

**QUEENSTOWN-LAKES DISTRICT COUNCIL  
PROPOSED DISTRICT PLAN HEARING – STREAM 13**

**IN THE MATTER**

of a hearing on submissions to the Proposed District Plan (Queenstown Mapping) pursuant to clause 8B of the First Schedule to the Resource Management Act 1991

**Lloyd James Veint, Arcadia Station**

Submitter (#480)

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**EVIDENCE OF CAREY VIVIAN**

**(PLANNER)**

**9 June 2017**

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## 1. Introduction

- 1.1 My name is Carey Vivian. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons) from Massey University. I have been a full member of the New Zealand Planning Institute since 2000. I am a director of Vivian and Espie Limited, a resource management, urban design and landscape planning consultancy based in Queenstown. I have been practicing as a resource management planner for twenty-two years, having held previous positions with Davie Lovell-Smith in Christchurch; and the Queenstown Lakes District Council (QLDC or the Council), Civic Corporation Limited, Clark Fortune McDonald and Associates and Woodlot Properties Limited in Queenstown.
- 1.2 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on information I have been given by another person. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed herein.
- 1.3 I have read the evidence of Mr. Buxton, Dr. Read, Mr. Glasner, Ms. Banks and Mr. Mander for the Council and where relevant I comment on this material in my evidence. I have also been involved in the District Plan hearings since their commencement, and of most relevance to this submission, I was involved with the hearings relating to the Strategic Directions and Rural Chapters.

## 2. Summary

- 2.1 The purpose of this evidence is to assist the Hearings Panel on making a decision on the submission lodged by James Veint of Arcadia Station submission number #480 (**AS**).
- 2.2 AS's submission supported the retention of the Rural Visitor Zone (RVZ) over the area identified as Special Zone- Arcadia within proposed District Plan Map 9 - Glenorchy Rural, Lake Wakatipu, and as notified in August 2015 and as illustrated in Figure 1 below.



Figure 1: Planning map 9 of the PDP as notified – Arcadia Rural Visitor Zone denoted as orange

- 2.3 AS was the only person to lodge an original submission on the notified RVZ and there were no further submissions lodged in either support or opposition to the submission by AS.

## 3.0 Inclusion of the Arcadia RVZ within Stage 1 of the District Plan Review

- 3.1 When the PDP was first notified the Arcadia Station RVZ was included as being part of Stage 1 of the District Plan Review. The submission by AS was therefore in scope. In preparing this evidence, and having had the opportunity to review the QLDC's Section 42A reports, I became aware that the schedule of corrections to the planning maps provided on the QLDC website includes the following change to planning map 9:

*Amend ordering of notations and zones in planning map legend and add (Operative) to the Arcadia and Rural Visitor – Blanket Bay Special Zone notations.*

- 3.2 The Clause 16 document (**Attachment CV1**) provided as a link from the Corrections table is dated 8 April 2016 and states that the provision to be amended is as follows

*Amend ordering of notations and zones in planning map legend and add (Operative) to the Arcadia and Rural Visitor- Blanket Bay Special Zone notations. This is to clarify which of the zones are in Stage 1 of the District Plan Review process and which are operative. The Clause 16 will organize the planning map 09 legend first by the proposed notations and*

*zones and second by operative notations and zones.*

- 3.3 The Clause 16 states that the reason why the amendment is necessary is *to correct text formatting/appearance or similar*. The Clause 16 then states that the Arcadia Station RVZ is not being addressed until Stage 2 of the District Plan Review. It states that the notations in the PDP cause confusion as to whether zones and notations are under Stage 1 of the District Plan Review or are operative.
- 3.4 As identified above, AS lodged its submission in October 2015, in accordance with the statutory timeframes. The Clause 16 is dated April 2016. Therefore, the AS submission supporting the RVZ at Arcadia was in scope, because that zoning was included as part of the PDP. AS was given no notice of the Clause 16 and the consequent change to planning map 9 and was therefore not given an opportunity to comment on the proposed removal of the RVZ from the PDP. Instead, AS was first notified of the subsequent opinion of QLDC staff that the AS submission is no longer within scope via the Section 42A reports issued on 26 May 2017, over a year after the Clause 16 was adopted.
- 3.5 The Clause 16 states that the amendment is minor and is to correct an error in accordance with Clause 16(2) of the Act, which states
- (2) *A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.*
- 3.6 While I understand that the inclusion of the Arcadia RVZ in the PDP may have been an oversight or an error by the QLDC, I question whether the removal of a zone from a proposed district plan constitutes the correction of a minor error or defect. The effect of whether or not that zone is included within Stage 1 of the District Plan Review is significant for the landowner and such a change influences decisions as to timing of resource consent applications and development. Further, submissions on the PDP and subsequent preparation of evidence costs money.
- 3.7 AS should at least have been notified of the Clause 16 and given the opportunity to debate whether the zoning of its land could be removed from Stage 1 of the District Plan Review via a Clause 16 amendment. Instead what has happened is that AS has relied on the RVZ being included within Stage 1, and lodged a submission to that effect, and then prepared evidence on that basis. Two weeks out from evidence being due we have had the opportunity to review the Section 42A reports, and through this realized that the QLDC staff believe that the AS submission is not in scope because the RVZ at Arcadia is no longer within Stage 1 of the District Plan Review. Because of the timeframes for evidence circulation it was necessary to prepare evidence prior to the Section 42A reports being

issued.

- 3.7 I also note that when the PDP was publicly notified I contacted the then planning manager Mr Matthew Paetz and asked him when the most appropriate time was to make a submission seeking new or supporting existing RVZ in the PDP. Mr. Paetz responded that Stage 1 was the appropriate time to make a submission as there may not be another opportunity to request areas for RVZ. It was on this basis, and the fact that the Arcadia RVZ was included within the proposed planning maps, that I prepared the submission on behalf of AS.
- 3.8 QLDC's approach has clearly changed since the PDP was notified, and the Clause 16 amendments were made in an attempt by QLDC to resolve confusion over this matter. Those Clause 16 amendments have been relied upon by Ms. Kim Banks who identifies at Section 4 of her Section 42A report that Arcadia Station RVZ is not within Stage 1 of the District Plan Review. In his Section 42A report Mr. Buxton then relies on the advice of Ms. Banks, and states at paragraph 1.10 that no recommendations have been made on these submissions because they are not on Stage 1 of the District Plan Review.

## 4. Purpose of evidence

- 4.1 The purpose of this evidence is to assist the hearings panel reach a decision on the submission of AS, which supports the RVZ zoning at Arcadia. As discussed above, in my opinion the QLDC planners are incorrect when they conclude that the submission is outside of scope. When the submission was lodged it was within scope, and while the annotations in the planning maps were amended pursuant to Clause 16(2), which enables the QLDC to correct minor errors, it is my opinion that such amendments are more than a minor correction. The submitter was not notified of the amendment, and only became aware of the opinion of QLDC staff that their submission is outside scope once the Section 42A reports were issued. The Clause 16 amendment is not a minor correction; it has significant implications for the landowner. I note that the Arcadia RVZ only attracted the one submission in support and therefore there was only the one party that should have been alerted to the proposed Clause 16 amendment.
- 4.2 If the QLDC staff are correct that they can remove the Arcadia RVZ by way of Clause 16 of the Act, then the landowner will have to await Stage 2 of the District Plan Review. There is no certainty as to whether the RVZ will be retained or removed and AS will have to prepare submissions again. I suggest that until we receive some clarity as to scope the hearing of this submission should not be concluded, and should be deferred until Stage 2.

## 5. Background- The Arcadia RVZ

- 5.1 By way of background, I understand that the Arcadia RVZ was first included in the District Plan in 1995. The District Plan identifies the resource and activities and values of the RVZ as follows:

### *12.3.1 Resources and Activities*

*The Rural Visitor Zones contain important recreation and visitor facilities, including accommodation and other visitor attractions.*

*Significant physical resources in terms of buildings and facilities exist or are proposed in all the zones both as attractions in their own right or as facilities which serve the visitor industry and surrounding rural or recreation activities.*

*This is particularly the case in respect of those facilities at Cardrona located on the Crown Range Road.*

*The most distinguishing feature of the Visitor Zones is their compact size, general self-sufficiency and distance from the main urban centres.*

### *12.3.2 Values*

*The rural visitor areas make an important contribution to the economic well being of the District. They provide employment opportunities, retention of local heritage values and resources, as well as operate as a significant part of the visitor industry. Cardrona, Walter Peak and Arcadia Station contain heritage elements in terms of their buildings. These portray special values through their architecture and as part of the District's farming and visitor heritage.*

- 5.2 The RVZ applies to discrete areas that are surrounded by the rural zone. They enable a significant level of development, with controlled activity resource consents required for all buildings, and control reserved over coverage, location, external appearance of the buildings and associated earthworks, access and landscaping, to avoid or mitigate adverse effects on landscape and visual amenity values, nature conservation values and the natural character of the rural environment; and ii the provision of water supply, sewage treatment and disposal, electricity and telecommunication services.
- 5.3 The Arcadia RVZ is approximately 89 hectares in size and is bounded by Diamond Lake, Mount Aspiring National Park and farmland. It contains existing buildings, including the historic Aracadia Station residence in addition to numerous implement sheds and an existing dwelling. Two resource consents have been obtained by the submitter pursuant to the RVZ. Resource consent RM110010 was lodged in 2011 and approved a structure plan over the Arcadia RVZ. This has been implemented in part by the approval of subdivision consent RM130799 approved on 14 February 2014. RM130799 varied RM110010 by amending conditions 1 and 3. I have attached the resource

consent decisions as Attachments **CV2** and **CV3**.

- 5.4** These resource consents highlight that the landowner fully intends to develop the Arcadia RVZ and has undertaken a significant amount of work at considerable expense to obtain the above land use and subdivision consents. These consents now form part of the existing environment, and the QLDC needs to be cognisant of this fact when undertaking the District Plan Review.

