscape). We further concur that spaciousness would not be compromised as the nearest residential development is over 500 to 600 metres away from the neighbouring rural properties, with mainly open paddocks (around 300 metres wide) buffering the gap. This degree of openness of the site will be protected under the proposed no further subdivision or development condition in perpetuity.

[120] Ms Steven has noted that the dominant visual change for the Umbers and Stewart properties would ultimately be one of a framework of increased vegetation dispersed with open fields and shelterbelts, including significant native restoration planting and the presence of a lake. The patches of native shrubland in the foreground would be protected and enhanced under open space covenants. Given the hugely expansive views that are currently obtained from the Umbers and, to a lesser extent, the Stewart properties due to their elevation and outlook, the views currently experienced from the associated building platforms are nothing short of panoramic. Once the proposed plantings are mature, we accept Ms Steven's evidence that the scale of the proposed development will be relatively insignificant when compared to the expansive outlook obtained from these properties.

[121] Accordingly, we do not consider that the proposed development will be visually prominent such that it detracts from the private views of the rural landscape although, until such time as the proposed planting is mature, there will be views of the proposed development albeit that this is at some distance from the Stewart and Umbers building platforms. We note in this regard that the Applicant has not endeavoured to "plant out" the western boundary of its property (which would have the effect of containing the views from the Umbers and Stewart sites to their boundaries); rather, it has responsibly endeavoured to mitigate the built form close to the proposed residential lots by more appropriate and sensitive plantings.

(c) *Form and density of development*

[122] We accept Mr Greaves evidence that the proposal, in the main, utilises the existing natural topography of the site to locate development where it is not highly visible when viewed from public places (including the unformed legal roads). The proposed single access point from the State Highway reduces any effects that could result from multiple access ways. We note that, with the exception of Lots 1 to 13, the development concept of houses surrounding a lake located in a natural depression is supported by the Upper Clutha Environmental Society and is in accordance with the thrust of this assessment matter.

[123] As Mr Greaves noted, the Rural General zone does not specify a minimum lot size; rather, lot sizes are a function of the site's ability to absorb residential use without detracting from landscape character and values. Dr Read concluded that the subdivision (with the exception of Lots 1 to 13) is concentrated in an area with a higher potential to absorb development given the topography of the site and the concentration of development in a centralised depression. Although Lots 1 to 9 are located in the most sensitive part of the site

(adjoining the Clutha River), they will not be visible from the river corridor as a result of the volunteered condition regarding the visibility of any built form.

[124] Dr Read has noted that the proposed development does not introduce densities that are characteristic of urban areas and we accept this evidence. Further, the higher density achieved on Corbridge Downs would not necessarily preclude residential development and/or subdivision on neighbouring land because the effects of the development are largely contained within the site.

(d) *Cumulative effects of development on the landscape*

[125] This assessment matter is perhaps the most contested of the VAL criteria in this application. It is worth setting it out in full as follows:

(d) Cumulative effects of development on the landscape

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

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

[126] Dr Read considered that there would be a noticeable cumulative effect on the natural or Arcadian pastoral landscape with the addition of 35 residences and associated dwellings. This effect would however, in her opinion, be mitigated to a degree by the balance lot remaining as a productive farm. Mr Greaves noted that with the exception of Lots 1 to 9, the majority of the proposed development is contained within discreet landscape units defined by topographical features. He noted that the development would remain relatively inconspicuous when viewed from public places, limiting any perceivable cumulative effect. Ms Steven's opinion is that there would be no significant adverse cumulative effect, as the effects of development are contained to the site. In reaching this view Ms Steven took into account the significant positive effects proposed by the Applicant, implying that the "environmental compensation" offered would offset any adverse cumulative effects.

[127] Having considered all of the evidence, including the well-considered submission of Mr Howarth together with the evidence of Mr McDonald, we have formed the view that the cumulative effects of the development on the landscape will result in a degree of adversity that exceeds an acceptable threshold in this context. We agree with Mr Howarth that had Lots 1 to 9 been located in the general vicinity of Lots 14 to 35 (that is, in the general vicinity of the lakeside depression), the resulting cumulative effects would be considerably less. However, Lots 1 to 9, and to a lesser extent Lots 10 to 13, will compromise the existing natural and Arcadian pastoral character of the landscape by exacerbating potentially adverse domesticating effects.² The spread or "scattering" of development over the property (represented in the main by Lots 1 to 13) largely contributes to the adversity of the cumulative effect in this respect. We concur with Mr Howarth's observation that the consented Poplar Beach subdivision and other rural residential lifestyle blocks (including the Umbers and Stewart properties) must to be taken into account in our assessment of cumulative effects, although to a degree (and this was accepted by Mr Howarth) the consented development on surrounding properties does, somewhat conversely, pave the way for more intensive development of Corbridge, which is one of two remaining large undeveloped rural properties in this vicinity.

[128] Dr Read and Mr Greaves considered that, on balance, the development would take the vicinity to its absolute threshold for further development. In our assessment, this threshold is exceeded by the inclusion of Lots 1 to 9, although its impact has been substantially lessened – in relation to the Clutha River corridor – by the volunteered "no visibility of built form" consent notice condition. Notwithstanding this, we are of the view that Lots 1 to 9 prima facie exceed the site's ability to absorb change without resulting in

² Although we note that curtilage effects will be reduced by the volunteered consent notice condition prohibiting outdoor swimming pools and tennis courts.

inappropriate degradation and domestication of the landscape and that these lots will visually compromise the natural and pastoral Arcadian character of the landscape when viewed from the south, east and western aspects. We stress, however, that this is a very finely balanced judgment and acknowledge that there is a difference of views amongst the experts, although within a relatively narrow range.

(e) *Rural amenities*

[129] Having considered the evidence before us, we are comfortable that the proposed development maintains adequate and appropriate visual access to open space and views across Arcadian pastoral landscapes from public roads and other public places, and from adjacent land where views are sought to be maintained (the Clutha River corridor).

[130] In respect of criteria (ii), the proposed development enhances the ability for agricultural activities to be undertaken on the land in the sense that the property owners may provide the capital required to improve the productive capacity of the farm for agricultural purposes. The Farm Management Report prepared by Ms Ann Scanlan that accompanied the application discussed the current state of the property, concluding that in its present capacity it is uneconomical as a farming unit. Following the proposed development the area available for farming will comprise 216 hectares, of which 212.4 hectares has the potential to be irrigated.³ The report concludes that the aesthetic appearance of the property will be of a very high standard under irrigation, not only to travelling passers-by but also to residents within the subdivision. Once farming development is completed, the residents can expect a viable income from the intensification in farming activities that is proposed. Stock in particular do exceedingly well on this type of country, with very fast growth and weight gains. Further, under irrigation the land offers scope for the growing of cereal crops with “guaranteed high yields”. Overall, the report concludes that the return on investment could be in the vicinity of 7.2% as a result of improvements in the current land use.

[131] Dr Read considered that the proposed development would not require infrastructure consistent with urban landscapes and that the proposed landscaping, including fencing and entranceways, is consistent with traditional rural elements, particularly when viewed from public roads.

8.3.2 Nuisance

[132] Mr Greaves noted in his Section 42A report that the proposed development has the potential to result in adverse noise and glare effects on neighbouring properties. He was

³ The proposed lake is a significant advantage in relation to the availability of irrigation.

particularly concerned in relation to the community hub area: while he accepted that the location of these facilities is well contained and not likely to result in any adverse noise effects on the wider environment, he had residual concerns in relation to the effect the operation of these facilities might have on neighbouring properties to the east (the Umbers and Stewart properties).

[133] Having had the benefit of expert evidence from the Applicant's architect, Ms Salmond, and a robust discussion at the hearing, we are satisfied that any adverse noise effects arising from the use of the community hub in relation to the neighbouring properties will be insignificant. The community hub is separated from these properties by approximately 600 to 700 metres, which is a considerable distance in this context. The proposed mitigation planting, together with the enhancement of ecological areas between the community hub and the neighbouring properties, will assist to absorb any noise that may be generated. However, the obvious controlling feature will be the proposed residential development on the Lakeview and Westview lots, which are in much closer proximity to the community hub than the neighbouring properties – the closest lot is only 60 metres away - together with the proposed management body rules which, although not in evidence before us, commonly have robust clauses to cover noise and other nuisance likely to be generated by both residents and from the use of community facilities. Ms Salmond explained that the design of the buildings has had regard to acoustic performance in order to control noise and nuisance for the proximate residents.

[134] Further, we note that the Umbers and Stewart properties are within the outer noise boundary of Wanaka airport; consequently any dwellings constructed on these building platforms will require noise mitigation and potentially mechanical ventilation in accordance with the District Plan rules. Accordingly, noise, particularly at night, is highly unlikely to be an issue. Mr Todd submitted that the Council has not received any concerns in relation to noise from neighbours of other similar developments that contain community facilities such as Far Horizon Park and that we should take some comfort that any potential nuisance will be contained well within the site.

[135] Mr White noted that in the Rural General zone noise from non-residential activities such as the communal hub buildings and non-residential activities are subject to Zone Standard 5.3.5.2(v), which applies the same noise standards as the Residential zone to noise from hub buildings. Any application to breach this zone standard would be considered a non-complying activity. He noted that no application has been made to exceed this noise standard and confirmed that the Applicant intends to be fully compliant.

[136] Overall, we accept Mr White's evidence that the use of private communal facilities tends to be self-regulating, as they are utilised solely by residents who respect the amenity of other residents and are subject to often stringent body corporate controls. Boat noise on the surface of the lake is controlled by Zone Standard 5.3.5.2(iv), which limits boat noise to 77 dB LAS max. In relation to traffic nuisance effects and any effect on rural amenity for the neighbours, Mr White noted that the internal road is at its closest point approximately 280 metres from the eastern boundary of the site. When viewed from the Umbers and Stewart sites, most of the internal roading to the north of the existing small pond north of the turn-off to the lake is obscured by topography or existing hedges (which are to be protected). Further planting to the east of the internal road is proposed along the crest of a low rise adjacent to the water race and existing shelterbelts will be augmented. In Mr White's view, this will obscure headlights from cars entering and exiting the site for all three properties along the eastern boundary of the site.

[137] We accept that future residents at Corbridge are likely to "buy into" the concept because they value the high quality rural amenity and setting. Such purchasers will have an expectation of quiet enjoyment and will not expect to be affected by internal traffic noise, lighting or noise from the lake or communal buildings. We are satisfied that any adverse effects from noise or traffic nuisance on the Umbers and Stewart properties will be insignificant and that, contrary to Mr Greaves' recommendation, there is no requirement for a noise management plan.

[138] The nuisance effect of smoke from dwellings located in the Lake View and West View lots was raised by Ms Umbers as a potential adverse effect in the winter months. Although we did not have the benefit of any expert evidence on this issue, due to the topography of this area (the natural depression), chimney smoke potentially produced by the 22 surrounding dwellings may well have an unattractive and potentially unhealthy effect, not only with respect to the neighbouring properties but also internally within the development. Following the hearing we invited the Applicant to address this issue by considering a consent notice condition that would require any residences constructed on the residential lots to comply with the Otago Regional Plan Air Zone 2 standard, which applies to the Wanaka and Albert Town urban areas. In response the Applicant advised that it is prepared to offer the following condition:

15(v) Particulate emission rates from, and thermal efficiency of domestic heating appliances on Lots 1 - 35 shall comply with the standards of Otago Regional Plan: Air for Air Zone 2 as at the date of issue of building consent for any new dwelling or replacement of any domestic heating appliance.

[139] For the benefit of doubt, the Air Zone standard is not intended to apply to the communal hub buildings, where open fireplaces may be an appropriate feature of the development.

8.3.3 Positive effects

[140] The Applicant has offered a number of positive measures, both in the form of mitigation (protection of existing shelterbelts, substantial additional planting) and by way of environmental compensation. As we have concluded that the effects of cumulative development on the landscape are significantly adverse (although this is a finely balanced judgment), we must assign weight to the positive measures proposed in order to form a judgment as to whether, overall, the actual and potential effects on the environment are appropriate.

[141] Aside from the measures proposed in mitigation of specific effects, predominantly landscape-related effects, the Applicant has proposed the following measures:

(a) *Ecological areas*

[142] The protection and enhancement of existing landscape features and remnant indigenous vegetation within the site; specifically the Kanuka woodland adjacent to the Clutha River, the terrace escarpment, the mixed shelterbelts, the areas of remnant indigenous vegetation and the indigenous hedgerows, is a feature of the application. The Applicant has proposed registering a QEII Trust Open Space Covenant to protect the terrace escarpment, the northern slopes of the proposed lake and two triangular areas of grey shrubland vegetation. Mr Greaves noted that the protection of nature conservation values as proposed in the application is strongly supported by the District Plan objectives and policies contained in Section 4 and that this represents a significant positive effect of the proposal. In the event that it is not possible to register a QEII open space covenant, consent notice conditions have been proposed to ensure that these areas remain in their natural state in perpetuity.

[143] Following the receipt of submissions, the Applicant commissioned an ecological report by Mr Neill Simpson, an ecologist based in Queenstown. Mr Simpson concluded that the proposed ecological measures follow recommendations in the District Plan, the Act and the Government's biodiversity strategy for preserving existing native vegetation and restoring and enhancing indigenous biodiversity and communities. In his opinion, once the plan is completed, the indigenous biodiversity would have been considerably enhanced and "*will hopefully provide an example or blueprint for any similar future subdivisions in the*

area”. Accordingly, we concur with Mr Greaves and Ms Steven that the protection and enhancement of ecological areas represents a significant positive effect of the proposal.