## 6. Conclusion

- 6.1** The purpose of this evidence is to assist the hearings panel to make a decision on submission #481 lodged by Jim Veint of Arcadia Station. Mr Veint's submission supports the inclusion of the Arcadia RVZ within the planning maps as notified. No submissions were received in support or opposition.
- 6.2** This evidence outlines that at the time it was lodged the submission was within scope. In April 2016 the Council amended the planning maps using Clause 16(2) of the RMA. The submitter was not advised of that amendment and only became aware of that change once the QLDC's Section 42A reports were issued over a year after the Clause 16 document was adopted.
- 6.3** In my opinion the use of Clause 16 in this manner is not reasonable or fair, and the 'correction' is not minor. The amendment has an effect that is more than minor as it removes a zone from Stage 1 of the PDP. This has significant implications for the submitter.
- 6.4** This evidence identifies that there are two consents that have been approved on this site (RM130799 and RM110010) which are consistent with the RVZ and which establish an existing environment.
- 6.5** It is requested that the Arcadia RVZ, as included in the PDP as notified, is retained. I understand that the provisions that will apply to the RVZ will be part of Stage 2 of the District Plan Review. I suggest that the most appropriate course of action is to keep this submission live, such that the hearing is not closed and instead the decision on this submission is deferred to Stage 2 of the District Plan Review.

**Carey Vivian**

**9 June 2017**

James Veint –  
Arcadia Station



**MEMO TO THE DISTRICT PLAN MANAGER**

**AMENDMENTS TO PROPOSED DISTRICT PLAN**

**PURSUANT TO CLAUSE 16(2) OF THE FIRST SCHEDULE OF THE RMA**

**MEMO FROM:** Rachael Law

**MEMO DATED:** 8 April 2016

**SUBJECT:** Proposed District Plan Map 09: map legend corrections.

**NAME OF PLAN TO BE AMENDED:** Proposed District Plan Map 09- Glenorchy Rural, Lake Wakatipu

**STATUS OF PLAN TO BE AMENDED:**  PROPOSED  OPERATIVE

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**DELEGATED AUTHORITY**

By Council resolution the District Plan Manager has been delegated authority to alter a proposed or operative policy statement or plan:

- a. To give effect to any direction in a national environmental standard or a policy statement or to any direction of the Environment Court without following RMA Schedule 1 process (Clause 16(1) RMA)
- b. To alter any information and correct minor errors to a proposed policy statement or plan; or to give effect to a direction under s55 on a national policy statement without following RMA Schedule 1 process (Clause 16(2) RMA)
- c. To give effect to a direction to include a specific provision under s55 RMA without following RMA Schedule 1 process (Clause 16(3) RMA)
- d. To correct minor errors in an operative policy statement or plan (Clause 20A RMA)

**PROVISION TO BE AMENDED:**

Amend ordering of notations and zones in planning map legend and add (Operative) to the Arcadia and Rural Visitor – Blanket Bay Special Zone notations. This is to clarify which of the zones are in Stage 1 of the District Plan Review process and which are operative. The Clause 16 will organise the Planning map 09 legend first by the proposed notations and zones and second by operative notations and zones.

**REASONS WHY AMENDMENT IS NECESSARY:**

- |                          |  |                                     |  |
|--------------------------|--|-------------------------------------|--|
| <input type="checkbox"/> | To correct a typographical error           | <input checked="" type="checkbox"/> | To correct text formatting/<br>appearance or similar |
| <input type="checkbox"/> | To correct a minor mapping error           | <input type="checkbox"/>            | To correct a cross reference<br>mismatch             |
| <input type="checkbox"/> | To update numbering of provision /<br>page |                                     |  |

To give effect to a Direction:

- In a national environmental standard
- In a national policy statement
- Of the Environment Court
- Made under s55 RMA
- Other

**AUTHORISATION FOR AMENDMENTS TO BE MADE TO THE PROPOSED DISTRICT PLAN PURSUANT TO CLAUSE 16****AUTHORISED BY:**

Blair Devlin. Acting District Plan Manager.

**SIGNATURE OF AUTHORISER:****DATE OF AUTHORISATION:**



**QUEENSTOWN LAKES DISTRICT COUNCIL**  
**DOCUMENTATION FOR SIGNING AND SEALING**

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**TO:** Blair Devlin, Acting District Plan Manager  
**FROM:** Rachael Law, Planner  
**DATE:** 8 April 2016  
**SUBJECT:** Proposed District Plan Map 09: map legend corrections.  
**FILE REF:** Clause 16

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**Urgent Request?**

Please indicate date required by: 29 April

In submitting this document for execution I confirm that to the best of my knowledge, and on making proper enquiry, that this document is fit for execution by Council.

In particular:

- That the key details (terms, legal descriptions etc) have been checked and are correct
  - Council's delegations have been followed (who authorised this transaction)
  - Any and all consenting issues observed (financial contributions, consent conditions, etc)
  - Document meets legal requirements and has received legal scrutiny if necessary
  - Arrangements have been made for custody of document and records (including electronic) have been updated.
- 

#### COMMENTS

The Proposed Planning Map 09 legend currently lists the zones and other notations in an order that is confusing with no clear separation of the operative and proposed zones and other notations. The change as shown in the examples below will organise the Planning map legend first by the proposed notations and zones and second by operative notations and zones. This is to clarify which of the zones are in Stage 1 of the District Plan Review process and which are operative.

The following Special Zones located on Map 09 are not being addressed until Stage 2 of the DP Review: Arcadia (located in the upper centre of the map, north of Diamond Lake) and Rural Visitor – Blanket Bay (located south of Buckler Burn on the east bank of Lake Wakatipu). As such, they require the legend in Map 09 to add the word 'operative' to the Special Zones notation. This error causes confusion as to whether the zones and notations indicated are under Stage 1 of the District Plan Review or Operative.

This error will be fixed as shown below by adding the following after the zone and notation title: (Operative).

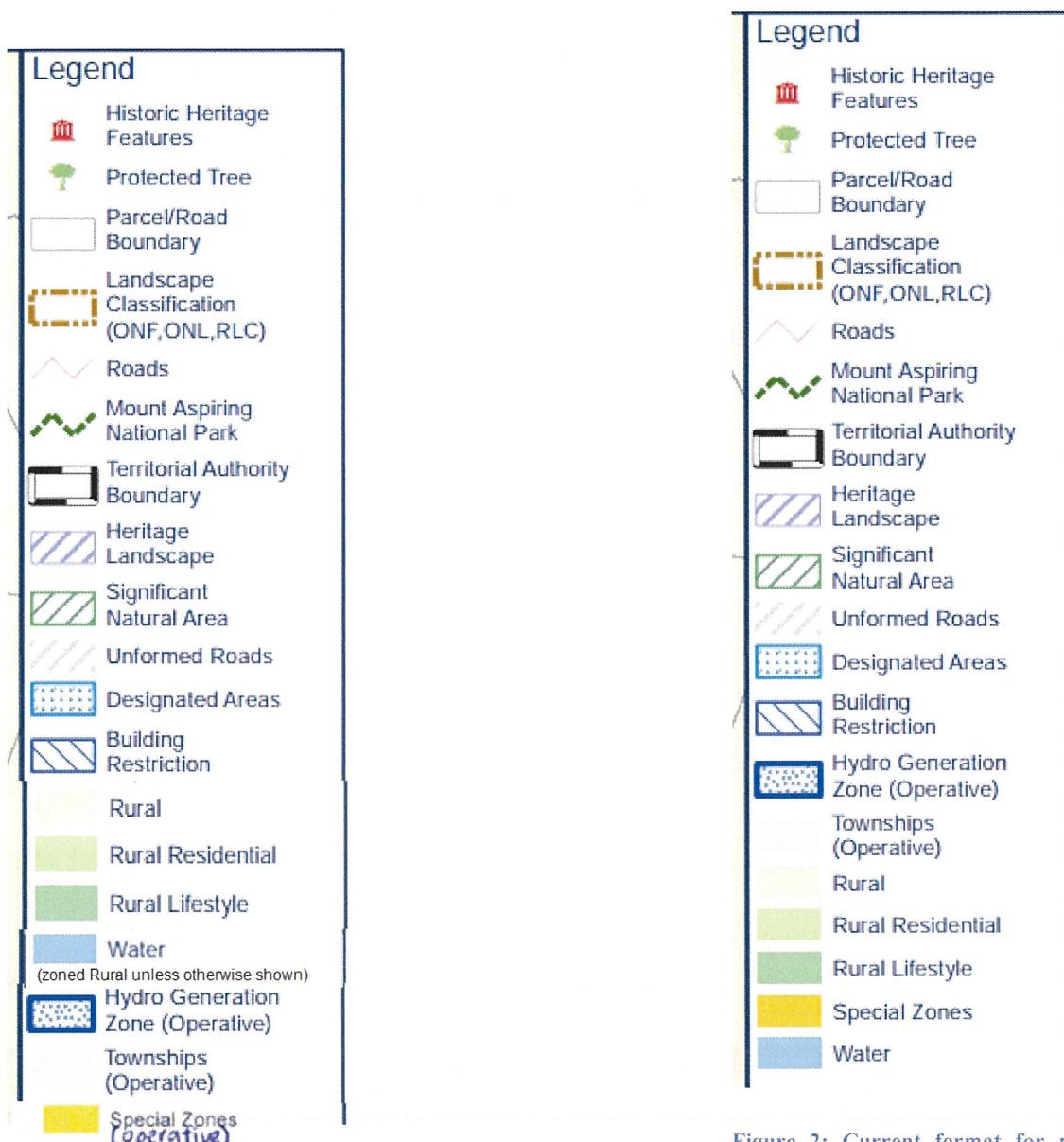


Figure 1: Proposed format for map legend 09 separating Operative zones and notations from those addressed in Stage 1 DP Review. Also with (Operative) added to the Special Zone notation

Figure 2: Current format for map legends Map 09

The annotation for water is currently ambiguous in regards to which zone in which it is located. This minor text error will be fixed by adding the following after the annotation: (zoned Rural unless otherwise shown).

These actions are to correct text and formatting errors. The inclusion of the word operative is for information purposes only to clarify what is clearly intended by the chapters notified in Stage 1. There are no intentional changes in the merits or the substance of the proposed district plan.



Rachael Law

Policy Planner



## DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

### NOTIFICATION UNDER s95 AND DETERMINATION UNDER s104

#### RESOURCE MANAGEMENT ACT 1991

<b>Applicant:</b>	J Veint
<b>RM reference:</b>	RM130799
<b>Application:</b>	Application under Section 88 of the Resource Management Act 1991 (RMA) for Subdivision consent to establish twelve allotments with eleven residential building platforms, create access lots, common areas and associated earthworks, roading, site landscaping and servicing. Consent is also sought to vary conditions 1 and 3 of RM110010 to enable roading and landscaping that do not comply with the Design Guidelines.
<b>Location:</b>	1733 Glenorchy-Paradise Road, Glenorchy
<b>Legal Description:</b>	Lots 1 and 2 Deposited Plan 409271 held in Computer Freehold Register OT/434245; and Lot 11 Deposited Plan 25326 held in Computer Freehold Register OT/434244
<b>Zoning:</b>	Rural Visitor Zone
<b>Activity Status:</b>	<b>Discretionary</b>
<b>Notification Decision:</b>	Non-notified
<b>Delegated Authority:</b>	Paula Costello, Senior Planner
<b>Final Decision:</b>	<b>GRANTED SUBJECT TO CONDITIONS</b>
<b>Date Decisions Issued:</b>	10 February 2014

#### SUMMARY OF DECISIONS

1. Pursuant to sections 95A -95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 6.0 of this report. This decision is made by Paula Costello, Senior Planner, on 10 February 2014 under delegated authority pursuant to Section 34A of the RMA.
2. Consent is **granted** pursuant to Section 104 of the RMA, subject to the conditions outlined in **Appendix 1** of this decision imposed pursuant to Section 220 of the Act. The consent only applies if the conditions outlined are met.
3. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's TRIM file and responses to any queries) by Paula Costello, Senior Planner, as delegate for the Council.

## **1.0 PROPOSAL AND SITE DESCRIPTION**

Consent is sought under section 88 of the RMA to undertake a subdivision to establish twelve allotments with eleven residential building platforms, along with access lots and common areas, and to undertake associated earthworks, roading, site landscaping, and servicing. Consent is sought to vary condition 1 and 3 of RM110010 to enable roading and landscaping that does not comply with the Arcadia Station Design Guidelines.

### Subdivision

The proposal seeks to establish eleven allotments each containing a residential building platform and a twelfth lot established for a future commercial activity. The lots are located within the Residential 1A, Residential 1B and Commercial Activity Areas of the Arcadia Station Structure Plan. The table below details the size of each lot and building platform.

<b>Residential Lot</b>	<b>Lot Size</b>	<b>Building Platform Size</b>
1	4400m <sup>2</sup>	600m <sup>2</sup>
2	5083m <sup>2</sup>	600m <sup>2</sup>
3	4439m <sup>2</sup>	600m <sup>2</sup>
4	4664m <sup>2</sup>	600m <sup>2</sup>
5	5605m <sup>2</sup>	644m <sup>2</sup>
6	6235m <sup>2</sup>	600m <sup>2</sup>
7	6463m <sup>2</sup>	540m <sup>2</sup>
8	3149m <sup>2</sup>	882m <sup>2</sup>
9	4490m <sup>2</sup>	866m <sup>2</sup>
10	4918m <sup>2</sup>	1000m <sup>2</sup>
11	4140m <sup>2</sup>	600m <sup>2</sup>
12	1.0423 hectares	Site for future commercial building

A six metre height restriction for buildings within Lots 1 to 11 has been volunteered.

In addition to the above, several lots are proposed which will be held in common ownership. These lots are to be utilised for roading and recreation purposes. The table below details these common lots.

<b>Lot</b>	<b>Lot Size</b>	<b>Purposes</b>
100	1.3867 hectares	Common area for passive recreation space – to be held in the same title as Lot 13, via an amalgamation condition
101	1.2794 hectares	Common area to be used for recreation purposes – to be held in 1/11 <sup>th</sup> shares by Lots 1 to 11 hereon
200	5500m <sup>2</sup>	Access road within the site from Glenorchy-Paradise Road to Diamond Lake access road – to be vested as legal road to Queenstown Lakes District Council (QLDC).
202	40m <sup>2</sup>	Small area adjoining Glenorchy Paradise Road – to be vested as legal road to QLDC.

### Earthworks

To create access ways, site landscaping and to lower the height of some building platforms, a large amount of earthworks is proposed. These works are as follows;

<b>Location</b>	<b>Volume of Earthworks</b>	<b>Bare Earth Exposed</b>
Road 1	884 m <sup>3</sup>	5237 m <sup>2</sup>
Road 2	576 m <sup>3</sup>	2241 m <sup>2</sup>
Road 3	285 m <sup>3</sup>	1229 m <sup>2</sup>
Road 5	312 m <sup>3</sup>	1297 m <sup>2</sup>
Road Lot 2	68 m <sup>3</sup>	378 m <sup>2</sup>
Road Lot 12	155 m <sup>3</sup>	889 m <sup>2</sup>
Bund Lot 3	161 m <sup>3</sup>	310 m <sup>2</sup>

Bund Lot 4	703 m <sup>3</sup>	751 m <sup>2</sup>
Bund Lot 5	237 m <sup>3</sup>	373 m <sup>2</sup>
Bund Lot 6	655 m <sup>3</sup>	876 m <sup>2</sup>
Bund Lot 7	437 m <sup>3</sup>	620 m <sup>2</sup>
Bund Lot 8	60 m <sup>3</sup>	132 m <sup>2</sup>
Bund Lot 9	100 m <sup>3</sup>	197 m <sup>2</sup>
Bund Lot 10a	433 m <sup>3</sup>	554 m <sup>2</sup>
Bund Lot 11	832 m <sup>3</sup>	662 m <sup>2</sup>
Bund Lot 100	497 m <sup>3</sup>	612 m <sup>2</sup>
Bund Lot 101b	405 m <sup>3</sup>	536 m <sup>2</sup>
Bund Lot 101b	378 m <sup>3</sup>	421 m <sup>2</sup>
SW CH Lot 7	122 m <sup>3</sup>	684 m <sup>2</sup>
SW CH Lot 100	1905 m <sup>3</sup>	3036 m <sup>2</sup>
Cut Lot 3	372 m <sup>3</sup>	407 m <sup>2</sup>
Cut Lot 101	765 m <sup>3</sup>	890 m <sup>2</sup>
<b>Total</b>	<b>10,351 m<sup>3</sup></b>	<b>22,332 m<sup>2</sup></b>

The maximum depth of cut will be 2.4 metres while the maximum depth of fill will be 2.2 metres.

#### Landscaping

A structural landscape plan has been provided that details curtilage areas, existing and proposed species of planting, and mound locations.

#### Access

Access to the proposed subdivision is to be via a new intersection to be formed on Glenorchy-Paradise Road. Access to the individual lots will be from a series of private internal roads (except Lot 200).

#### Servicing

##### *Water*

No council reticulated water supply exists in the vicinity of the subject site. The applicant therefore proposes to service the lots from the existing Jordan River supply that services the existing Arcadia Homestead adjacent to the site.

##### *Fire fighting*

The subject site is not serviced with a reticulated fire fighting supply therefore the applicant proposes to service future buildings by on-site static storage.

##### *Wastewater*

The subject site is not serviced with Council reticulated wastewater. The applicant therefore proposes to service any future dwellings/structures through the installation of appropriately designed on-site wastewater treatment and disposal systems.

##### *Stormwater*

Stormwater is proposed to be disposed to ground.

##### *Power and telecommunications*

The applicant has provided letters from Aurora and Chorus that confirm power and telecommunications can be provided to each proposed lot.

#### Amalgamations

The applicant proposes to amalgamate Lot 2 DP409271 with proposed Lot 11 as this small section will serve no useful purpose. Proposed Lot 100 is also proposed to be amalgamated with proposed Lot 13.

#### Variation to Resource Consent RM110010

As the proposal does not align completely with the Arcadia Structure Plan and Design Guidelines, the applicant proposes to vary conditions 1 and 3 of RM110015 to allow for the proposed development. Condition 1 and 3 of RM110010 currently state;

1. *That the development must be undertaken/carried out in accordance with the plans drawn by Baxter Design Group – Arcadia Rural Visitor Zone Structure Plan, Ref: 1540 Paradise Veint Structure Plan 10 Nov 2010 (as approved 2 May 2011) the Structure Plan Design Guidelines received 29 March 2011 and the application as submitted, with the exception of the amendments required by the following conditions of consent.*

*and*

- 3 *At the time this consent is given effect to the consent holder shall register a covenant on the Computer Freehold Register requiring future development to be undertaken in accordance with the Structure Plan, the Structure Plan Design Guidelines and the resource consent granted referenced RM110010 received 29 March 2011 and submitted with resource consent RM110010.*

The proposal does not comply with the Structure Plan in regards to the planting and roading proposed, both within the R1A and R1B areas and within the OS AA.

#### *Site and Locality Description*

The site and locality description provided within section 2 of the report provided by Council's Consultant Landscape Architect Dr Marion Read is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report. Dr Read's description is as follows;

*"The site is located on the northern shore of Lake Diamond to the west of Mount Alfred and to the north of the Rees River. It is immediately adjacent to the property known as Paradise which is owned and managed by the Paradise Trust. The site is the location of the Arcadia Station Homestead which is Protected Feature 81 in terms of the District Plan.*

*The site of the proposed subdivision is located at the western edge of an extensive outwash fan which has originated from the creek known as the River of Jordan. This fan has been extensively cut into by fluvial activity along its western edge. Its southern edge is formed by a series of lake terraces formed when the lake level was higher and its outlet at Kingston.*

*The site is hummocky with reasonably level areas interspersed with steep terrace faces. It declines generally from the north to the lake at the south but does so unevenly. A creek runs through the site in a north to south direction through a valley close to the western boundary and in this vicinity the slope is most consistent.*

*The site is clad with improved pasture. The most southerly escarpment face has scattered stands of matagouri present. Other escarpment faces within the site are clad with a mix of rowan and wild cherry trees with some elder. These are all weedy, bird spread species and this is attested to by their presence in this location having grown up amongst manuka slash pushed over the edges during land clearance.*

*The Arcadia homestead is located at the eastern margin of the subdivision area and is separated from it by an old orchard. The homestead is listed as Protected Feature 81 in Appendix 3 of the District Plan."*



Figure 1 Location of subject site

#### *Site History*

Resource consent RM110010 was granted on the 11 May 2011 to establish a structure plan for Arcadia Station. Conditions of consent were imposed requiring a covenant to be registered on the Computer Freehold Register (at the time the consent is given effect to) requiring future development to be undertaken in accordance with the Arcadia Structure Plan and Design Guidelines. This consent has not yet been given effect to. Figure 2 below shows the structure plan approved.