(b) *Proposed public and walking and cycling tracks*

[144] Although pedestrian access is currently legally available via the unformed legal roads through the property (as noted by UCESI), for practical purposes it is not currently accessible. The creation of the walking and cycling linkages (either via the existing unformed legal roads or through the realignment proposed by the Applicant)⁴ will have positive benefit to the wider community and the evidence before us was that the tracks are likely to be extensively used. UCTT has endorsed the Applicant’s proposal (albeit that it has a preference in respect of the mechanism adopted to achieve this) stating that “*it sees the offer of the construction and ongoing maintenance of secure and enjoying public access through the property as a valuable addition to the walking and cycling track network in the Upper Clutha basin*”. The Applicant’s offer to form and maintain the proposed walking and cycling tracks, which will form a valuable addition to the network of tracks within the Upper Clutha, is in our view of significant weight as a form of environmental compensation.

(c) *No further development or subdivision consent notice condition*

[145] UCESI noted the omission of any mechanism to protect the balance of the property from further subdivision or development in its written submission. The Applicant responded by offering a consent notice condition not only proposing that the site be fully protected in perpetuity from any further subdivision or development but also that the balance lot be retained for agricultural purposes.

[146] As, in our assessment, the site currently exceeds the threshold for development, the volunteered no further subdivision or development consent notice condition forms an essential part of this proposal. We also ascribe considerable weight to the retention of the balance lots for agricultural use, which will preserve the pastoral and Arcadian nature of the landscape and contribute significantly not only to the rural amenity of the property, but also to that of the neighbouring properties and in distant views (such as those obtained from Mt Iron). Further, by enabling the farming activities to be restructured as a viable economic unit, the development will have positive economic effects both for the resident owners of the property and the wider community as a whole.

⁴ The Applicant has proposed three possible options for providing walking and cycling access. The eventual method adopted will be the subject of future negotiation with Council and neighbouring landowners and which option is chosen is not relevant to our decision. Rather, we are satisfied that the Applicant is able to provide the proposed walking and cycling tracks via one of the mechanisms, with the least preferred option, the status quo, being the backstop.

8.3.4 Summary of effects

[147] Having considered the matters raised by the assessment criteria, together with all other relevant matters, we have concluded that, with the exception of the cumulative effects of development on the landscape, the actual and potential effects on the environment can be adequately avoided, remedied or mitigated such that the proposal is unlikely to create any materially significant adverse effects.

[148] However, in relation to the cumulative effect of development on the landscape, we have concluded that, primarily as a result of the inclusion of Lots 1 to 13, the adverse effects will be inappropriate. This is, however, a very finely balanced judgment and we note that both Dr Read and Mr Greaves reached a different conclusion in this respect.

[149] However, weighing all factors in achieving the balance that is required under the Act, we have formed the view that any adverse effects arising from the cumulative effect of Lots 1 to 13 are more than adequately offset by positive effects and the substantial degree of environmental compensation that has been offered by the Applicant in relation to the protection and enhancement of ecological areas, the provision and maintenance of walking and cycling tracks, and the consent notice condition protecting the land from any further subdivision or development. In particular, the retention of the property as a working farm, to be owned and managed by the residential lot holders, is a significant positive effect in terms of protection of the rural amenity of the wider area on an enduring basis. Accordingly, on balance, we consider that the actual and potential effects on the environment of the proposal overall are appropriate and acceptable.

8.4 Objectives and Policies of the District Plan

[150] In accordance with Section 104(1)(b), we are required to assess the proposal in accordance with the relevant objectives and policies of the District Plan.

[151] The assessment matters contained in the Rules relating to the Rural General zone must be read in light of the District Plan's objectives and policies, particularly where there is any doubt as to their meaning. The relevant objectives and policies are found in the following sections:

- Part 4 – *District Wide Issues*;
- Part 5 – *Rural Areas*; and
- Part 15 – *Subdivision, development and financial contributions*.

[152] In general, the objectives and policies in the Rural General zone provide for the retention of the rural character of the area while providing for non-rural activities to occur in areas where they can be absorbed without detrimental impact on rural activities, rural character, landscape values and the visual coherence of the landscape.

[153] As the proposal is being assessed as a discretionary activity, baseline analysis is, prima facie, not relevant to the extent that the District Plan, properly interpreted, comprehensively addresses the relevance and weighing of the effects of a discretionary activity. We note that the particular assessment criteria relating to ONFs does not specifically allow for any baseline analysis when comparing the proposed discretionary activity with permitted uses.

[154] Both Mr Greaves and Mr White have carried out comprehensive assessments of the relevant objectives and policies and reached similar conclusions. In their opinion, there is generally consistency between the application of the assessment matters and the relevant objectives and policies. Accordingly, overall, the proposal is, in their view, consistent with the District Plan. However, as there have been alternative views expressed by Mr Howarth and Mr McDonald in relation to several of the relevant objectives and policies, we comment on specific matters as follows.

[155] The policies relating to landscape and visual amenity are set out at Part 4.2.5 of the District Plan and are particularly relevant to our assessment of this application. The principal objective is that subdivision, use and development must be undertaken in the District in a manner that avoids, remedies or mitigates adverse effects on landscape and visual amenity values.

[156] In particular, Policy 4.2.5(5), which relates specifically to ONFs, is worded in a strong manner: it is to *avoid* subdivision and/or development on or in the vicinity of distinctive landforms and landscape features. In our view, as the proposed development meets the exacting standards required by the assessment criteria on balance, the proposal is consistent with this policy. In particular, any development on the most sensitive lots (Lots 1 to 9) will meet the test of “reasonably difficult to see”.

[157] We accept the Applicant’s general submission that the District Plan may enable development on the property if the Commission is satisfied that adverse effects on the environment can be appropriately avoided, remedied or mitigated. We must be satisfied that granting consent to the proposal, which includes the positive effects set out in paragraph 8.3.3 above, is more consistent with the objectives and policies of the District Plan than not.

In our view, the benefits of the proposal, when weighed against the adverse effects, in particular the risk of cumulative degradation, meets this test.

[158] The key issue for this Commission is whether the proposal is consistent with the District Plan objectives and policies when read as a whole. Although we have had regard to the individual points raised by Mr McDonald, on balance we prefer the more balanced evidence of Mr Greaves and Mr White who considered that the application is, *when assessed as a whole*, consistent with the objectives and policies of the District Plan. Our assessment has been largely informed by our previous analysis in relation to the assessment matters following which we concluded that, on balance, the effects of the proposal are acceptable in this landscape having regard to the positive benefits associated with the application.

[159] Although we have had regard to the concerns raised by submitters, in particular those that have not potentially been satisfied by additional mitigation or consent notice conditions offered by the Applicant, we have reached the conclusion that they are not material from *an overall* resource management perspective, taking into account the substantial positive effects of the application.

[160] Having been satisfied in our overall analysis that the criteria of the District Plan are met, the base platform for the grant of consent (subject to strict conditions) has been established. Further, we are of the view that the proposal is consistent with the relevant objectives and policies of the District Plan to the extent that any of these are not informed by the assessment matters, or there is any doubt as to the interpretation of a particular assessment criterion.

8.5 Other matters

[161] Mr Greaves raised the issue of precedent effect in his Section 42A report. We note that the submissions of UCESI, Ms Umbers and Ms Stewart also considered that the proposed development might set a precedent for further development to occur along the Clutha River corridor.

[162] We do not consider that this proposal is likely to create a precedent for large-scale development along the Clutha River corridor. Each proposal must be assessed in accordance with the strict assessment criteria contained in the District Plan and with the relevant objectives and policies on its individual merits. Given the unique nature of this site and the proposal in general, it is highly unlikely that it could be replicated in other areas of the Upper Clutha. In particular, the comprehensive nature of the proposal, including the

clustering of the majority of the lots in a central depression and the significant positive effects offered by the Applicant, contributes to the uniqueness of the proposal. Although Lots 1 to 9 are located in close proximity to the Clutha River corridor, for the reasons that we have already explained, any residential development on these lots will not be visible from this vantage and, although the lots will have an adverse effect on the cumulative development of the landscape, this is outweighed by the considerable positive benefits that the application affords. Accordingly, we are satisfied that the proposal will not establish a significant precedent.

8.6 Part 2 of the Act

[163] Section 104 is subject to the wider considerations set out in Part 2 of the Act. Part 2 requires us to consider the question of sustainable management: we must be satisfied that the result of allowing any given activity promotes the sustainable management of natural and physical resources as defined in Section 5. In doing so, a broad judgment is required.

[164] As with all proposals that involve residential subdivision in rural locations, there is a potential conflict between the preservation of landscape coherence and visual amenity, and the associated opportunity for residential activity. Our assessment has concluded that the proposed development, on overall analysis, satisfies the assessment criteria and is not inconsistent with the objectives and policies in the District Plan.

[165] A number of the principles contained in sections 6 and 7 of the Act are also relevant to our consideration of this proposal.

[166] Of particular importance is section 6(b), which concerns the protection of ONLs and ONFs from inappropriate subdivision and development as a matter of national importance. For the reasons outlined above, we are of the view that the development can be absorbed by the landscape and is therefore consistent with this objective. The conditions provide for the avoidance of any significant adverse effect on landscape and visibility. Proposed Lots 1 to 9 will not, in our view, compromise the ONF of the Clutha River and, as previously discussed, the positive benefits associated with the proposal, in particular the ecological restoration and protection of the scarp area, will assist to protect this important and sensitive landscape for future generations.

[167] Section 7(c) requires that particular regard be had to the maintenance and enhancement of amenity values while section 7(f) requires that particular regard be had to the maintenance and enhancement of the quality of the environment. As previously discussed, the proposal includes a number of positive features that both enhance amenity

values and the quality of the environment which, taken together, outweigh the adverse effects associated with landscape and cumulative development. Accordingly, we have concluded that the proposed development is consistent with the relevant matters set out in section 7.

[168] It is important to note that granting consent to this proposal will enable comprehensive development of the site while protecting and enhancing nature conservation values and rural amenity. Accordingly, it meets the requirements of section 5 in that it provides for the social and economic well-being of the Applicant and the wider community while sustaining the potential of natural and physical resources to meet the reasonable foreseeable needs of future generations, safeguards the life-supporting capacity of air, water, soil and eco-systems, and avoids, remedies or mitigates the adverse effects of the activities on the environment. Overall, we are satisfied that the purpose of the Act would be served by granting consent to this proposal.

9 CONCLUSION

[169] The Applicant has applied for resource consent to create 35 residential allotments, together with a balance farming lot, each with a residential building platform at a property located at 707 Wanaka – Luggate Highway (State Highway 6), Wanaka. The comprehensive development proposed is described in detail in the application and in Chapter 1 of this decision.

[170] Having carefully considered all of the relevant reports and documentation supplied with the application, submissions, the Section 42A reports and the evidence presented to us during the course of the hearing, we have determined that the application, which included a ten year lapse period, be **granted** subject to the following conditions of consent.

Dated this 23rd day of July 2013



**Jane Taylor
For the Commission**

RM120572 Corbridge Estates Partnership Limited Conditions of Consent

Subdivision

1. The subdivision must be undertaken/carried out in accordance with the plans (**stamped as approved on 23 July 2013**) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:

Anne Steven Landscape Architect

- Figure 10 - Landscape Masterplan Corbridge Downs Plan Reference: 200.LP01A (May 2013).
- Figure 11 - Landscape Concept for Community Hub Area (March 2012). Reference A1-01.
- Figure 15A – Proposed Planting by Primary Function Plan Reference: 200.LP02 (May 2013).

Paterson Pitts Group

- Scheme Plan Corbridge Estates Subdivision Plan Reference W3098 Sheets 101 – 109 Revision G dated 15/05/2013.
 - Earthworks Plans Corbridge Estates Subdivision Plan Reference W3098 Sheets 201 – 212 Revision G dated 15/05/2013.
 - Concept Engineering Plans Corbridge Estates Subdivision Plan Reference W3098 Sheets 301 – 314 Revision G dated 15/05/2013.
2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
 3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
 4. Construction noise shall not exceed the requirements set in NZS 6803:1999 '*New Zealand Standard, Acoustics-Construction Noise*'.
 5. This subdivision may be staged in accordance with Stages 1, 2 and 3 shown on "Scheme Plan, Corbridge Estates Subdivision, Proposed Staging" dated 15/05/2013 or any variation to this plan approved by Council. For the purposes of issuing approvals under Sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed.

The stages may be progressed providing all necessary works (such as servicing, provision of formed legal access and planting detailed on the Landscape Development and Enhancement Plan (condition 7)) are completed for each stage, prior to certification being issued as necessary under Sections 223 and 224(c) of the Resource Management Act 1991.

6. Within 3 months of the date of consent the landowner shall enter into a process of establishing a protective covenant under the QEII Trust Act 1977 over the areas shown on Landscape Plan 200.LP01 May 2013 prepared by Anne Steven Landscape Architect and Paterson Pitts Group

Scheme Plan Corbridge Estates Subdivision Plan Reference W3098 Sheets 102 – 107 Revision G dated 15/05/2013. If the QEII Trust withdraws its interest in accepting an Open Space covenant, the landowner shall seek alternative protection mechanisms such as a covenant under the Conservation Act 1987 or Section 108(2)(d) of the Resource Management Act 1991. Other areas of the site may be included in the covenant. The covenant shall be submitted to Council for approval prior to registration and prior to s224(c) certification of the subdivision. All costs of establishing and registering the covenant shall be borne by the consent holder.

The purpose of the covenant is to preserve the natural and open character of the subject land, and to provide for ecological enhancement and the improvement of visual amenity through native planting. Weed and animal pest control shall be undertaken within the covenant area including removal of wilding pines. There shall be no building, earthworks, or grazing (except as an approved vegetation management technique) within the covenant area.

7. A detailed Landscape Development and Enhancement Plan (LDEP) for all communal land in proposed Lots 101, 102 and 103 shall be prepared and submitted to the Council's Principal Landscape Architect for approval at the same time as the engineering approval for the first stage of the subdivision works. The plan shall be prepared by a design team, including a suitably qualified and experienced ecologist and landscape architect. This plan shall include the ecological enhancement planting, visual mitigation planting, general amenity planting and areas that will continue to be farmed. The plan shall be generally in accordance with Anne Steven Landscape Architect Plans LP01 and LP02 May 2013.