Figure 2 Structure Plan Approved

## **2.0 ACTIVITY STATUS**

### **2.1 THE DISTRICT PLAN**

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

- A **controlled** activity pursuant to Rule 15.2.3.2 (lot sizes and dimensions), Rule 15.2.7.1 (subdivision design), Rule 15.2.8.1 (property access) Rule 15.2.10.1 (natural and other hazards), Rule 15.2.11.1 water supply, Rule 15.2.12.1 (storm water disposal), Rule 15.2.13.1 (sewerage treatment and disposal), Rule 15.2.14.1 (trade waste disposal), Rule 15.2.15.1 (energy supply and telecommunications), Rule 15.2.16.1 (open space and recreation), Rule 15.2.17.1 (vegetation and landscaping), Rule 15.2.18.1 (easements). Council's control is with respect to these matters.

- A **discretionary** activity pursuant to Rule 15.2.3.3(ii) as the site contains a heritage item. The building is listed in Appendix 3 of the District Plan (Ref No 81 Arcadia Homestead).

Variation

- A **discretionary** activity consent pursuant to section 127(3)(a) of the Resource Management Act 1991, which deems any application to change or cancel consent conditions to be a discretionary activity. It is proposed to vary Conditions 1 and 3 of resource consent RM110010 to allow for the proposed roading and landscaping which is contrary to the Arcadia Structure Plan.

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

### **3.0 SECTION 95A NOTIFICATION**

A: *The applicant has not requested public notification of the application (s95A(2)(b)).*

AND

B: *No rule or national environmental standard requires or precludes public notification of the application (s95A(2)(c)).*

AND

C: *The consent authority is not deciding to publicly notify the application using its discretion under s95A(1).*

AND

D: *There are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).*

SUCH THAT

E: *A consent authority must publically notify an application if it decides under s95D that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)).*

An assessment in this respect is therefore made in section 4 below:

### **4.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)**

#### **4.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95D)**

A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*

B: *Trade competition and the effects of trade competition (s95D(d)).*

#### **4.2 PERMITTED BASELINE (s95D(b))**

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case there is no useful baseline by which to compare the effects of this proposal therefore the permitted baseline is not considered relevant.

#### 4.3 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Taking into account sections 4.1 and 4.2 above, the following outlines an assessment as to if the activity will have or is likely to have adverse effects on the environment more than minor:

##### **Land, Flora and Fauna:**

<b>Adverse Effects to Consider</b>	<b>Effects on the Environment</b>
Ecological / Vegetation & Fauna	Minor
Landform	Minor
Waterbodies & Groundwater	Less than minor

##### **Earthworks**

Up to 10,351m<sup>3</sup> of earthworks over an area of 22,332m<sup>2</sup> is proposed therefore adverse effects resulting from this volume of earthworks have been considered. As the site is located in close proximity to Diamond Lake, there is the potential for silt runoff to occur. Site management measures are therefore proposed in accordance with the “A Guide to Earthworks in the Queenstown Lakes District” brochure, prepared by the Queenstown Lakes District Council. A condition of consent is recommended that requires, prior to works commencing, the installation of suitable site management measures as outlined in the application. Through the implementation of these measures, potential adverse effects in terms of dust or silt run off will be appropriately mitigated.

While the exposed area encompasses an area of 22,332m<sup>2</sup>; adverse visual effects from a large excavated area will be in time be mitigated through landscaping, formed with gravel (roads) or grass. As such, it is considered that any visible sign of the earthworks will be temporary. The landscape will generally retain its rolling features where the internal roading wraps around the landscape. As landscape features are largely retained and the visibility of the works will be temporary, it is considered that adverse effects in term of land, flora and fauna from the earthworks will be no more than minor.

##### **Vegetation**

###### *Riparian planting*

The applicant has proposed riparian planting along the stream banks to ‘enhance the stream and assist in protecting its water quality’. This landscaping is not strictly in accordance with the Design Guidelines within the Arcadia Structure Plan as this landscaping is located in an area set aside as open space. Although the riparian planting does not comply with the Structure Plan, it is considered that the planting will provide appeal to the water course and contribute to water quality. Dr Read considers that a mix of grasses, flaxes, shrubs and small trees will positively contribute to the aesthetic appeal of the water course and will not significantly detract from the pastoral character of that part of the site. Dr Read’s advice is accepted. As the riparian planting does not undermine the intent of the structure plan (ensuring open pastoral areas and views down the valley); it is considered that the proposed variation to RM110010 to allow for this planting is appropriate and will not result in a more than minor effect.

###### *Existing trees*

Dr Read advises that the structural landscape plan provided with the application does not identify areas of existing vegetation within its key and merely notes “In some locations existing trees on site can be used”. Dr Read considered that the removal or significant pruning of these trees could have an adverse effect in the potential to “radically alter the character of the vicinity”. In order to ensure that such adverse effects do not result from vegetation removal, a consent condition is recommended requiring the resubmission of the structural landscape plan for certification to show existing vegetation to be retained. Through this condition of consent, existing vegetation will be protected (as necessary) to ensure adverse effects do not result.

###### *Planting within open space*

Landscape is proposed within the areas designated for open space. This planting consists of amenity trees, feature trees and riparian planting. The underlying structure plan prohibits any further planting aside from pastoral grasses or native planting in any area east and south east of Res 2A, B & C areas. Landscaping proposed along the western boundary of the subdivision therefore does not comply with this structure plan.

The applicant seeks to vary RM11010 to allow for this landscaping by amending the Arcadia Structure Plan Guidelines. Dr Read however considers that the vegetation proposed affects the quality of open space and view shafts therefore recommends that the vegetation along the western boundary be relocated to positions within the residential lots to avoid adverse effects. This expert advice is accepted. Amenity trees located within Lot 100 and along the western boundaries of proposed Lots 4, 5 and 6 may result in view shafts being obscured and will result in the domestication of open space. A condition of consent therefore is recommended that an amended structural landscape plan be submitted to Council prior to works commencing illustrating the amenity trees located in Lot 100 and in Lots 4, 5 and 6 largely relocated outside of the area designated as open space. Through the imposition of this condition it is considered view shafts can be maintained and adverse effects will be remedied such that they will be no more than minor.

#### *Species of plants proposed*

The planting guide within the Structure Plan further requires that any trees planted 'shall be either Mountain Beech and/or exotic trees, similar to those that currently exist within the Res 1A area. However, the applicant has proposed a range of feature trees around the park at the centre of the development and amenity trees throughout the subdivision. Dr Read considers that the amenity trees proposed are very large and are not those that are typical New Zealand species therefore as they spread across the site; they would have a domesticating effect on the landscape. Dr Read recommends that the existing vegetation is used as a foundation and the use of similar species to those found naturally in the location to bolster this existing vegetation is a preferable approach in order to avoid adverse effects

In addition to the amenity trees, the applicant proposes a range of feature/formal park trees surrounding the internal park and entranceways. These are proposed to 'provide colour and interest'. Dr Read however considers these species to be a representative form of domestication. The formal park trees are identified by Dr Read as being potentially visible from Diamond Lake which heightens and emphasises the domestication of the area rather than blending the domestic elements into the existing character. Given the above, it is recommended that these trees be removed to ensure such adverse effects on the surrounding character of the landscape as identified by Dr Read do not result. Through the imposition of conditions of consent requiring this, adverse effects in terms of domestication can be avoided.

#### **People and Built Form:**

<b>Adverse Effects to consider</b>	<b>Effects on the Environment</b>
Character & Amenity	Minor
Density	Nil
Views and Outlook	Minor
Streetscape	Minor

#### Earthworks

The proposed earthworks may result in adverse effects on the amenity of the area while the works are being undertaken through the presence of a large exposed surface. Works will be visible from Paradise Road and additionally from Diamond Lake. As such, views and outlook from these locations will be adversely affected during the works. Effects associated with earthworks when managed well are however temporary due to their duration and mitigation provided during and after the works are complete. Upon the completion of excavation, all exposed areas will be either gravelled, landscaped or grassed therefore ensuring that any visible sign of the works will be small. Conditions of consent can be imposed ensuring this mitigation is implemented. Therefore given the temporary nature of these visual effects, they are considered to be no more than minor.

#### Subdivision

##### *Lot sizes, averages and dimensions*

There is no minimum lot size in the Rural Visitor Zone, however the Structure Plan does specify maximum residential densities within each activity area. Within AA Res 1A this density is set at one main building and ancillary buildings per 8000m<sup>2</sup>. This proposal allows for one dwelling per 1.27ha with lots ranging in size from 5083m<sup>2</sup> to 4400m<sup>2</sup>. With AA Res 1B the density is set at one dwelling per 4000m<sup>2</sup> and in this area the proposed subdivision is for lots ranging in size from 6463m<sup>2</sup> to 3149m<sup>2</sup>. In addition to the residential allotments, the applicant has proposed a park in the centre of the development.

The proposed park is to be utilised as open space with formal park trees on its periphery. Dr Read considers this form of public open space in the centre of the development unnecessary given the

context. This context is one of large lots located in an rural area with numerous recreational opportunities surrounding (including Paradise which is managed under a deed requiring public access to the property to be maintained). Given this, as discussed above Dr Read considers the approach of establishing 'Formal Park Trees' to be contrary to 'preserving and enhancing' the rural amenity on the site.

Development to the west of the site (Lots 4 to 7) has been designed so that three of the lots extend from AA Res 1A and 1B into OS AA. Curtilage areas have been defined to restrict domestic activities from spilling over into these open space areas however the proposal to erect bunds and plant amenity trees within this area of open space is contrary to the objectives of the underlying Structure Plan. The Structure Plan seeks to 'maintain the openness and pastoral quality of the open space that surrounds" and to "maintain views from the Glenorchy Paradise Road to Diamond Lake and beyond".

Dr Read has undertaken an assessment on the openness and pastoral quality of on the western portion of the site and considers that "*in the current view over the site from the Glenorchy Paradise Road at the north west corner, the open pasture narrows to the south but an opening remains visible which draws the eye and, with the construction of a road way, would likely draw the person, forward towards the lake. It also creates a break between the farmland with its exotic trees and the indigenous forest on the Paradise land to the west. The domestication of this area would close off this view and alter the character of the context of the development*". Dr Read is of the opinion that Lots 4 to 7 should either be reduced to exclude the OSAA or an open space management covenant be registered. The applicant has responded to Dr Read's comments by volunteering a covenant to be registered on the titles of these proposed lots. Through the registration of this covenant, it is considered that potential effects (domestication of the OS area of the lots) will be avoided.

#### *Subdivision design*

Most of the lots proposed are well separated and planting and bunding as part of the subdivision works should ensure appropriate levels of separation. Lot 6 however is located approximately 30 metres from Lot 5. In this location Dr Read considers the proposed planting to be unlikely to provide adequate separation for future dwellings. In addition Lots 8 and 9 are approximately 11m at their closest point and Dr Read has raised a similar concern. Dr Read provides advice that Lot 8 should be moved slightly west and north, and that the building platform on proposed Lot 9 reconfigured to be slightly further north and east. The applicant has been advised of Dr Read's assessment and have been provided with an opportunity to consider the reconfiguring the lots.

The applicant has advised that the building platforms were carefully positioned due to the underlying hazards that exist on the site and consider that landscaping between the lots ensures privacy is preserved for Lots 8 and 9. It is noted that within the rural visitor zone an internal setback of 10 metres is required and the lots comply with this standard. As any effect from the distance between platforms will be internal to the site, a level of privacy will be maintained by mounding/landscaping. As the proposal complies with internal setbacks anticipated in this zone, it is considered that adverse effect from the allotment layout will be minor.

#### *Assessment Matters*

Below is an assessment of the proposal against the relevant assessment matters within the District Plan.

*The relationship and orientation of lots, particularly in respect of land in adjoining zones, and the ability to create an attractive and interesting edge between development in the Residential and Rural-Residential Zones and adjoining Rural Zones*

The maintenance of the Open Space Activity Area along the western part of the site, including the registration of a covenant in relation to Lots 4 to 7 would assist in creating an attractive and interesting edge between the zone and the Rural General zoned land to the west.

*The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities*

The zone incorporates a considerable amount of open space as demonstrated by the Structure Plan. In addition to this open space the applicant has proposed a central park within the site that will act as a

central meeting space/focal point for many of the residents within the subdivision. As the zone is located in an Outstanding Natural Landscape and offers many high quality recreational activities, Dr Read considers it unnecessary to provide public open space as proposed. Dr Read considers that the park could instead be used for another residential allotment or the size of Lots 8 and 9 be increased.

These comments have been considered however it must be noted that a thorough hazards assessment has been undertaken upon which the current platform locations have been determined as the most appropriate. While another platform may be possible, a park/meeting place does provide benefits to a future community and with appropriate landscape treatment, without adverse effects. Dr Read's comment regarding the formal trees is accepted however that regarding the park is not.

Overall it is considered that the positioning of the park in the centre of the subdivision will not result in an adverse effect.

*The need to provide pedestrian access way facilities in circumstances where the roading network does not provide sufficient or direct access or easy walking access to facilities in the vicinity.*

No pedestrian access ways have been provided other than the roading network. Dr Read considers this to result in an adverse effect where creating pedestrian access ways through the site has the potential to enhance the area. This advice is accepted.

Access from lots surrounding the central park will be required to traverse to the west and south on the internal roading network to access Diamond Lake. The desire line however will be across allotments, and a pedestrian link would avoid adverse effects in this respect.

A stormwater channel runs between Lots 8 and 9 running from the central park to the south therefore a walkway is recommended in this area that would allow ready pedestrian access to the Open Space Activity Area to the south and the lake from Lots 1, 2, 3, 4, and 8. This access would also allow access from the visitor accommodation areas to the south. Providing for off road pedestrian access is highly desired as adverse effects in terms of safety will be avoided while improving amenity of the vicinity.

Through the imposition of conditions of consent requiring the provision of such a pedestrian access, adverse effects in amenity will be mitigated.

#### Variation

The Landscape Plan provided with the application does not identify areas of existing vegetation within its key where it notes that 'In some locations existing trees on site can be used. These are mostly rowans and fruit trees that can be formatively pruned'. Dr Read considers this to be a "*significant departure from the Structure Plan and one which could potentially radically alter the character of the vicinity*" as mentioned above. Furthermore Dr Read advises that "*the species proposed would be both urbanising and domesticating and would produce a significant adverse effect on the landscape of the vicinity. This effect would also accrue from the tree planting and bunding proposed within the OS AA*".

In order to mitigate the above effects identified, it is recommended that an amended Structural Landscape Plan be provided that details existing trees to be retained and species be chosen based on the existing vegetation as a foundation in order to preserve the underlying character. While the riparian planting along the realigned creek does not comply with the Structure Plan, it is considered that this vegetation would have a positive effect both ecologically and aesthetically making what is currently a ditch a landscape feature.

The location of the access roads within the OS AA would have a negligible adverse effect on the landscape of the vicinity and consequently the proposed variation to the Structure Plan would not alter the intended outcome significantly.

As identified above, the landscaping and roading located with OS AA do not comply with the underlying structure plan. Roading will be generally follow topography and has been designed to mitigate safety effects while providing a greater aesthetic in accessing Diamond Lake.

The landscaping proposed however does result in a more than minor effect as it may alter the character and amenity of the area and result in the area resembling a rural residential area which will adversely affect the landscape. Through the imposition of conditions of consent however requiring an amended

landscape plan be submitted that will retain and enhance the underlying character; these effects are able to be mitigated to a level that they will be no more than minor.

**Infrastructure:**

<b>Adverse Effects to consider</b>	<b>Effects on the Environment</b>
Water Supply	Less than minor
Effluent Disposal	Less than minor
Stormwater Provisions	Less than minor
Energy Supply & Telecommunications	Less than minor

Water

*Quantity*

No council reticulated water supply exists in the vicinity of the subject site. The applicant therefore proposes to service the lots from the existing Jordan River supply that services the existing Arcadia Homestead adjacent to the site.

The Jordan River Supply has abstraction rights to 1,000,000 litres per day. Mr Hopkins is satisfied that there is sufficient provision within this take to service the proposed subdivision. A condition of consent is subsequently recommended that prior to commencement of works, the consent holder shall provide design details of the private water scheme to service each lot. Adequate provision will therefore be made to service each lot with 2,100 litres of water per day.

*Quality*

The applicant proposes to utilise an ‘unsecure’ water supply where no water quality tests results have been provided. The applicant has indicated that the intention is to instead provide supply treatment at each future dwelling or commercial building at time of construction. Mr Hopkins is satisfied with this approach therefore a condition of consent is recommended that a consent notice be registered on the title of future lots to ensure the treatment takes place and that water supply is in accordance with New Zealand Drinking Water Standards. This will ensure that systems are in place to avoid adverse effects.

Fire-Fighting

The subject site is not serviced with a reticulated fire fighting supply and the applicant has advised that each lot will have an onsite static storage. A consent notice is therefore recommended to ensure that all lots are provided with a static supply at the time a building is constructed on each lot. Through the imposition of such a condition adverse effects in terms of fire fighting will be mitigated.

Wastewater

The subject site is not serviced with Council reticulated wastewater therefore the applicant proposes to service any future dwellings/structures through the installation of onsite wastewater treatment and disposal systems. Mr Hopkins considers this to be feasible given the ground conditions. Conditions of consent therefore are recommended that a consent notice be registered requiring the treatment system be installed in accordance with the specifications provided. This will avoid any potential adverse effects.

Stormwater

The Hadley Consultants Ltd site soils assessment submitted confirms that the local ground is suitable for soakage disposal of stormwater. As such it is considered that the site is suitable for this method of disposal and each individual design associated with building on the lots will be assessed at the time of building consent.

Power and Telecommunication

The applicant has provided letters from Aurora and Chorus that confirm power and telecommunications can be provided to each proposed lot. Conditions of consent are recommended that prior to 224c each building platform is supplied with a power and telecommunication connection in accordance with the network provider’s specifications.

Overall through the imposition of conditions of consent, adverse effects in terms of infrastructure can be mitigated to a level that they are less than minor.

**Traffic Generation and Vehicle Movements:**

<b>Adverse Effects to consider</b>	<b>Effects on the Environment</b>
On-site / On street parking	Less than minor
Driver & Pedestrian Safety	Less than minor
Traffic Generation / Roading Capacity	Less than minor

Vehicle Movements & Noise	Less than minor
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The applicant proposes to access the subdivision via a single new intersection to the Glenorchy-Paradise Road. Mr Hopkins advises that the location of this intersection complies with Council standards regarding sightlines. A condition of consent is recommended that the design of the intersection is made in accordance with Diagram 3 of Appendix 7 of the District Plan.

A portion of the proposed internal roading (Lot 200) will be located within an existing Council paper road, while it is proposed to vest Lots 200 and 202 to Council as legal road. Council's Senior Transport Engineer, Mr Richard Hilliard, has confirmed that Council accepts this section of road to be vested and maintained in perpetuity by Council on the basis that it is constructed to Council standards. The road realignment to Diamond Lake is considered safer due to topography and existing vegetation.

All access ways not vested to Council will be formed as legal rights of way and maintained by individual lot owners by way of an appropriately worded easement instrument.

The applicant does not propose to form driveways from the lot boundaries to the building platforms in order to allow flexibility at time of future development. Mr Hopkins is satisfied that the distance from the lot boundaries to the platforms are relatively minor and the cost and works associated with future construction of access to the platform will be limited. A condition of consent is therefore recommended that a consent notice be registered on the title to alert future owners that access to the new lots need to be formed to Council standards at the time a dwelling is constructed.

Overall it is considered that through the imposition of conditions of consent adverse effects in terms of traffic generation and vehicle movements.