The plan shall include the following details:

- The identification, description and evaluation of all existing native vegetation, and identification of any threatened species and ecosystems/Land Environment New Zealand classification.
- A detailed explanation of the approach to planting and ecological enhancement and restoration.
- A detailed list of species and planting associations. All species shall be the same species as those on site or species consistent with the farming landscape character and the indigenous ecosystems of the site and surrounds (defined as being the area between the airport, Clutha River, Cardrona River and Pisa and Criffel Ranges). Mixed species shelterbelts shall predominate reflecting the character of existing plantings.
- The identification of all native grey hedgerows to be protected as shown on Landscape Plan 200.LPO1 May 2013 by Anne Steven Landscape Architect. These hedgerows shall be protected from stock damage and shall not be cleared, crushed, sprayed, burnt or permitted to be overcome by weed species.
- The identification of all existing shelterbelts whose shelter and screening function is to be maintained in perpetuity as shown on Landscape Plan 200.LPO1 May 2013 by Anne Steven Landscape Architect; and a programme and details of rotational replanting (excluding any wilding species) and on-going management, ensuring two rows of trees at least 8 m high are present at all times.
- Planting plans, describing species to be planted, structure of plant associations, numbers and spacing. The scale of plans is to be no smaller than 1:1000 for areas of revegetation, and 1:200 to 1:500 for mitigation planting around building platforms and the social and business hub.

- A programme of implementation. This implementation shall be developed in accordance with the proposed staging of the subdivision (condition 5) and each stage shall be implemented prior to the issue of Section 224(c) certificate. Stage 1 shall include planting along the northern escarpment and in southwestern corner of the site.
- Site preparation details.
- Irrigation and mulching details.
- Planting specifications.
- Plant sources and size/grade at planting.
- A plan for on-going management, including stock grazing management fencing plans, and plant and animal pest control.
- Provision for on going monitoring and review of management activity.

Advice Note: Changes to the LDEP can be made without the need for further resource consents or variations to this consent, provided these changes do not represent a departure from the Landscape Masterplan defined in condition 1.

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

8. Prior to commencing works on site, the consent holder shall submit an application to undertake works within the State Highway road reserve and a traffic management plan to the Network Management Consultant at Opus International Consultants of Alexandra for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Principal Engineer at Council prior to works commencing.
9. At least 5 working days prior to commencing work on site the consent holder shall advise the Principal Engineer at Council of the scheduled start date of physical works.
10. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this subdivision and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.4 & 1.5 of NZS4404:2004 “Land Development and Subdivision Engineering”, in relation to this development.
11. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who is familiar with the Tonkin and Taylor report (dated March 2012, ref: 892491) and who shall supervise the excavation and filling procedure. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Principal Engineer at Lakes Environmental new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.

12. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following engineering works required:
- a) The provision of a water supply to the development in terms of Council's standards and connection policy. This shall include the following:
 - i) A sluice valve or peat valve with its own valve chamber box or valve riser tube and cover to approval. A resilient seated gate valve shall be installed. This shall require a marker post to be installed.
 - ii) A water meter box containing a pipe line strainer, in line water restrictor module and water meter. The chamber shall be drained and not flood. The cover shall have the word "Meter" or "Water Meter" embossed on the cover. A daily total submitted to the SCADA system is the minimum required output. Accuracy of the water meter shall be +/- 5%.
 - iii) 24 hours of water storage or more dependant of the duration of fire fighting reserve intended to the private scheme.
 - iv) Backflow prevention for any connections between the point of supply (QLDC water meter) and any private tank or reservoir system. This shall be located inside the private property.
 - v) The provision of a water supply to the community hub buildings, guest accommodation units and farm utility buildings in terms of Council's standards and connection policy. The costs of the connection shall be borne by the consent holder.
 - vi) Provision of a minimum supply of 2,100 litres per day of potable water to the building platforms on Lots 1 to 35. This shall include the provision of an Acuflo CM2000 toby valve for each unit located at the road boundary.
 - b) The provision of a foul sewer connection to the development. This shall include the provision for odour control at the connection point to Council's reticulation. The costs of the connection shall be borne by the consent holder.
 - c) The provision of fire hydrants with adequate pressure and flow to service Lots 24 to 35 and the 'Communal Hub' and 'Accommodation' buildings with a minimum Class FW2 fire fighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008. Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service. This shall include the provision of an access for the fire hydrant nearest the tennis courts and shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower.
 - d) The provision of a 50mm duct with fibre optic cable for water and wastewater SCADA, from the source to the existing Council bore on SH6.
 - e) Formation of the access shall be to side road standard as indicated on the Opus '*Highway Side Road Intersection*' (dated 18/09/2009, job AL_SD6, rev R2), and shall include widening to allow formation of a standard right turn bay, a left turn lane, and flag lighting. The widening shall be undertaken prior to construction commencing on the site. Marking shall be undertaken by the NZTA at a future date when traffic generation requires its provision.

- f) The formation of roads 1 to 10, in accordance with NZS 4404:2010 Table 3.2 for Rural Live and Play standards. Detailed designs submitted for review and certification shall be in accordance with table 3.2 NZS4404:2010 and accompanied by a design statement in accordance with 3.2.6 NZS4404:2010. Any variation from this standard shall be justified in terms of how the target operating speed for the appropriate design environment is achieved.
- g) The provision of an access way to Lots 1 to 24 and the 'Communal Hub' and accommodation buildings that comply with the guidelines provided for in Council's development standard NZS 4404:2010 Table 3.2 for Rural Live and Play standards.
- h) The provision of a Design Certificate submitted by a suitably qualified design professional for the wastewater pump station and water booster pump station required for the water and wastewater reticulation. The certificates shall be in the format of IPENZ Producer Statement PS1.
- i) Any pump station installed as part of the infrastructure shall include flow monitoring. The system shall be connected to a SCADA (Supervisory Control and Data Acquisition) system or suitable alternative monitoring system, to be approved by Council, to protect the pump station against any system failure and/or overloading. Details of the monitoring and maintenance program for the pump station shall be submitted to Council for review and approval. The management entity for the development shall be responsible for the monitoring and maintenance of any approved on-site foul sewer pump station.
- j) The provision of Design Certificates for all engineering works associated with this subdivision/development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.
- k) The formation of the public walking and cycling tracks, in accordance with the Scheme Plans approved under this resource consent by Paterson Pitts Group. The formation of the tracks shall be to the following standards:

Gradient: maximum grade 1:10 (except for the existing section of track down the scarp face)

Width: minimum 1.5m (except for the existing section of track down the scarp face)

Surface: compacted aggregate

Watercourses (if any): bridged width at least 1.5m

To be completed before Council approval of the Title Plan

13. Prior to the Council signing the Title Plan pursuant to section 223 of the Resource Management Act 1991, the consent holder shall complete the following:

- a) All necessary easements shall be shown in the Memorandum of Easements attached to the Title Plan and shall be duly granted or reserved.
- b) The names of all roads, private roads and private ways which require naming in accordance with Council's road naming policy shall be shown on the title plan.

Advice Note: the road naming application should be submitted to the Technical Support Officer: Engineering and should be lodged prior to the application for the section 223 certificate.

- c) Any process necessary to realign the unformed legal roads and/or the creation of easements to provide for public walking and cycling access along the proposed walking

and cycle tracks and for alternative legal access to Lot 2 DP 460617 in addition to or in substitution of the land shown as “Road Stopped” on Scheme Plan W3098 Sheet 107 Revision G dated 15 May 2013 shall be completed prior to the issue of the section 223 certificate for the first stage of the subdivision.

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

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

- a) The completion and implementation of planting approved under Condition 7 (Landscape Development and Enhancement Plan) to the extent required for that stage of the subdivision. All visual mitigation planting shall be mulched and irrigated, and all other planting mulched and irrigated where practicable.

Planting may be staged in accordance with the staging of the subdivision (Condition 5). The planting required to be completed for each stage shall be in accordance the Landscape Development and Enhancement Plan and agreed by the Principal Landscape Architect at Council.

- b) The registration on the relevant Computer Freehold Registers of the protective covenant specified in condition 6.
- c) Provide “as-built” plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development to the Principal Engineer at Lakes Environmental. This information shall be formatted in accordance with Council’s ‘as-built’ standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
- d) A digital plan showing the location of all building platforms required to be shown on the Survey Plan/Land Transfer Plan shall be submitted to the Principal Engineer at Lakes Environmental. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- e) The completion and implementation of all certified works detailed in Condition (12) above.
- f) The consent holder shall provide evidence to Council that a responsible body (the Management Entity) has been created to assume responsibility for the maintenance of the infrastructure including the private roads, water supply, stormwater reticulation, effluent disposal systems and disposal fields, the maintenance of the public walking and cycling tracks, landscaping and the farming operations.

The legal documents used to establish and to contract with the Management Entity shall be checked and approved by the Council’s solicitors at the consent holder’s expense to ensure that all of Council’s interests and liabilities are adequately protected.

- g) Supply to the consent authority with a notice signed by the Minister of Transport pursuant to section 93 Government Roadings Powers Act 1989 signed by the Minister of Transport confirming that the State Highway is road for the purposes of this subdivision and change in land use.
- h) Provide written confirmation from the NZ Transport Agency’s network management consultants that the existing entrances (identified as CP 8, 9 and 10) into the site have been

permanently closed and the works on SH6 have been completed to meet NZTA's requirements.

- i) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- j) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the boundary of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
- k) Provide a geotechnical completion report and a Schedule 2A "*Statement of professional opinion as to suitability of land for building construction*" in accordance with Section 2.11.1 of NZS 4404:2004 that has been prepared by suitably qualified geotechnical engineer as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms are suitable for building development. In the event that the site conditions within the building platforms on Lots 25 to 33 and the 'Communal Hub' and Accommodation buildings are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and approval full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction.
- l) Confirm that a consent notice condition shall be registered on the relevant Computer Freehold Registers for any lot in respect of which the Schedule 2A statement indicates that building construction would only be suitable if certain mitigation measures and/or remedial works were carried out at the time of construction. The consent notice condition shall require that, prior to any construction work (other than work associated with geotechnical investigation), the owner of such a lot shall submit, to council for certification, plans prepared by a suitably qualified engineer detailing the proposed mitigation measures and/or remedial works AND require the owner to implement all such measures prior to occupation of any building.
- m) Supply Completion Certificates from both the Contractor and the Engineer advised in Condition (12) above for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- l) Supply Completion Certificates from both the Contractor and Approved Engineer for the Wastewater Pump Station and Water booster Pump Station located within Lot 101. The certificates shall be in the format of IPENZ Producer Statement PS3 and PS4.
- m) Confirm all signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision. Any signage along the road frontage of the site shall have a minimum lettering size of 160 mm and shall contain a maximum of 6 words or 40 characters in accordance with NZTA requirements.
- n) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- o) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.

- p) Remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- q) The formation of the walking and cycling tracks specified in Condition 12(k).

Ongoing Conditions/Consent Notices

15. Prior to certification pursuant to Section 224 of the Act and in accordance with section 221 of the Resource Management Act 1991, a Consent Notice shall be registered on the relevant Certificates of Titles for the performance of the following conditions on a continuing basis:

- a) All roading, water, stormwater and effluent systems are privately owned and are the responsibility of the Management Entity created at the time of subdivision. The Council is not responsible for any part of the infrastructure or roading to any lot within any stage of this subdivision. The Management Entity is also responsible for the ongoing maintenance of all mitigation measures installed as part of the subdivision; these include, but are not limited to, stormwater controls/soakage, catch fences and deflection/guide bunds (if any).
- b) At the time a dwelling is erected on Lots 1 – 24, domestic water and fire fighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static fire fighting reserve within a 30,000 litre tank. Alternatively, a 7,000 litre fire fighting reserve is to be provided for each dwelling in association with a domestic sprinkler system installed to an approved standard. A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single-family dwellings. In the event that the proposed dwellings provide for more than single-family occupation then the consent holder should consult with the NZFS as larger capacities and flow rates may be required.

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

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

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

Fire fighting water supply may be provided by means other than the above if the written approval of the New Zealand Fire Service Operational Planning Officer for the Southern Fire Region is obtained for the proposed method.

The fire fighting water supply tank and/or the sprinkler system shall be installed prior to the occupation of the building.