#### Nuisance:

<b>Adverse Effects to consider</b>	<b>Effects on the Environment</b>
Noise	Less than minor
Hours of Operation	Less than minor
Dust	Less than minor
Vibration	Nil

As discussed above, an extensive amount of earthworks is proposed which may result in adverse effects in terms of dust and silt runoff. Conditions of consent have been subsequently recommended relating to site management for dust suppression, silt mitigation and control of soil deposition on road. As effects associated with the works are temporary and are able to be mitigated through the imposition of these conditions of consent; adverse effects are anticipated to be less than minor.

#### Culture:

<b>Adverse Effects to consider</b>	<b>Effects on the Environment</b>
Heritage / Heritage Precincts	Less than minor
Archaeology	Less than minor
Takata Whenua	Less than minor

The subject site is located within an area which is subject to the Oreti River and Pikirakatahi (Mount Earnslaw) Statutory Acknowledgement Area under the Ngai Tahu Claims Settlement Act 1998. Historically Maori travelled through the Glenorchy located to collect pounamu, in route from the Oreti and traveling via the Mavora or Von River Valleys. The locality therefore may be of cultural significant to Maori.

As over 10,351m<sup>3</sup> of earthworks over an area of 22,332m<sup>2</sup> is proposed, there is the potential that archaeological material may be found while the works are undertaken. As such, it is recommended that a condition of consent be imposed regarding accidental discovery protocol and that if Maori artefacts/archaeological material are found then work shall cease until an archaeological assessment has been undertaken.

In addition to the historical use of the site by Maori, the Arcadia Homestead (protected feature 81 in the District Plan) is located on site. The homestead is located to the east of the proposed development and is well separated by the proposed earthworks/landscaping proposed. The underlying Structure Plan has positioned development as to ensure the heritage values of the homestead are not diminished. Given the distance from the homestead, it is considered that the proposed development will not have an adverse effect on its heritage value.

Overall through the imposition of conditions of consent, adverse effects in terms of culture will be less than minor.

**Natural Hazards:**

<b>Adverse Effects to consider</b>	<b>Effects on the Environment</b>
Land Stability / Liquefaction	Minor
Rock Fall	Less than minor
Flooding	Minor

The subject site is identified on QLDC hazard maps as being within an area potentially impacted by a young active floodwater dominated alluvial fan. The site is also identified as being at possible risk of liquefaction.

To address the potential hazard risk to the site the applicant has provided a geological site inspection and test pitting undertaken by Royden Thomson.

Site inspection

Within Mr Thomson's 'Geological site inspection report' dated 22 July 2013, Mr Thomson assesses the key risk posed to the site by possible avulsion of the Jordan River. Mr Thomson notes the following-

- *The fan is relatively large and has an axis trending south-west.*
- *It will have been accumulating for at least 11,500 years, so the total isn't large. Especially since it is probably underlain, in part, by glacial deposits.*
- *The catchment is steep, but relatively small.*
- *Stream flows are presently down the east fringe of the fan, and have been for some time from the degree of incursion in the fan near the bush edge.*
- *Avulsion occurs from time to time. This is evident from the spread of coarse debris flow deposits on the upper fan, although there is a deposit dominance further east.*
- *One channel, on the upper fan axis, trended towards the site and passed it just to the south; probably the cause of the steep slopes fringing proposed Platform 10. There are indicated patches of debris flow detritus associated with the occupancy of this particular channel. Age of this flow phase uncertain, but obviously not very recent.*
- *Fan surfaces to the north of the site tend smooth, and reflect 'normal' stream sedimentation, rather than debris flow conditions. Fan elements onlap the unique subdivision terrain on its northern margin, and there have been some (channelled) stream incursions in the past. Present channel continuity upslope, and future flooding hazard and risk, not studied as part of this exercise.*
- *More northerly fan streams (existing, but not minor) trend towards Paradise Road then flow south to the west of the subdivision lots. There is potential for small scale flooding, but proposed road corridors are the more dominant features here.*

From Mr Thomson's site inspection, recommendations have been provided such as the need to relocate a number of proposed platforms and bunds and raising the level of platform on Lot 4. The applicant has subsequently amended the proposed subdivision plans to take into account Mr Thomson's recommended changes.

Mr Hopkins has analysed Mr Thomson's expert assessment and considers that the need to raise the level of platform should be required by way of a consent condition. A condition therefore is recommended that prior to 224c certification, the existing level of the platform on Lot 4 shall be raised by 1m from existing ground level and that a consent notice be registered ensuring that the platform level is not changed in the future.

Mr Thomson has also identified areas of the proposed platforms within Lots 8-11 that are located in close proximity to possibly instable slopes. To address this issue the applicant proposes to register a covenanted area within the platforms of Lots 8-11 that will require specific foundation to be designed by a suitably qualified engineer. Mr Hopkins recommends a condition of consent to ensure this covenant area is registered and consent notices placed on the appropriate titles to ensure any construction within this area shall be design by Chartered Professional Engineer.

Mr Thomson's also states within his recommendations the following -

- *I remain uncomfortable with the interpreted subfoundation geological conditions of many of the platforms, especially those flanking the floodplain, or occupying the lower terrace remnants to the west. This is coupled with reports of substantial loess thicknesses, and scrub clearances off terrace remnants.*
- *After a platform/road rejig is complete, I recommend:*
  - *A test pit in the centre of each platform to confirm subfoundation geological conditions. (This may point to additional investigations).*
  - *Scala penetrometer testing to establish bearing capacities. The loess appears to be suitable, but it, and floodplain conditions to the west, have been proven.*

#### Test Pitting

To address the outstanding concerns identified above Mr Thomson undertook subsequent test pitting. Mr Thomson's report concludes the following;

- *From the perspective of site geological conditions, no platform shifts of significance are requested.*
- *Possible and probable slope instability, adjoining Platforms 6 and 8, should be considered in the design of foundations, or modification of adjoining slopes during construction.*
- *The ubiquitous loess, at all sites, has uncertain strength parameters. Foundation designs will be influenced by the Scala data gathered at each site.*
- *It would be prudent to consider a flood protection bund upslope from Platform 1, if it can be constructed on Lot 12.*

In response to Mr Thompson's comments, the applicant subsequently amended the earthworks to include a flood protection bund on Lot 12 to protect the building platform on Lot 1. In addition, possible slope instability adjoining platforms 6 and 8 is addressed through the covenanted specific design areas identified above.

#### Scala Penetrometer Testing

To determine bearing capacity the applicant has provided Scala Penetrometer tests results for the proposed building platforms. These tests were undertaken by Hadley Consultants Ltd at the time of the above test pitting. The results concluded non-compliance with the minimum bearing capacity stipulated under Section 3 of NZS3604 (the building code) on a number of the proposed platforms, specifically platforms on lots 1, 2, 9, 11. Hadley Consultants Ltd however have indicated that due to the loess soils present across the entire site and the variable nature of the strength of these soils, a consent notice condition should be registered against the future titles of proposed Lots 1 to 11 requiring 'good ground' be confirmed or specific foundations be constructed. Mr Hopkins accepts this approach therefore recommends an appropriate consent notice be placed on all titles. Through the imposition of this condition of consent, suitable foundation design can be engineering therefore ensure that adverse effects in terms of liquefaction is no more than minor.

Overall it is considered that through the implementation of mitigation recommended by Royden Thomson and the volunteered covenants and consent notices, adverse effects in terms of natural hazards will be no more than minor.

#### **Contaminated Soils (NES):**

<b>Adverse Effect</b>	<b>Effects on the Environment</b>
Risk to human health	Preliminary Investigation concludes that it is unlikely to be a risk to human health

An activity identified on the Hazardous Activities or Industries List (HAIL) has been, or is more than likely than not to have been undertaken on the land. As it has been identified that a HAIL activities more than likely than not has been undertaken on the land; further investigation is required.

The applicant has provided a Preliminary Site Investigation (PSI) by Glenn Davis Consulting with the application. The PSI included a full review of the site history, discussions with the site owner and a site inspection to examine potential risks to human health. Soil samples additionally were collected down gradient of a closed farm landfill to provide an indicative characterisation of potential contaminants leaching out of the landfill. The soil result collated showed concentrations below the standards for contaminants.

Mr Davis however did conclude that given the location of the landfill and offal pits onsite; a site management plan is recommended that will provide guidance on the location of the landfill and offal pits to future owners. A site management plan has been subsequently been prepared that details fencing to isolate the offal pits and landfill. A condition of consent therefore is recommended that the site management plan is implemented prior to 224c certification and that a consent notice be registered on the relevant tiles that ensure the site management plan is complied with in perpetuity and to alert future owners to the contaminated sites.

#### **4.4 DECISION: EFFECTS ON THE ENVIRONMENT (s95A(2))**

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

#### **5.0 EFFECTS ON PERSONS**

Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor).

#### **5.1 PERMITTED BASELINE (s95E(2)(a))**

The consent authority **may** disregard an adverse effect of the activity on a persons if a rule or national environmental standard permits an activity with that effect. In this case the permitted baseline is as found within section 4.2 above and is not considered of assistance in consideration of the proposal.

#### **5.2 ASSESSMENT: EFFECTS ON PERSONS**

Taking into account sections 4.1 and 4.2 above, the following outlines an assessment as to if the activity will have or is likely to have adverse effects on persons minor or more than minor:

<b>Adverse Effects: Examples to consider</b>	<b>Effects on Persons</b>
Traffic Generation	Less than minor
Dominance / Privacy	Less than minor
Shading	Nil
Amenity / Density	Less than minor
Views and Outlook	Less than minor
Land Stability	Less than minor

Resource Consent RM110011 clearly sets out the anticipated land use for Arcadia Station which consists of a mix of residential, visitor accommodation and commercial activities whilst provision has been made for an abundance of open space. Figure 3 below shows neighbours in relation to the site.



Figure 3 Map showing neighbouring properties

The applicant owns property to the north and east of the site therefore adverse effects on those properties may be disregarded.

Paradise Trust directly adjoins the development to the west where it looks down from an elevated ridge. Given the zoning of the subject site; development with a higher density than what is proposed is anticipated. The proposed development generally follows the natural topography of the site however extensive earthworks are required to form roads, create mounds and build up buildings platforms. Landscaping assists in ensuring integration of the lots while ensuring privacy remains.

Lots located along the western boundary are visible from the buildings located on Paradise Trust land however through the implementation of the structural landscape plan partial screening will be retained. The underlying design controls ensure a rural visitor theme will be achieved when buildings are constructed within the building platforms while further landscaping will assist in softening the built form when viewed from the Paradise Trust property. While the presence of development on this land will result in an adverse effect in terms of views and outlook, the underlying anticipates such development.

Through the imposition of conditions of consent that mitigate effects while combining topography and landscaping to integrate future buildings/roads into the site; it is considered that any effect on Paradise Trust in terms of views and amenity will be less than minor.

#### *Other Parties*

Given the zoning of the land and the anticipated level of development; it is considered that the proposal mitigates any potential effects beyond those which must be anticipated for the site though conditions and landscaping.

In addition the traffic which may be generated to and from the site and which may have an effect on users and neighbours of the road, must also be considered as an anticipated effect.

As such no party is considered adversely affected by the proposal.

### **5.3 DECISION: EFFECTS ON PERSONS (s95B(1))**

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

### **6.0 OVERALL NOTIFICATION DETERMINATION**

Given the decisions made above in sections 4.4 and 5.3 the application is to be processed on a non-notified basis.

### **7.0 S104 ASSESSMENT**

#### **7.1 EFFECTS (s104(1)(a))**

Actual and potential effects on the environment have been outlined in section 4 of this report. Conditions of consent will be imposed under s108 of the RMA as discussed above and as required to avoid, remedy or mitigate adverse effects.

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

Overall it is considered that the relevant objectives and policies relating to the proposal are contained within Part 4 (District Wide), Part 12 (Rural Visitor), Part 14 (Transport) and Part 15 (Subdivision)

## Part 4 District Wide

### *Natural Hazards*

#### **Objective 1**

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

#### **Policies**

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

The subject site has been identified as being susceptible to flooding and also liquefaction. An extensive investigation has therefore been undertaken upon which recommendations were provided from the applicants experts in order to mitigate the relevant hazards. Methods have included raising the building platforms, locating these in less susceptible places and the erection of bunds.

Given the underlying zoning; development is anticipated within the site. As such, not enabling development here is not practicable. However, mitigation measures are proposed to avoid adverse effects. Through the implementation of this mitigation it is considered that the proposal will be consistent with the above objectives and policies.

### *Earthworks*

#### **Objectives**

**To avoid, remedy or mitigate the adverse effects from earthworks on:**

- (a) Water bodies
- (b) The nature and form of existing landscapes and landforms, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.
- (c) Land stability and flood potential of the site and neighbouring properties
- (d) The amenity values of neighbourhoods
- (e) Cultural heritage sites, including waahi tapu and waahi taoka and archaeological sites
- (f) The water quality of the aquifers.

#### **Policies**

1. *To minimise sediment run-off into water bodies from earthworks activities through the adoption of sediment control techniques.*
2. *To avoid the location of earthworks in close proximity to water bodies. Where this cannot be avoided, to ensure that sediment control measures are put in place to minimise sediment run-off.*
3. *To minimise the area of bare soil exposed and the length of time it remains exposed.*
4. *To avoid or mitigate adverse visual effects of earthworks on outstanding natural landscapes and outstanding natural features.*
5. *To avoid earthworks including tracking on steeply sloping sites and land prone to erosion or instability. Where this cannot be avoided, to ensure techniques are adopted that minimise the potential to decrease land stability.*
6. *To protect the existing form and amenity values of residential areas by restricting the magnitude of filling and excavation.*

7. To ensure techniques are adopted to minimise dust and noise effects from earthworks activities.
8. As far as practicable, to protect Waahi Tapu, Waahi Taoka, and other archaeological sites from potential disturbance resulting from earthworks.
9. To notify Kai Tahu ki Otago where earthworks are proposed in areas identified in either the District Plan or the Natural Resource Management Plan as significant to iwi.
10. To notify the NZ Historic Places Trust where proposed earthworks may affect archaeological sites.
11. To ensure that work is suspended and Kai Tahu ki Otago and the NZ Historic Places Trust are notified when archaeological remains are observed or unearthed during earthworks activities.

The level of earthworks proposed is large however through the employment of site management measures, adverse effects in terms of dust and silt runoff can be mitigated. The site is close to Diamond Lake however it is not anticipated that contamination of the waterway will result due to site management measures.

The positioning of roadways and platforms has been undertaken to reduce the need for further earthworks and which take into account the sensitivity of the landscape.

The site has been identified as being a Statutory Acknowledgement Area under the Ngai Tahu Claims Settlement Act 1998 for Oreti River and Pikirakatahi (Mount Earnslaw) Area. As such, there is the potential for archaeological material may be discovered during the works. In order to ensure that a thorough assessment is undertaken if artefacts are discovered an accidental discovery protocol condition shall be imposed. This will ensure that works cease and local iwi are contacted immediately following a discovery.

Given the above, it is considered that the proposal aligns with the above objective and associated policies.

#### Part 12 Rural Visitor Zone

##### **Objectives**

**Provision for the on-going operation of the existing visitor areas recognising their operational needs and avoiding, remedying or mitigating adverse effects on landscape, water quality and natural values. Scope for extension of activities in the Rural Visitor Zones.**

##### **Policies**

- 1 To recognise the existing and proposed visitor and recreation facilities in the rural visitor areas and to provide for their continued operation and expansion.
- 2 To ensure development, existing and new, has regard to the landscape values which surround all the rural visitor areas.
- 3 To ensure expansion of activities occur at a scale, or at a rate, consistent with maintaining the surrounding rural resources and amenities.
- 4 To recognise the heritage values of the Rural Visitor Zones and in particular the buildings at Walter Peak, Cardrona and Arcadia Station.
- 5 To ensure sewage disposal, water supply and refuse disposal services are provided which avoid, remedy or mitigate adverse effects on the water or other environmental qualities, on and off the site.

The proposed location, scale and density of the development complies with the structure plan. The internal roading and landscaping in the area designated open space however does not. In this respect, the proposed realignment of the road will improve access to Diamond Lake while taking into account of the sensitivity of the landscape by wrapping around the land form and ensuring that amenity is maintained. Existing landscaping provides valuable screening for the development while the design guidelines ensure the heritage values for future buildings are recognised. As such it is considered that the proposal is consistent with the above policies.

## Part 14 Transport

### **Objective 2 - Safety and Accessibility**

**Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.**

#### **Policies:**

- 2.1 To maintain and improve safety and accessibility by adopting and applying a road hierarchy with associated design, parking and access standards based on the intended function
- 2.6 To ensure intersections and access ways are designed and located so:
  - good visibility is provided.
  - they can accommodate vehicle manoeuvres.
  - they prevent reverse manoeuvring onto arterial roads; and
  - are separated so as not to adversely affect the free flow of traffic on arterial roads.
- 2.7 To ensure vegetation plantings are sited and/or controlled so as to maintain adequate visibility and clearance at road intersections and property access and to prevent the icing of roads during winter months, except and unless that vegetation is important to the visual amenity of the District or is protected as part of the Heritage Provisions.

The proposed realigned intersection will improve safety along Glenorchy-Paradise Road while creating an alternative access point to Diamond Lake. The change in position will create greater sight distances while vegetation is clear as to not affect visibility. As such, the proposal is in line with the above policies.

### **Objective 3 - Environmental Effects of Transportation**

**Minimal adverse effects on the surrounding environment as a result of road construction and road traffic.**

#### **Policies:**

- 3.1 To protect the amenities of specified areas, particularly residential and pedestrian orientated town centres from the adverse effects of transportation activities.
- 3.2 To support the development of pedestrian and similar links within and between settlements and the surrounding rural areas, in order to improve the amenity of the settlements and their rural environs.
- 3.4 To ensure new roads and vehicle access ways are designed to visually complement the surrounding area and to mitigate visual impact on the landscape.

The internal roads will be gravelled therefore ensuring the rural amenity of the area is maintained. As no pedestrian links have been provided, access to the lake will be via the internal roads. An opportunity however exists to connect the central park with the lots below and enable greater access to the open space and visitor accommodation activity area to the south. A condition of consent therefore has been recommended that a link is formed between Lots 8 and 9 to connect the development. Through the imposition of this condition of consent it is considered that the proposal will fall in line with the above objective and associated policies.

### **Objective 6 - Pedestrian and Cycle Transport**

**Recognise, encourage and provide for the safe movement of cyclists and pedestrians in a pleasant environment within the District.**

#### **Policies**

- 6.1 To develop and support the development of pedestrian and cycling links in both urban and rural areas.
- 6.2 To require the inclusion of safe pedestrian and cycle links where appropriate in new subdivisions and developments.
- 6.3. To provide convenient and safe cycle parking in public areas.

As above, through the creation of a pedestrian linkage, sufficient linkages will be provided for the development that will enable greater connectivity. As such, the proposal will be consistent with the above objectives and policies.

Overall the proposal is considered to be consistent with the objectives and policies of the Part 14 Transport.

#### Part 15 Subdivision

##### **Objective 1 – Servicing**

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

The policies under this objective seek to integrate the existing road network in an efficient manner, and to ensure that the water and wastewater services are provided in a manner that maintains public health.

QLDC Engineers have assessed the proposed roading and are satisfied that the proposed road realignment is positive as it will improve safety in accessing Diamond Lake will providing for future growth. All water and wastewater is to be adequately provided for and conditions of consent have been subsequently recommended. Through the imposition of condition of consent, the development can be adequately serviced therefore the proposal is in line with the above objective.

##### **Objective 4 – Outstanding Natural Features, Landscape and Nature Conservation Values**

***The recognition and protection of outstanding natural features, landscapes and nature conservation values.***

###### **Policies:**

- 4.1 To take the opportunity to protect outstanding natural landscapes and features, nature conservation values and ecosystems through the subdivision process.
- 4.2 To ensure works associated with land subdivision and development avoid or mitigate the adverse effects on the natural character and qualities of the environment and on areas of significant conservation value.
- 4.3 To avoid any adverse effects on the landscape and visual amenity values, as a direct result of land subdivision and development.