***Advice Note:** The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwellings are approximately 8km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand Volunteer Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new dwelling.*

- c) All buildings on Lots 1 to 35 shall be located within the approved building platform on each lot.
- d) Buildings shall not exceed the height limits contained in the following table:

Lot	Maximum Building Height	Lot	Maximum Building Height
1	5 metres above existing ground level	19	6 metres above existing ground level
2	6 metres above the lowest point within the building platform	20	6 metres above the north western corner of the building platform
3	6 metres above existing ground level	21	6 metres above existing ground level
4	6 metres above the lowest point within the building platform	22	6 metres above the western corner of the building platform
5	6 metres above existing ground level	23	6 metres above the north western corner of the building platform
6	6 metres above the lowest point within the building platform	24	6 metres above existing ground level
7	6 metres above the lowest point within the building platform	25	7 metres above existing ground level following subdivision
8	6 metres above existing ground level	26	7 metres above existing ground level following subdivision
9	6 metres above the lowest point within the building platform	27	7 metres above existing ground level following subdivision
10	6 metres above existing ground level	28	7 metres above existing ground level following subdivision
11	6 metres above existing ground level	29	7 metres above existing ground level following subdivision
12	6 metres above existing ground level	30	7 metres above existing ground level following subdivision
13	6 metres above the lowest point within the building platform	31	7 metres above existing ground level following subdivision
14	6 metres above the centre of the building platform	32	7 metres above existing ground level following subdivision

15	6 metres above the centre of the building platform	33	7 metres above existing ground level following subdivision
16	6 metres above the centre of the building platform	34	7 metres above existing ground level following subdivision
17	6 metres above the north eastern corner of the building platform	35	7 metres above existing ground level following subdivision
18	6 metres above existing ground level	101 or 103	6 metres above existing ground level

- e) Buildings on Lots 1 - 13 shall not be visible from any point of the Clutha River Reserve land. The Reserve land for this purpose is defined as the areas on the immediate true left and right banks of the Clutha River downstream from the Albert Town bridge over which the public have unrestricted legal access.
- f) Roofing colours to be in the range of greens, greys or browns with a light reflectance value (LRV) of less than 15%.
- g) Cladding colours to be in the colour range of greens, greys or browns with a light reflectance value (LRV) of less than 30%.
- h) Joinery, gutters and spouting shall be similar to cladding colours to avoid visual contrast.
- i) Accessory buildings shall be of the same materials and colours as the primary dwelling.
- j) There shall be no tennis courts or open air swimming pools constructed on Lots 1 - 35.
- k) Any external lighting shall be restricted to the immediate building area or affixed to buildings. All lighting shall be motion sensed with a manual override.
- l) Lighting shall be directed downward, so as to avoid glare and overspill that can be detected outside the site.
- m) All fencing shall be post and wire only with the exception of lot entrances.
- n) All water tanks shall be buried and/or screened by landform and planting so they are not visible outside of the lot.
- o) Prior to the construction of any building on Lots 1 to 35 a landscape plan for the relevant lot shall be submitted to Council for approval. The landscape plan shall achieve the following objectives:
- Landforms (earthworks) and planting within the lot shall be well integrated with the surrounding topography and vegetation.
 - Landscaping shall ensure residential developments remain discreet when viewed from outside of the site.
 - No species with a spread risk shall be used.
- p) The consent holder and/or Management Entity shall be responsible for the implementation and maintenance of the Landscape Development and Enhancement Plan approved under

resource consent RM120572. Any planting that dies, is damaged or otherwise fails to thrive, shall be replaced in the next planting season.

- q) All planting implemented as part of the Landscape Development and Enhancement Plan shall be adequately protected from damage by vehicles, stock, rabbits, hares and possums. This is the responsibility of the consent holder and/or Management Entity.
- r) The consent holder and/or Management Entity shall be responsible for the on-going maintenance of the public walking and cycling tracks shown on the scheme plans approved under resource consent.
- s) New residential buildings located within 80m of the seal edge of the State Highway shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 6 that will not exceed 35dBA Leq (24hr) in bedrooms and 40dBA Leq (24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation time for building interiors. This shall take into account any increase in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.
- t) There shall be no further subdivision or development of Lots 1 to 35 other than that approved by this resource consent.
- u) There shall be no further subdivision or development of the balance Lots 101 to 103 except as approved under this resource consent or permitted by condition 15(v) .
- v) Lots 101 to 103 shall be maintained and used for pastoral or arable farming and/or horticulture and only activities and buildings normally associated with these uses shall be permitted to occur (subject to the obtaining of any necessary resource consents that may be required).
- w) Particulate emission rates from, and thermal efficiency of domestic heating appliances on Lots 1 - 35 shall comply with the standards of Otago Regional Plan: Air for Air Zone 2 as at the date of issue of building consent for any new dwelling or replacement of any domestic heating appliance.

Amalgamation Condition

16. The following amalgamation conditions shall be shown on the Survey Plan (CSN to be confirmed).

“The Lots 101, 102 and 103 be held as to thirty five undivided one thirty fifth shares by the owners of Lots 1 to 35 as tenants in common in the said shares and that individual Computer Freehold Registers be issues in accordance therewith”.

Land use (Earthworks, Utility Sheds and Community Hub)

1. The development must be undertaken/carried out in accordance with the plans (**stamped as approved on 23 July 2013**) and the application as submitted, with the exception of the amendments required by the following conditions of consent. The approved plans are as follows:

Anne Steven Landscape Architect:

- Figure 10 - Landscape Masterplan Corbridge Downs Plan Reference: 200.LP01A (May 2013).
- Figure 11 - Landscape Concept for Community Hub Area (March 2012). Reference A1-01
- Figure 15A – Proposed Plantings by Primary Function Plan Reference: 200.LP02 (May 2013).

Paterson Pitts Group:

- Earthworks Plans Corbridge Estates Subdivision Plan Reference W3098 Sheets 201–212 Revision G dated 15/05/2013.

Salmond Architecture:

- Corbridge Downs Community Hub Site Plan A1-01 – A1-02 (02/10/12).
- Corbridge Downs Communal Buildings Sheets 2-00 – 2-03 and 3-01– 3-03 (29/02/12).
- Corbridge Downs Farm Buildings Sheet 1.2 Revision A (23/07/13)

- 2a This consent shall not be exercised and no work or activity associated with it commenced until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
- 2b The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$100. This initial fee has been set under section 36(1) of the Act.
3. Within 12 months of consent being granted or at the same time as the application for engineering approval for the first stage of the subdivision works the consent holder shall provide to the Council's Principal Landscape Architect for approval a detailed Landscape Development and Enhancement Plan (LDEP) for all communal land in proposed Lots 101, 102 and 103. The plan shall be prepared by a design team including a suitably qualified and experience ecologist and landscape architect. This plan shall include the ecological enhancement planting, visual mitigation planting, general amenity planting and areas that will continue to be farmed. The plan shall be generally in accordance with Anne Steven Landscape Architect Plans LP01 and LP02 May 2013.

The plan shall include the following details:

- The identification, description and evaluation of all existing native vegetation, and the identification of any threatened species and ecosystems/LENZ.
- A detailed explanation of the approach to planting and ecological enhancement and restoration.

- A detailed list of species and planting associations. All species shall be the same species as those on site or species consistent with the farming landscape character and the indigenous ecosystems of the site and surrounds (defined as being the area between the airport, Clutha River, Cardrona River and Pisa and Criffel Ranges). Mixed species shelterbelts shall predominate reflecting the character of existing plantings.
- The identification of all native hedgerows to be protected as shown on Landscape Plan 200.LPO1 May 2013 by Anne Steven Landscape Architect. These hedgerows shall be protected from stock damage and shall not be cleared, crushed, sprayed, burnt or permitted to be overcome by weed species.
- The identification of all existing shelterbelts whose shelter and screen function is to be maintained in perpetuity as shown on Landscape Plan 200.LPO1 May 2013 by Anne Steven Landscape Architect, and a programme and details of rotational replanting (excluding any wilding species) on going management, ensuring two rows of trees at least 8 m high are present at all times.
- Planting plans, describing species to be planted, structure of plant associations, numbers and spacing. Scale of plans to be no smaller than 1:1000 for areas of revegetation, and 1:200 to 1:500 for mitigation planting around building platforms and the social and business hub.
- All species shall be the same species as those on site or species consistent with the farming and natural landscape character of the site and surrounds (defined as being the area between the airport, Clutha River, Cardrona River and Pisa and Criffel Ranges). Mixed species shelterbelts shall predominate reflecting the character of existing plantings.
- A programme of implementation. Planting shall be implemented in accordance with the proposed staging of the subdivision (condition 5) and each stage shall be implemented prior to the occupation of any building approved under this land use consent within that stage.
- Site preparation details.
- Irrigation and mulching details.
- Planting specifications.
- Plant sources and size/grade at planting.
- A plan for on-going management including stock grazing management including a fencing plan, and plant and animal pest control.
- Provision for on going monitoring and review of management activity.

Advice Note: Changes to the LDEP can be made without the need for further resource consents or variations to this consent, provided these changes do not represent a departure from the Landscape Masterplan referenced in Condition 1.

4. All planting approved under Condition 3 (the Landscape Development and Enhancement Plan) shall be implemented in accordance with the timing of implementation identified in this plan.

All visual mitigation planting shall be mulched and irrigated. All other planting shall be mulched and irrigated where practicable.

5. The consent holder and/or Management Entity shall be responsible for the implementation and maintenance of the plantings. Any plantings that dies, is damaged or otherwise fails to thrive, shall be replaced in the next planting season.
6. All planting implemented as part of the Community Hub Plan shall be adequately protected from damage by vehicles, stock, rabbits, hares and possums.
7. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
8. Construction noise shall not exceed the requirements set in NZS 6803:1999 '*New Zealand standard, Acoustics-Construction Noise*'.

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

9. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (7), to detail the following engineering works required:
 - a) The provision of a water supply to the development in terms of Council's standards and connection policy. This shall include the following:
 - i) A sluice valve or peat valve with its own valve chamber box or valve riser tube and cover to approval. A resilient seated gate valve shall be installed. This shall require a marker post to be installed.
 - ii) A water meter box containing a pipe line strainer, in line water restrictor module and water meter. The chamber shall be drained and not flood. The cover shall have the word "Meter" or "Water Meter" embossed on the cover. A daily total submitted to the SCADA system is the minimum required output. Accuracy of the water meter shall be +/- 5%.
 - iii) 24 hours of water storage or more dependant of the duration of fire fighting reserve intended to the private scheme.
 - iv) Backflow prevention for any connections between the point of supply (QLDC water meter) and any private tank or reservoir system. This shall be located inside the private property.
 - v) The provision of a water supply to the community hub buildings, guest accommodation units and farm utility buildings in terms of Council's standards and connection policy. The costs of the connection shall be borne by the consent holder.
 - b) The provision of a foul sewer connection to the community hub buildings and guest accommodation units. This shall include the provision for odour control at the connection point to Council's reticulation. The costs of the connection shall be borne by the consent holder.
 - c) The provision of fire hydrants with adequate pressure and flow to service the 'Communal Hub' and 'Guest Accommodation' buildings with a minimum Class FW2 fire fighting water

supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008. Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service. This shall include the provision of an access for the fire hydrant nearest the tennis courts and shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower.

- d) The provision of a 50mm duct with fibre optic cable for water and wastewater SCADA, from the source to the existing Council bore on SH6.
- e) Formation of the access shall be to side road standard as indicated on the Opus '*Highway Side Road Intersection*' (dated 18/09/2009, job AL_SD6, rev R2), and shall include widening to allow formation of a standard right turn bay, a left turn lane, and flag lighting. The widening shall be undertaken prior to construction commencing on the site. Marking shall be undertaken by the NZTA at a future date when traffic generation requires its provision.
- f) The provision of an access way to the communal hub and guest accommodation buildings that comply with the guidelines provided for in Council's development standard NZS 4404:2010 Table 3.2 for Rural Live and Play standards.
- g) The provision of a Design Certificate submitted by a suitably qualified design professional for the wastewater pump station and water booster pump station required for the water and wastewater reticulation. The certificates shall be in the format of IPENZ Producer Statement PS1.
- h) Any pump station installed as part of the infrastructure shall include flow monitoring. The system shall be connected to a SCADA (Supervisory Control and Data Acquisition) system or suitable alternative monitoring system, to be approved by Council, to protect the pump station against any system failure and/or overloading. Details of the monitoring and maintenance program for the pump station shall be submitted to Council for review and approval. The Management Entity for the development shall be responsible for the monitoring and maintenance of any approved on-site foul sewer pump station.
- i) The provision of Design Certificates for all engineering works associated with this subdivision/development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.
- j) The formation of the public walking and cycling tracks, in accordance with the Scheme Plans approved under this resource consent by Paterson Pitts Group. The formation of the tracks shall be to the following standards:

Gradient: maximum grade 1:10 (except for the existing section of track down the scarp face)

Width: minimum 1.5m (except for the existing section of track down the scarp face)

Surface: compacted aggregate

Watercourses (if any): bridged width at least 1.5m

- 10. Prior to commencing works on site the consent holder shall submit an application to undertake works with the State Highway road reserve and traffic management plan to the Network Management Consultant at Opus International Consultants of Alexandra for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the

approved plan shall be submitted to the Principal Engineer at Lakes Environmental prior to works commencing.

11. At least 5 working days prior to commencing work on site the consent holder shall advise the Principal Engineer at Council of the scheduled start date of physical works.
12. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and “A Guide to Earthworks in the Queenstown Lakes District” brochure, prepared by the Queenstown Lakes District Council. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
13. The consent holder shall provide a letter to the Principal Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.4 & 1.5 of NZS4404:2004 “Land Development and Subdivision Engineering”, in relation to this development.
14. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Engineer at Council with the name of a suitably qualified professional as defined in Section 1.4 of NZS 4404:2004 who is familiar with the Tonkin and Taylor report (dated March 2012, ref: 892491) and who shall supervise the excavation and filling procedure. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Principal Engineer at Lakes Environmental new designs/work methodologies for the works prior to further work being undertaken. With the exception of any necessary works required to stabilise the site in the interim.

Earthworks

15. The earthworks, batter slopes, and site management shall be undertaken in accordance with the recommendations of the report by Tonkin and Taylor report (dated March 2012, ref: 892491) and in accordance with the Paterson Pitts Group ‘*Earthworks Plan, Corbridge Estates Subdivision, Cut Fill Areas*’ (dated 15/05/2013, job W3098, sheets 207 - 212, rev G) and ‘*Concept Engineering Plan, Corbridge Estates Subdivision, Wetland Typical Details*’ (dated 15/05/2013, job W3098, sheets 305 and 306, rev G).
16. The area exposed by earthworks shall not exceed seven hectares at any stage, except with the specific approval of the Council’s Principal Engineer. All earthworked areas shall be topsoiled, sown in grass or plantings, sealed with a clay or geotextile liner or otherwise stabilized within 2 weeks of exposure.
17. On completion of excavation to the first seven hectares of the lake, details of the lake lining shall be submitted to Council for approval.
18. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
19. All earthworks shall be carried out in such a way that they blend seamlessly with surrounding natural landform. All finished grades shall be suitable for pasture grass or mulching and planting.

20. All spoil shall be disposed of on site and re-grassed so that the resultant landform appears part of the natural topography. Spoil used to create new planting areas shall be of such quality to provide healthy growing conditions for plants, be covered in a 300-400mm layer of topsoil and shall not be compacted, or have excessive stone content.
21. The earthworks contractor shall liaise with the project landscape architect and/or landscape manager regarding storage and placement of topsoil, spoil and location of planting areas to ensure work is carried out in a co-ordinated fashion.

To be completed when works finish and before occupation of buildings

22. Prior to the occupation of any buildings, the consent holder shall complete the following:
 - a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all roads (including right of ways and access lots), water, wastewater and stormwater reticulation (including private laterals and toby positions).
 - b) The completion of all works detailed in Condition (7) above.
 - c) The provision of a fire fighting sprinkler system for the buildings in accordance with the New Zealand standard for automatic sprinkler systems NZS 4541:2003.
 - d) The consent holder shall provide a geotechnical completion report and a Schedule 2A "*Statement of professional opinion as to suitability of land for building construction*" in accordance with Section 2.11.1 of NZS 4404:2004 that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms/lots are suitable for building development. In the event that the site conditions within the building platforms for the communal hub and guest accommodation buildings are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Engineer at Lakes Environmental.
 - e) The submission of Completion Certificates from both the Contractor and the Engineer advised in Condition (13) above for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
 - f) The submission of Completion Certificates from both the Approved Contractor and Approved Certifier for the Wastewater Pump Station and Water Booster Pump Station located within Lot 101. The certificates shall be in the format of IPENZ Producer Statement PS3 and PS4.

- g) Any power supply and/or telecommunications connections to the buildings shall be underground from existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
- h) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- i) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- j) Prior to the occupation of any buildings, domestic water and fire fighting storage is to be provided. A minimum of 45,000 litres shall be maintained at all times as a static fire fighting reserve within two 30,000 litre tanks in association with a sprinkler system installed to an approved standard. The water tank shall be located in the position shown on the Paterson Pitts Group 'Concept Engineering Plan, Corbridge Estates Subdivision, Roading, Sewer, Water' (dated 15/05/2013, job W3098, sheet 303, rev G). A fire fighting connection in accordance with Appendix B - SNZ PAS 4509:2008 is to be located not more than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with the NZFS as larger capacities and flow rates may be required.

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

The connection point/coupling shall have a hardstand area adjacent to it (within 5m) that is suitable for parking a fire service appliance. The hardstand area shall be located in the centre of a clear working space with a minimum width of 4.5 metres. Pavements or roadways providing access to the hardstand area must have a minimum formed width as required by QLDC's standards for rural roads (as per NZS 4404:2004 with amendments adopted by QLDC in 2005). The roadway shall be trafficable in all weathers and be capable of withstanding an axle load of 8.2 tonnes or have a load bearing capacity of no less than the public roadway serving the property, whichever is the lower. Access shall be maintained at all times to the hardstand area.

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

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

Fire fighting water supply may be provided by means other than the above if the written approval of the New Zealand Fire Service Operational Planning Officer for the Southern Fire Region is obtained for the proposed method.

Advice Note: *The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwellings are approximately 8km from the nearest New Zealand Fire Service Fire Station the response times of the New Zealand **Volunteer** Fire Service in an emergency situation may be constrained. It is strongly encouraged that a home sprinkler system be installed in each new dwelling.*

Utility Sheds

- 23. Both utility sheds shall be painted the same dark recessive colour from one of the following colours: Karaka, Lignite, Ironsand, or Mollusc.**

Community Hub Buildings

24. Cut slopes in the area around the hub buildings shall be graded back to avoid or minimise the need for retaining walls. Where required any retaining wall shall be of timber components and shall be no higher than 1.8m; or local stone in a naturally shaped stepped retaining form.
25. Tennis court fences shall be black or dark brown, with black windbreak cloth (if required).
26. Tennis court surfaces shall be brown, dark grey or black.
27. The final materials and colours for the Community Hub buildings shall be submitted to Council for approval. The exterior colours shall be derived from the natural landscape and in the range of browns, greens and greys, with a light reflectance value of less than 36%.
28. A detailed landscape plan for the area around the Community buildings including at least all the area shown on Figure 11 - Landscape Concept for Community Hub Area (March 2012) prepared by Anne Steven Landscape Architect shall be prepared and submitted to the Council for approval prior to the commencement of construction of the Community Hub buildings. The plan shall be an accurate scaled plan and shall show all proposed earthworks and retaining walls, paved areas, timber decking areas, lighting, stormwater drainage proposals, location and design of all above ground services, car parking, ornamental pool, swimming pool and pool fencing proposals, tennis courts and tennis court fencing, pergola structures and fences/walls, and planting types details including named trees. Materials and finishes for all elements shall be described.

The Landscape Plan for this area shall be consistent with the objectives, design intent and landscape character of the Landscape Development and Enhancement Plan (refer condition 3).

The Landscape Plan shall be accompanied by a written statement of design philosophy and shall explain how the proposals fit into the wider development project.

The Landscape Plan shall be implemented the first year following the completion of the construction of the Community Hub Buildings.

External Lighting

29. All external lighting shall avoid glare and overspill that can be detected outside the property. Buildings shall be lit by motion sensing lighting only, except when occupied.

30. Path lighting is to be low-level sensor lighting sufficient for pedestrian navigation. Pool and social area lighting may only be on when people are using the area. There shall be no tennis court lighting.

Fencing

31. All external boundary fencing shall be conventional post and wire stock fencing.
32. The main entrance from SH6 entrance shall be consistent in visual character with the working farm landscape and generally in accordance with Fig 14 Concept Design for SH6 Entrance by Anne Steven Landscape Architect March 2012. No components shall be higher than 1.2m except gate posts. Materials shall be restricted to timber, stone (local only), concrete and steel. Any signage shall have a minimum lettering size of 160mm and shall contain up to 6 words or 40 characters.

Client/Location:

Corbridge Estates Limited
707 Wanaka - Luggate
State Highway

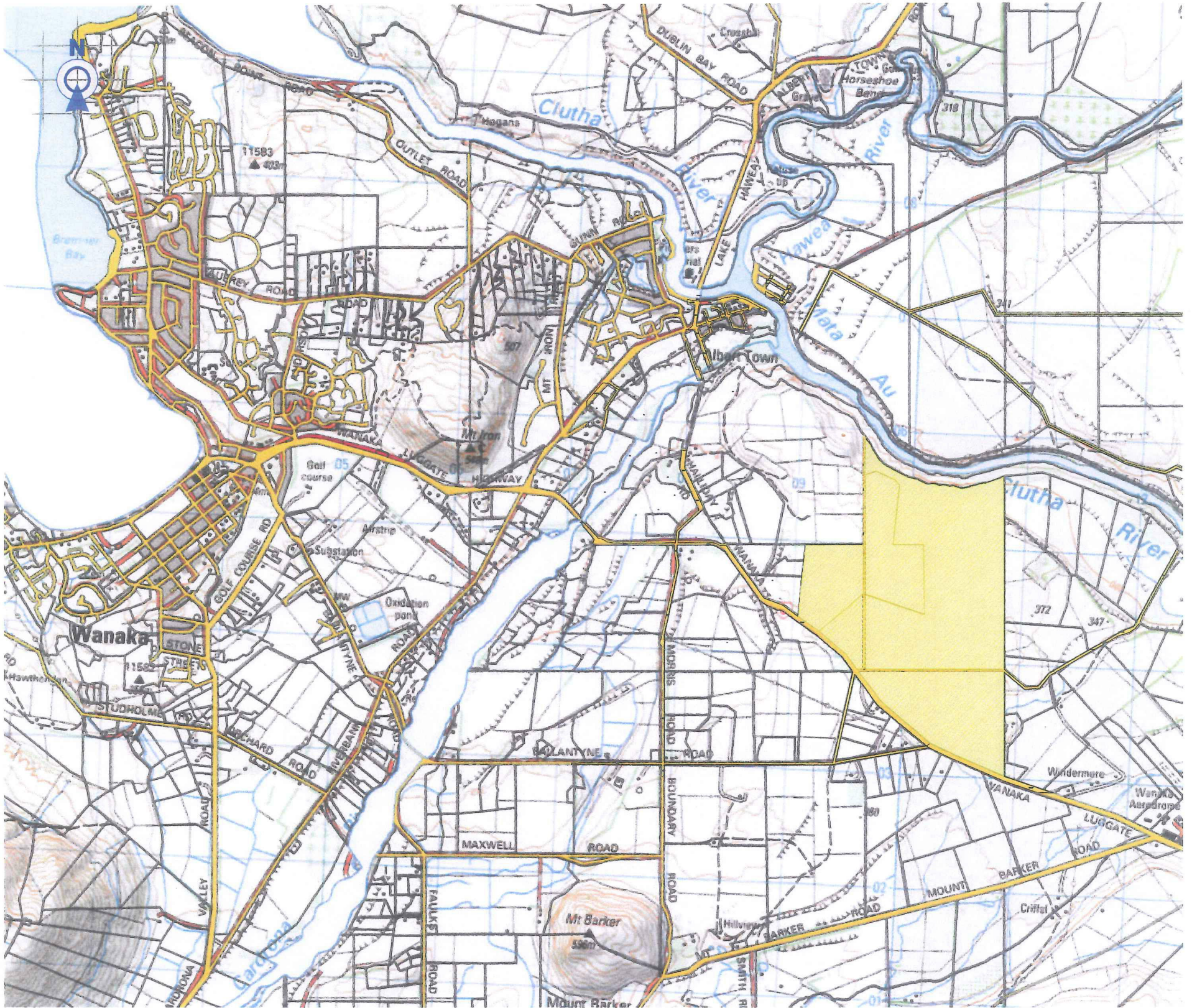
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Scheme Plan
Corbridge Estates Subdivision

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM120572

23 July 2013



Location Plan

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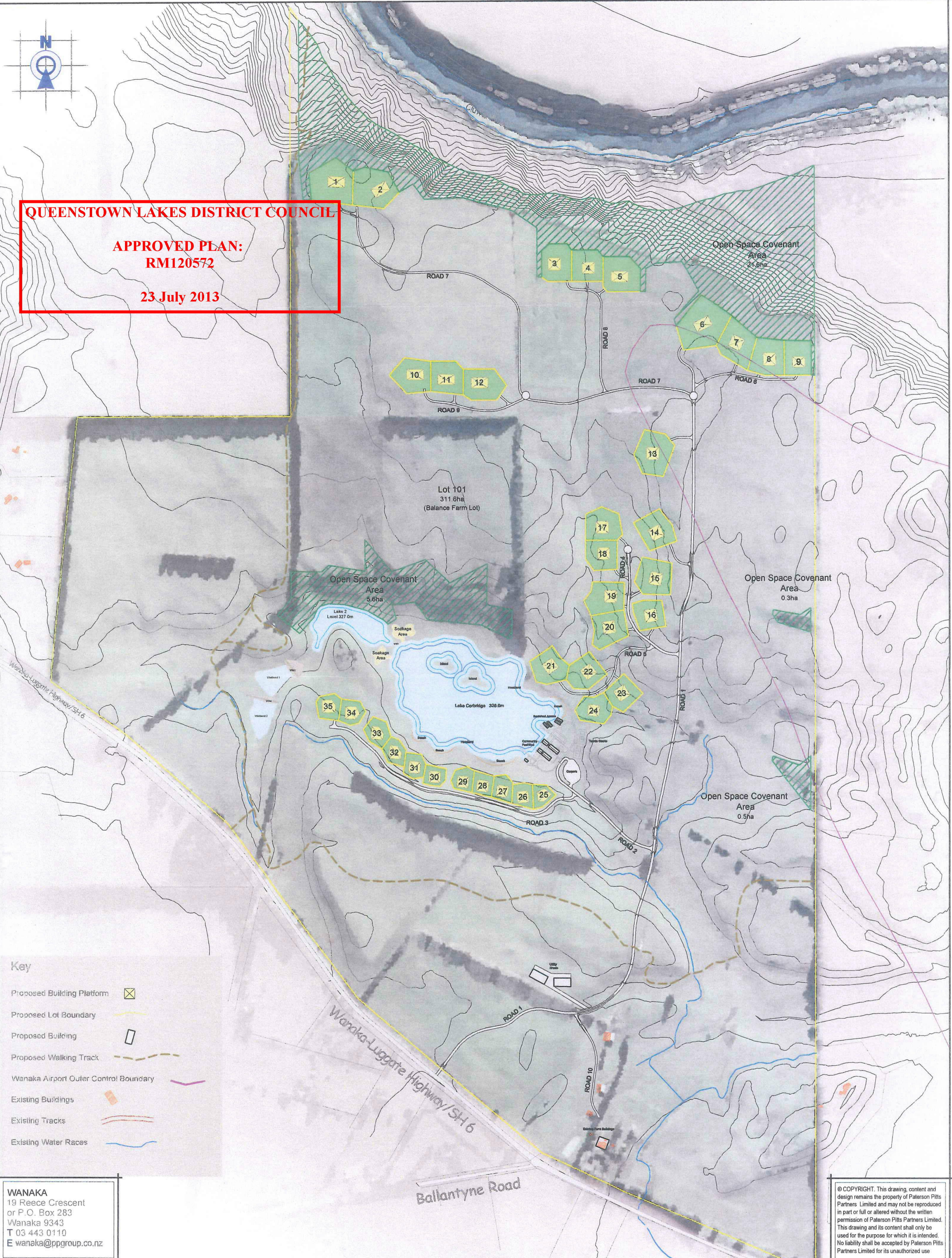
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QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM120572
23 July 2013

Key

Proposed Building Platform	
Proposed Lot Boundary	
Proposed Building	
Proposed Walking Track	
Wanaka Airport Outer Control Boundary	
Existing Buildings	
Existing Tracks	
Existing Water Races	

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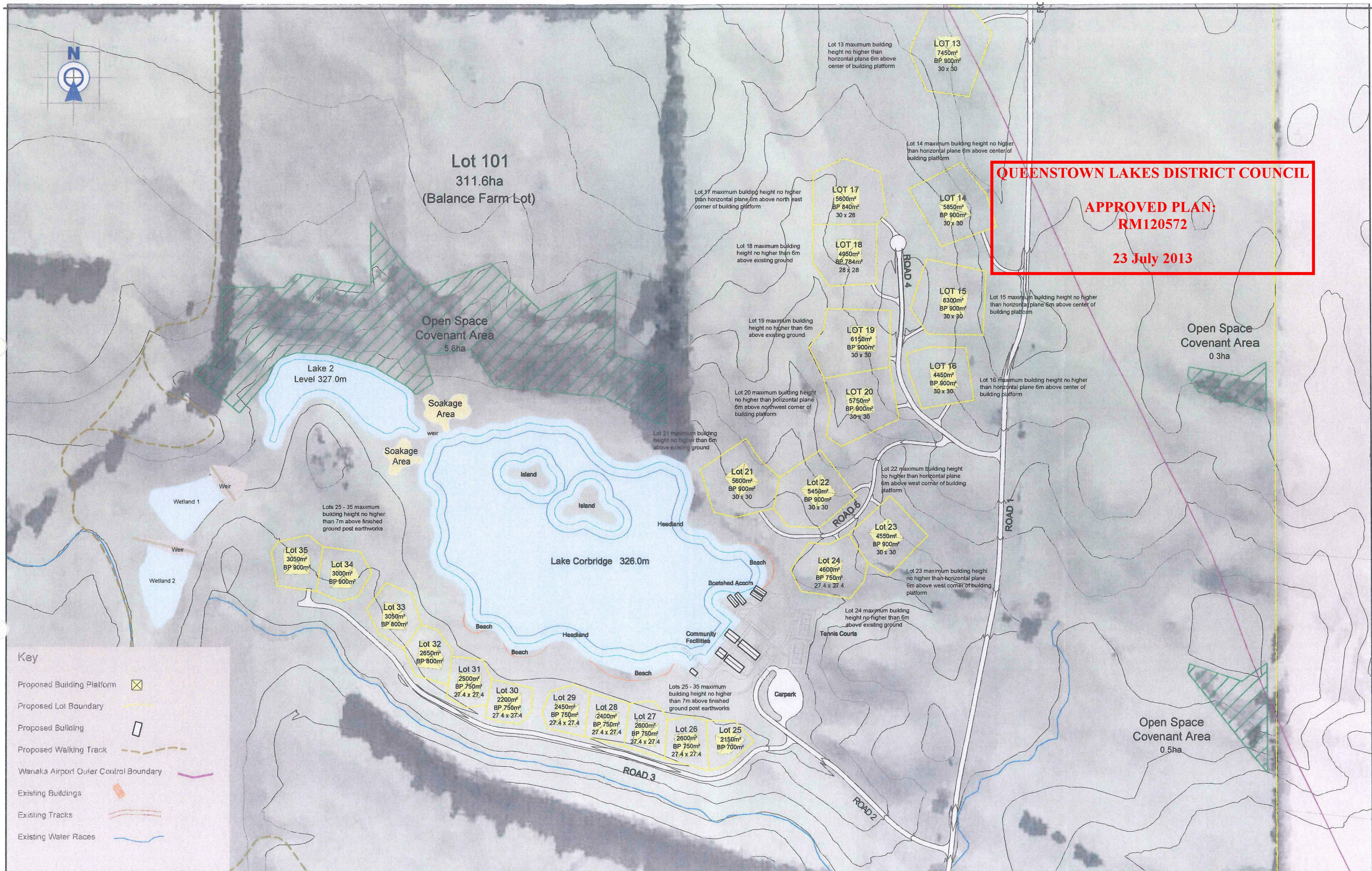
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Scheme Plan - Option 1
Corbridge Estates Subdivision

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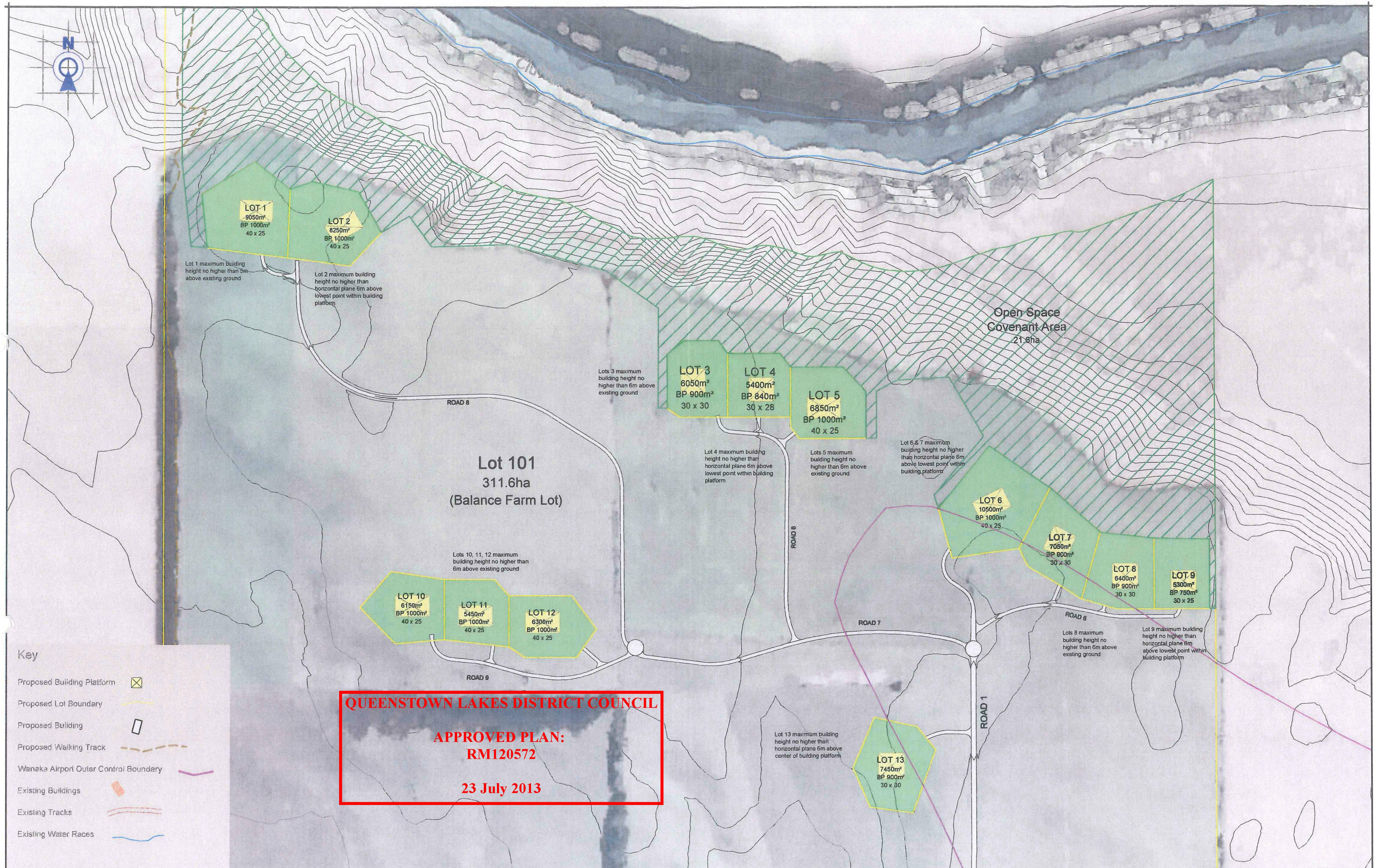
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Purpose/Drawing Title: **Scheme Plan - Option 1**
Corbridge Estates Subdivision
Lake Sites

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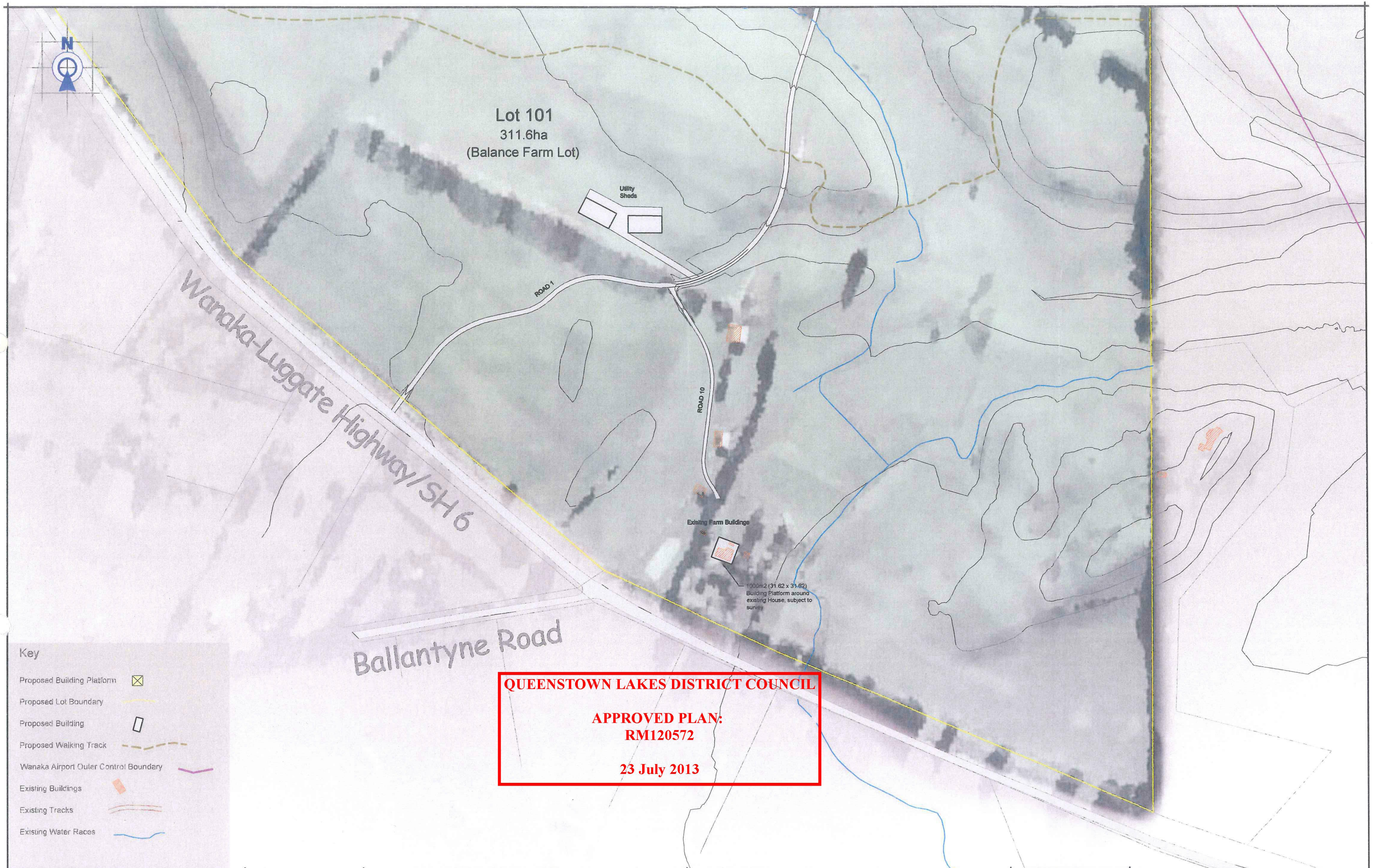
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Purpose/Drawing Title: **Scheme Plan - Option 1**
Corbridge Estates Subdivision
Northern Sites

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Key

Proposed Building Platform	
Proposed Lot Boundary	
Proposed Building	
Proposed Walking Track	
Wanaka Airport Outer Control Boundary	
Existing Buildings	
Existing Tracks	
Existing Water Races	

QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM120572
23 July 2013

PATERSONPITTSGROUP Your Land Professionals www.ppgroup.co.nz 0800 PPGROUP	WANAKA BRANCH 19 Reece Crescent or P.O. Box 283 Wanaka 9343 T 03 443 9110 E wanaka@ppgroup.co.nz	Client/Location: Corbridge Estates Limited 707 Wanaka - Luggate State Highway	Purpose/Drawing Title: Scheme Plan Corbridge Estates Subdivision Farm Buildings	© COPYRIGHT. This drawing, content and design remains the property of Paterson Pitts Limited and may not be reproduced in part or full or altered without the written permission of Paterson Pitts Limited. This drawing and its content shall only be used for the purpose for which it is intended. No liability shall be accepted by Paterson Pitts Limited for its unauthorized use.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Surveyed by:</td> <td>MC</td> <td>Original Size:</td> <td>Scale Horizontal:</td> </tr> <tr> <td>Designed by:</td> <td>DW</td> <td rowspan="4" style="text-align: center; vertical-align: middle;">A1</td> <td>1:2000</td> </tr> <tr> <td>Drawn by:</td> <td>MJB</td> <td rowspan="2" style="text-align: center; vertical-align: middle;">DO NOT SCALE</td> </tr> <tr> <td>Checked by:</td> <td>DW</td> </tr> <tr> <td>Approved by:</td> <td>MJB</td> </tr> <tr> <td>Job No:</td> <td>W3098</td> <td>Sheet No:</td> <td>Revision No:</td> </tr> <tr> <td></td> <td></td> <td>105</td> <td>G</td> </tr> <tr> <td></td> <td></td> <td></td> <td>Date Created:</td> </tr> <tr> <td></td> <td></td> <td></td> <td>15/05/2013</td> </tr> </table>	Surveyed by:	MC	Original Size:	Scale Horizontal:	Designed by:	DW	A1	1:2000	Drawn by:	MJB	DO NOT SCALE	Checked by:	DW	Approved by:	MJB	Job No:	W3098	Sheet No:	Revision No:			105	G				Date Created:				15/05/2013
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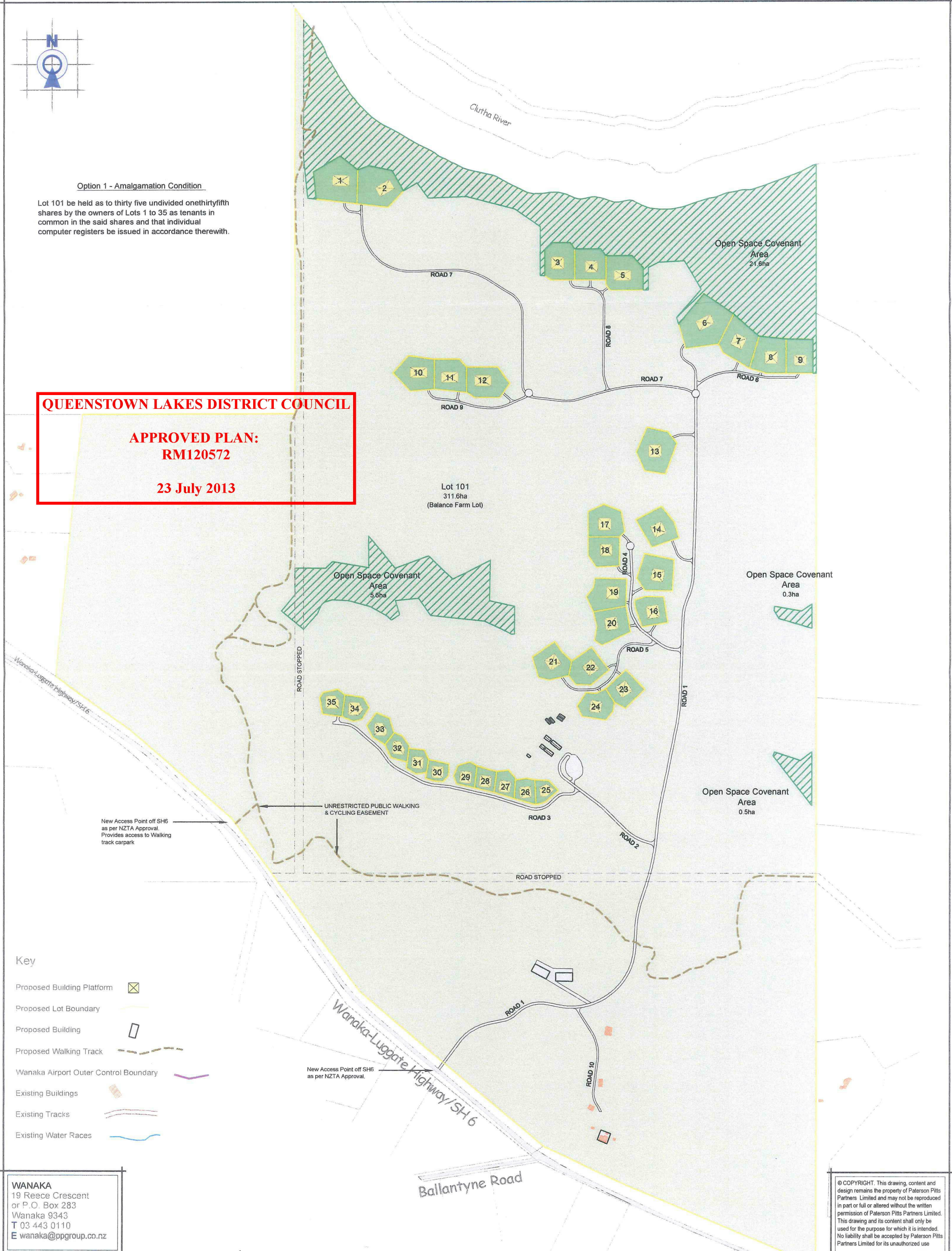
Option 1 - Amalgamation Condition

Lot 101 be held as to thirty five undivided onethirtyfifth shares by the owners of Lots 1 to 35 as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM120572

23 July 2013



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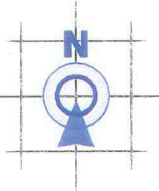
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Client/Location:
Corbridge Estates Limited
707 Wanaka - Luggate
State Highway

Purpose/Drawing Title:
Scheme Plan - Option 1
Corbridge Estates Subdivision
Balance Lot Extent

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Job No:	W3098	Date Created:	15/05/2013

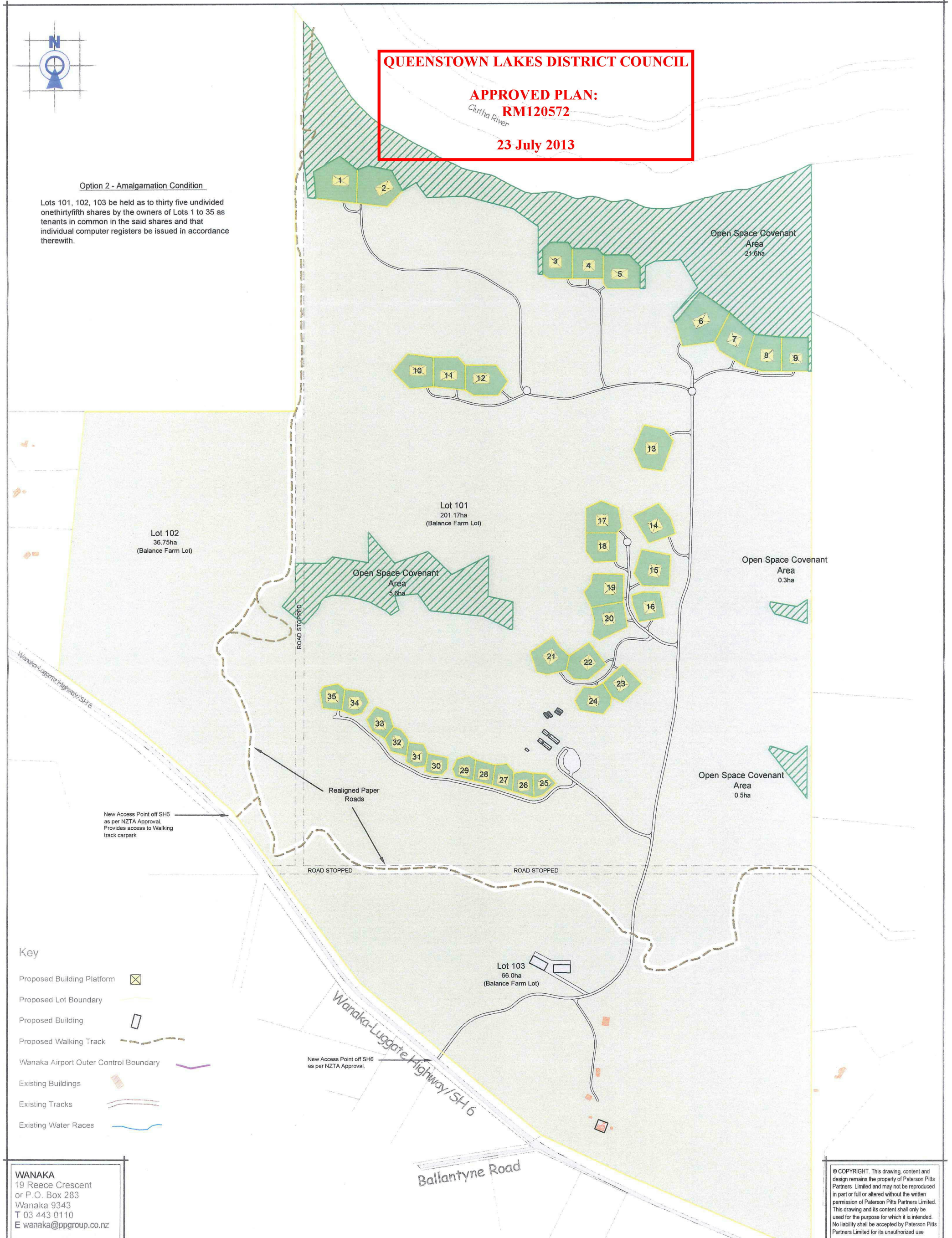
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APPROVED PLAN:
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Option 2 - Amalgamation Condition

Lots 101, 102, 103 be held as to thirty five undivided onethirtieth shares by the owners of Lots 1 to 35 as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.



- Key**
- Proposed Building Platform
 - Proposed Lot Boundary
 - Proposed Building
 - Proposed Walking Track
 - Wanaka Airport Outer Control Boundary
 - Existing Buildings
 - Existing Tracks
 - Existing Water Races

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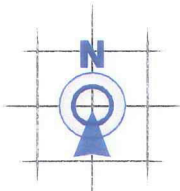
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Client/Location:
Corbridge Estates Limited
707 Wanaka - Luggate
State Highway

Purpose/Drawing Title:
Scheme Plan - Option 2
Corbridge Estates Subdivision
Balance Lot Extent

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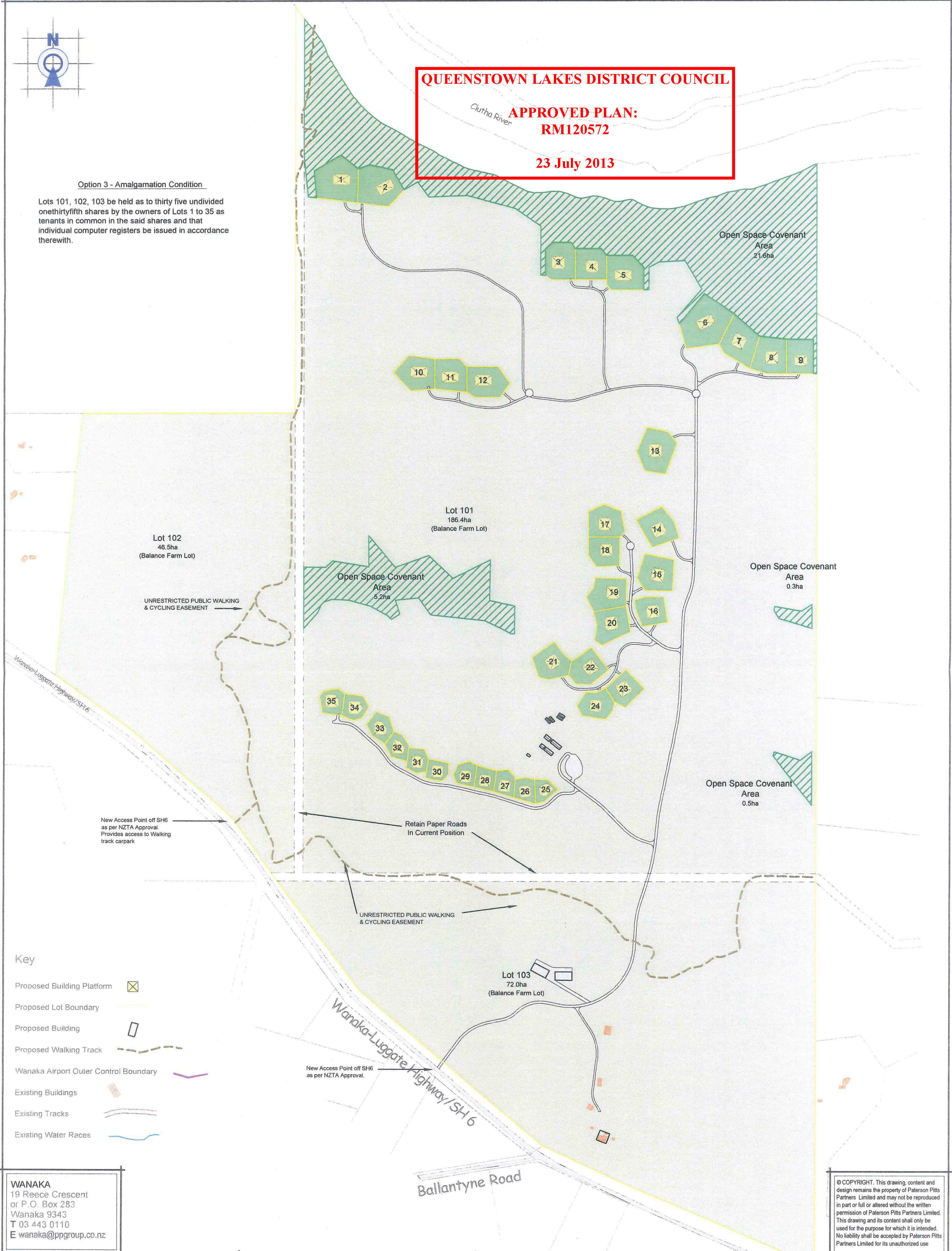
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QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
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Option 3 - Amalgamation Condition

Lots 101, 102, 103 be held as to thirty five undivided onethirtieth shares by the owners of Lots 1 to 35 as tenants in common in the said shares and that individual computer registers be issued in accordance therewith.



- Key**
- Proposed Building Platform
 - Proposed Lot Boundary
 - Proposed Building
 - Proposed Walking Track
 - Wanaka Airport Outer Control Boundary
 - Existing Buildings
 - Existing Tracks
 - Existing Water Races

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707 Wanaka - Luggate
State Highway

Purpose/Drawing Title:
Scheme Plan - Option 3
Corbridge Estates Subdivision
Balance Lot Extent

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			15/05/2013

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QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM120572**

23 July 2013

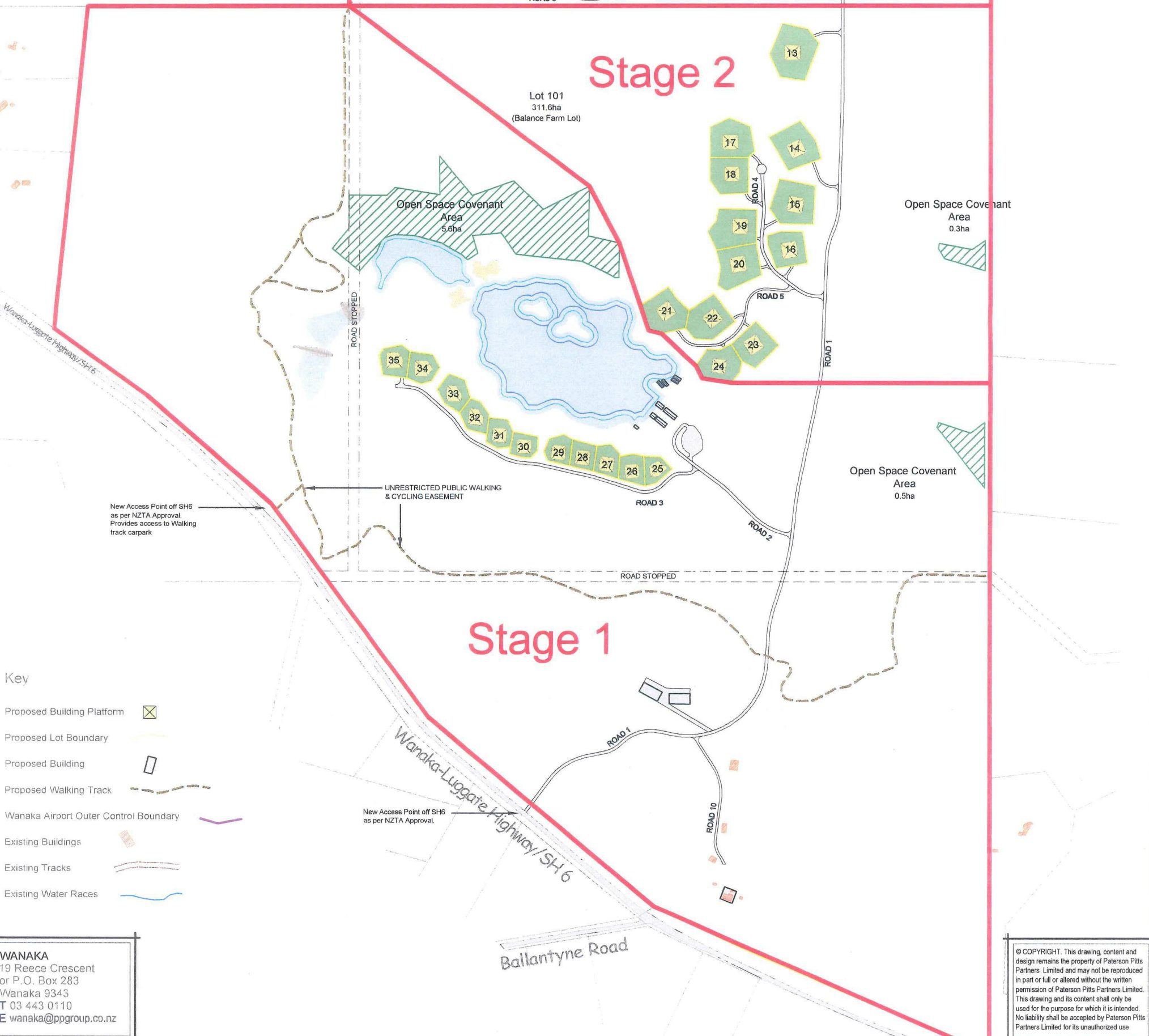
Staging Notes

1. Stage 1 of the subdivision will include the formation and creation of the public walkway and any necessary easements.
2. Staging is for subdivision only and does not include timing for the construction of any communal facilities.

Stage 3

Stage 2

Stage 1



- Key**
- Proposed Building Platform
 - Proposed Lot Boundary
 - Proposed Building
 - Proposed Walking Track
 - Wanaka Airport Outer Control Boundary
 - Existing Buildings
 - Existing Tracks
 - Existing Water Races

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Corbridge Estates Limited
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 State Highway

Purpose/Drawing Title:
Scheme Plan
Corbridge Estates Subdivision
Proposed Staging

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Designed by:	DW	A1	1:4000
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Approved by:	MJB	109	G
Job No:	W3098	Date Created:	15/05/2013

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APPENDIX 3 – PROPOSED RULES

46.6 Rules – Activities in the Corbridge RVZ

The Corbridge Structure Plan includes Activity Areas AA1-AA8. Activities identified to occur within the zone will be required to establish in accordance with Rule Table 46.6 as well rules specific to each Activity Area (AA1-AA8) set out in table 46.7.

The purpose of the Corbridge Structure Plan is to consolidate visitor accommodation and associated activity, including buildings and infrastructure to the least sensitive locations of the Corbridge RVZ Rural Landscape, while enabling golf, an outdoor recreational activity that will support the maintenance of landscape character and amenity values throughout the zone and the surrounding area.

Activity Areas (AA1-AA4) contain a predomination of visitor accommodation activity and recreational facilities that will be well insulated by large areas of Golf Course and Open Space Areas. Activity Area AA5 provides accommodation for workers at the site. The most sensitive parts of the zone as viewed from outside of the Corbridge RVZ are further protected by the identification of Activity Area AA7 – Open Space Road Buffer.

The purpose of Activity Area specific rules is to achieve the following outcomes:

Fairway Visitor Accommodation Activity Area (AA1) – To provide for individual larger format accommodation units, of which a minor apportionment are able to be permanently occupied by residents, set within the high amenity peripherals of Golf Course Fairways.

Low Density Visitor Accommodation Activity Area (AA2) – To provide for individual accommodation units set amongst generous levels of open space.

Higher Density Visitor Accommodation Activity Area (AA3) – To provide for a variety of visitor accommodation designs including single level, multi-level, attached and detached accommodation units in close proximity to the Hotel and Golf facilities.

Hotel/Golf Facilities Activity Area (AA4) – To provide for comprehensive hotel style visitor accommodation and associated activities, as well as Golf Club house and associated outdoor recreation facilities.

Worker Accommodation Activity Area (AA5) – To provide for the accommodation of workers associated with construction and on-going operational requirements of facilities within the zone.

Open Space Activity Area (AA6) – To retain large swathes of open space landscape between the activity areas that accommodate built development, and provide for a lake as a focal point for adjoining activity areas.

Open Space Road Buffer Activity Area (AA7) – To retain an open landscape character as viewed from State Highway 6, including the protection of structural shelterbelt plantings that provide enclosure of other Activity Areas north of the Open Space Road Buffer Activity Area.

Golf Course Activity Area (AA8) – To provide for outdoor recreation activities while retaining open space.

	Table 46.6 – Activities	Activity Status
46.6.1	Any activity not located in accordance with the Corbridge Structure Plan	NC
46.6.2	Farming	P
46.6.3	Visitor Accommodation	P
46.6.4	Commercial recreational activities	P
46.6.5	Recreation and recreational activity	P
46.6.6	Residential Activity for the purpose of on-site construction staff and staff worker accommodation in Activity Areas AA5	P
46.6.7	Residential Activity in Activity Area AA1	P
46.6.8	Homestay Activities in Activity Area AA1	P
46.6.9	Residential Activity outside of Activity Areas AA1 & AA5	NC
46.6.10	<p>The construction, relocation or exterior alteration of buildings</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. The compatibility of the building design with landscape and visual amenity values as viewed from outside of the Corbridge RVZ; b. Landscaping and planting; c. Servicing including access and car parking, water supply, firefighting, stormwater and wastewater; d. Natural Hazards. 	C
46.6.11	The construction, relocation or exterior alteration of any building within the Open Space Activity Area (AA6) as identified on the Corbridge Structure Plan	D
46.6.12	The exterior alteration or extension of any existing building within the Open Space Road Buffer Area (AA7)	RD <ul style="list-style-type: none"> a. Visual Amenity Values; b. external Appearance; c. landscape treatment
46.6.13	The construction or relocation of any building within the Open Space Road Buffer Area (AA7)	NC
46.6.14	The construction of any building within the Golf Course Activity Area (AA8) as identified on the Corbridge Structure Plan associated with golf course user-shelter, grounds keeping or maintenance, including storage of equipment and machinery associated with such use	RD <ul style="list-style-type: none"> d. Visual Amenity Values;

		<p>e. external Appearance;</p> <p>f. landscape treatment</p>
46.6.15	Golf course outside of the Golf Course Activity Area AA8	D
46.6.16	Activities Sensitive to Aircraft Noise within the Outer Control Boundary - Wanaka Airport	PR
46.6.17	Industrial Activity	NC
46.6.18	Commercial, retail or service activities not associated with visitor accommodation or commercial recreation or recreational activities	NC
46.6.19	Mining	NC
46.6.20	Informal Airports	NC
46.6.21	<p>Licensed premises within Activity Areas AA3 and AA4</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. The scale of the activity b. Car parking and traffic generation c. The configuration of activities within the building and site (e.g. outdoor seating, entrances etc) d. Hours of operation 	C
46.6.22	Licensed premises outside of Activity Areas AA3 and AA4	NC
46.6.23	<p>Building Material and Colours</p> <p>Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following:</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys including;</p> <p>Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p> <p>Discretion is restricted to:</p>	RD

	<ul style="list-style-type: none"> a. Visual Amenity Values; and b. External Appearance 	
46.6.24	The minimum building set back from the RVZ zone boundary shall be 15m	D
46.6.25	Any other activity not listed in Table 46.6, where they are not specifically provided for by rules specific to each Activity Areas as listed in Table 46.7	NC

46.7 Rules – Standards applicable to each Activity Area identified on the Corbridge Structure Plan

Table 46.7 – Standards		
Fairway Visitor Accommodation Activity Area (AA1)		
46.7.1	The construction of more than 150 accommodation units (for the purpose of defining an accommodation unit, each unit shall contain no more than 1 kitchen facility and be designed to accommodate 1 group of guests)	NC
46.7.2	There shall be no more than 35 accommodation units to be used for residential activity	NC
46.7.3	The Gross Floor Area of any accommodation unit (single or combination of buildings) shall not exceed a total of 400m ²	NC
46.7.4	Accommodation units and any accessory building shall be set-back at least 8m from any other accommodation unit or that other unit's accessory buildings	NC
46.7.5	Accommodation units and any accessory building shall be set-back at least 10m from any vehicle access road or service lane	NC
46.7.6	The maximum height of any building shall not exceed 6.0m above ground level	NC
Low Density Visitor Accommodation Activity Area (AA2)		
46.7.7	The construction of more than 100 accommodation units	NC
46.7.8	The Gross Floor Area of any accommodation unit (single or combination of buildings) shall not exceed 300m ²	NC
46.7.9	Accommodation units and any accessory building shall be set-back at least 8m from any other accommodation unit or accessory building	NC
46.7.10	Accommodation units and any accessory building shall be set-back at least 10m from any vehicle access road or service lane	NC
46.7.11	The maximum height of any building shall not exceed 6.0m above ground level	NC
Higher Density Visitor Accommodation Activity Area (AA3)		
46.7.12	Total building coverage shall not exceed 50% of the Higher Density Visitor Accommodation Activity Area (AA3)	NC
46.7.13	No individual building footprint shall exceed 1,000m ² Discretion is restricted to:	RD

	Managing the external design and appearance of buildings if visible from outside of the Corbridge Rural Visitor Zone.	
46.7.14	The maximum height of buildings shall not exceed 12.0m above ground level	NC
Hotel/Golf Club Facilities Activity Area (AA4)		
46.7.15	Total building coverage should not exceed 70% of the Hotel/Golf Club Facilities Activity Area (AA4)	NC
46.7.16	No individual building footprint shall exceed 1,000m ²	RD Discretion is restricted to: External design and appearance as viewed from outside of the Corbridge Rural Visitor Zone.
46.7.17	The maximum height of buildings shall not exceed 12.0m above ground level.	RD a. management of effects related to visibility of building form outside of the RVZ ; b. landscape treatment
46.7.18	The maximum height of buildings shall not exceed 16.0m above ground level.	NC
Worker Accommodation Activity Area (AA5)		
46.7.19	The construction of more than 100 worker accommodation units (for the purpose of defining a worker accommodation unit, each unit shall contain no more than 1 kitchen facility and be designed to accommodate no more than 1 household of occupants)	D
46.7.20	The Gross Floor Area of any worker accommodation unit shall not exceed 160m ²	D
46.7.21	Total building coverage shall not exceed 45% of the Worker Accommodation Activity Area (AA5)	D
46.7.22	The maximum height of buildings shall not exceed 5.0m above ground level	RD a. management of effects related to visibility of building forms outside of the RVZ ;

		b. landscape treatment
46.7.23	The maximum height of buildings shall not exceed 6.5m above ground level	NC
46.7.24	Worker accommodation units and any accessory building shall be set-back at least 4m from any other worker accommodation unit or accessory building unless the unit(s) design includes a common wall element	NC
46.7.25	Worker accommodation units shall be set-back at least 4.5m from any vehicle access road or service lane	NC
Open Space Activity Area (AA6)		
46.7.26	The Gross Floor Area of any building shall not exceed 25m ²	D
46.7.27	The maximum height of any building shall not exceed 5.0m above ground level	NC
Open Space Road Buffer Activity Area (AA7)		
46.7.28	The removal of any shelterbelt planting rows that are identified on the Corbridge Structural Plan	NC
46.7.29	The planting and/or growing of any tree or shrub that restricts views to open space adjacent State Highway 6. For clarity, this rule does not apply to succession planting to continue the effect of the shelterbelt planting that are identified on the Corbridge Structural Plan	NC
Golf Course Activity Area (AA8)		
46.7.30	The maximum footprint of any building used to store equipment associated with grounds maintenance/green keeping and associated machinery shall not exceed 300m ²	NC
46.7.31	The maximum footprint of any building used to create shelter for users of the golf course, or for the housing of utilities shall not exceed 25m ²	D
46.7.32	The maximum height of any building shall not exceed 5.0m above ground level	NC

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified.

Zone	Minimum Lot Area
Rural Visitor Zone	No Minimum with exception of Activity Area AA5 as identified by the Corbridge Structure plan which should have a minimum lot size of 3.0ha.