The zoning of the land anticipates the development as proposed given the density allowed and the structure plan approved. The development proposed generally falls in line with this anticipated development while through careful design and landscaping; adverse effects on amenity values are mitigated. While amenity values are mitigated to some degree, this development will still result a diminishment of the outstanding natural landscape and conservation values. As such, it is considered that the proposal does not sit comfortably with policies 4.1, 4.2 and 4.3.

##### **Objective 5 – Amenity Protection**

***The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.***

###### **Policies:**

- 5.1 To ensure lot sizes and dimensions to provide for the efficient and pleasant functioning of their anticipated land uses, and reflect the levels of open space and density of built development anticipated in each area.
- 5.2 To ensure subdivision patterns and the location, size and dimensions of lots in rural areas will not lead to a pattern of land uses, which will adversely affect landscape, visual, cultural and other amenity values.
- 5.3 To encourage innovative subdivision design, consistent with the maintenance of amenity values, safe, efficient operation of the subdivision and its services.

As discussed above, the density of the allotments is consistent with the zoning and structure plan however landscaping and roading is not. The roading proposed however is considered more efficient and result in less environmental effects as it follows the topography of the site therefore this deviation from the structure plan will be small.

The riparian planting while not complying with the structure plan contributes positively to the open space area as it makes the water course a water feature and improves the amenity of the locality. The amenity trees and park feature trees however are inconsistent with species in the surrounding environment and are more representative of rural residential living. The landscape advice is that this creates adverse effects on the character and amenity of the site. To mitigate this effect, a condition of consent is recommended that an amended landscape plan be submitted with an alternative species that utilise existing vegetation as a foundation for landscaping about the site.

The central park will provide for cultural meeting areas amongst the lots while also providing for a range in recreation activities. A pedestrian linkage is recommended that connects this park and insects Lot 8 and 9 and traverses down to Diamond Lake. This link is considered to contribute to an improved amenity in the area. Overall it is considered that the proposal is consistent with the above policies and objectives.

*5.4 To encourage the protection of significant trees or areas of vegetation, upon the subdivision of land.*

As the landscape plan submitted is unclear as to what existing vegetation is to be retained, a condition of consent will be imposed requiring an amended landscape plan be submitted. Through the imposition of this condition, the proposal will be in line with the above policy.

*5.5 To minimise the effects of subdivision and development on the safe and efficient functioning of services and roads.*

The road realignment will improve safety within the area while providing for future growth. Council engineers have assessed the proposed development and impact on the surrounding roading network and have determined, given the underlying zoning; adverse effects on the road network will be small. As such, the proposal is consistent with the above policy.

*5.6 To encourage the identification of archaeological sites and sites of cultural significance.*

Conditions of consent are recommended in case a discovery of archaeological material occurs. Through the imposition of this condition of consent, the relevant iwi and Historic Places Trust will be informed and work shall cease until such time as an assessment has been made. As such, the proposal would fall in line with the above policy.

Overall it is considered that the proposal is consistent with the policies and objectives of Part 15 Subdivision and the other relevant parts and the District Plan.

### **7.3 PART 2 OF THE RMA**

Part 2 of the Resource Management Act outlines the purpose of the act is to promote the sustainable management of natural and physical resources. The proposed development ensures an efficient use of space by utilising land zoned for development opportunities to create new residential allotments for residential living opportunities. The subdivision layout takes into account the sensitivity of the landscape by mitigating adverse effects through site management measures, location and design and landscaping that in turn ensures that amenity values are maintained. As the development generally falls within standards set by the zoning of the land and adverse effects are mitigated through the imposition of conditions of consent, the development is considered to represent a sustainable use and therefore promotes the sustainable management purpose of Part 2 of the RMA.

#### *Conclusion*

Overall, with the imposition of appropriate conditions of consent as discussed above, the proposal is aligned with the relevant objectives and policies of the District Plan, and the relevant provisions of the Resource Management Act 1991. In this respect, it is considered that it is appropriate to grant the consent with conditions imposed under s108 of the Act.

#### **7.4 DECISION A SUBDIVISION PURSUANT TO SECTION 104 OF THE RMA**

Consent is **granted** to undertake subdivision subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 and Section 220 of the Act.

#### **7.5 DECISION B VARIATION PURSUANT TO SECTION 127 OF THE RMA**

Consent is **granted** to vary Conditions 1 & 3 of resource consent RM110010 pursuant to Section 127 of the RMA, such that:

- 1 Condition 1 & 3 of resource consent RM110011 is amended to read as follows (deleted text struck-through, added text underlined and in Bold):
  1. That the development must be undertaken/carried out in accordance with the plans drawn by Baxter Design Group – Arcadia Rural Visitor Zone Structure Plan, Ref: 1540 Paradise Veint Structure Plan 10 Nov 2010 (as approved 2 May 2011) the Structure Plan Design Guidelines received 29 March 2011 **with the exception of the roading and landscaping approved by RM130799** and the application as submitted, with the exception of the amendments required by the following conditions of consent.
  3. At the time this consent is given effect to the consent holder shall register a covenant on the Computer Freehold Register requiring future development to be undertaken in accordance with the Structure Plan, the Structure Plan Design Guidelines and the resource consent granted referenced RM110010 received 29 March 2011 and submitted with resource consent RM110010 **with the exception of the roading and landscaping approved by RM130799**.

##### Advice note

- All other conditions of RM110011 shall continue to apply.

#### **8.0 OTHER MATTERS**

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

This proposal will generate a demand for network infrastructure, transportation and reserves and community facilities.

In granting this resource consent, pursuant to Part 8 Subpart 5 and Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004) the Council has identified that a Development Contribution is required.

An invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to application under the Resource Management Act for certification pursuant to section 224(c). Pursuant to Section 208 of the Local Government Act 2002 the Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 if the required Development Contribution has not been paid.

##### *Administrative Matters*

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent found in Appendix 1. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

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

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

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Nathan Keenan on phone (03) 4500362 or email [nathan.keenan@qldc.govt.nz](mailto:nathan.keenan@qldc.govt.nz).

Prepared by



Nathan Keenan  
**PLANNER**

Reviewed by



Paula Costello  
**SENIOR PLANNER**

Appendix 1 – Consent Conditions

## **APPENDIX 1 – CONSENT CONDITIONS**

### **General Conditions**

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

- ‘Lots 1 to 13, 100 to 103, 200 and 202 Being a proposed subdivision of Lots 1 & 2 DP409271 and Lot 11 DP25326 by Aurum Survey Dwg 3533.4R.2A’
- ‘Lots 1 to 13, 100 to 103, 200 and 202 Being a proposed subdivision of Lots 1 & 2 DP409271 and Lot 11 DP25326 by Aurum Survey Dwg 3533.4R.1D’
- ‘Proposed Subdivision Earthworks & Roading Arcadia Station Paradise by Aurum Survey 3533.3R1D’.
- ‘Proposed Subdivision Earthworks Depths Arcadia Station Paradise by Aurum Survey Dwg 3533.3R.5C’
- ‘Proposed Subdivision Arcadia Station Paradise by Aurum Survey Dwg 3533.2R.1F’
- ‘Site Management Plan Arcadia Station Subdivision, Glenorchy dated December 2013’
- plan description and reference’
- ‘Longsection Arcadia Station Paradise by Aurum Survey Dwg 3533.3R.2A’
- ‘Longsection Arcadia Station Paradise by Aurum Survey Dwg 3533.3R.3A’
- ‘Longsection Arcadia Station Paradise by Aurum Survey Dwg 3533.3R.4B’
- ‘Arcadia Station Structural Landscape Layout Plan’

**stamped as approved on 5 February 2014**

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

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

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

4. Prior to the commencement of works on site, the proposed Structural Landscape Layout Plan is to be amended and resubmitted to Council for certification. This plan is to incorporate the following changes;
  - a) Tree species are to be specified and are to utilise mountain beech and smaller exotic species more in keeping with the existing vegetation on site.
  - b) All existing vegetation to be retained is to be clearly identified on the plan and this is to form the majority of the tree and shrub vegetation on site.
  - c) A pedestrian walkway shall be shown between Lots 8 and 9 linking the central park area to the visitor accommodation activity area to the south.
  - d) Amenity trees located in proposed Lots 4, 5, 6 and 100 shall largely be relocated outside of open space.
  - e) All feature trees and formal park trees are to be removed

Once certified the plan shall be implemented within the next available planting season and the planting maintained as necessary. Should any plant die or become diseased it shall be replaced within the next available planting season.

5. Prior to the commencement of any works on site, the consent holder shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the infrastructure engineering works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under NZS4404:2004 “Land Development and Subdivision Engineering”.

6. At least 5 working days prior to commencing work on site the consent holder shall advise the Principal Resource Management Engineer at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Condition (9) below shall be demonstrated.
7. Prior to commencing works on site, the consent holder shall obtain and implement an approved traffic management plan from Council if any parking or traffic will be disrupted, inconvenienced or delayed, and/or if temporary safety barriers are to be installed.
8. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management 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 Hadley Consultants Ltd report (dated November 2013) and who shall supervise the earthworks to raise the building platform on Lot 4 and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
9. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management 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) Provision of a minimum supply of 2,100 litres per day of potable water to the building platforms on Lots 1-12 that complies with/can be treated to comply with the New Zealand Drinking Water Standard.
  - b) The provision of secondary flow paths to contain overland flows in a 1 in 100 year event so that there is no inundation of any buildable areas on Lots 1-12, and no increase in run-off onto land beyond the site from the pre-development situation.
  - c) The formation of all roads within Lots 200 and 202, and right of ways in accordance with Council's standards. This shall include the provision for stormwater disposal.
  - d) The formation of an intersection with Glenorchy-Paradise Road, in accordance with Diagram 3 of Appendix 7 of the QLDC District Plan, or as agreed at the time of engineering design review.
  - e) 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 and Water). The certificates shall be in the format of the NZS4404 Schedule 1A Certificate.

***To be completed prior to the commencement of earthworks***

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

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

- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
  - (i) stop work within the immediate vicinity of the discovery or disturbance and;
  - (ii) advise Council, the New Zealand Historic Places Trust and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the Historic Places Act 1993 and;
  - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

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

- 12. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved.
  - b) A pedestrian easement shall be shown between Lot 8 and 9 extending from Lot 101 to Right of Way E
  - c) Covenant areas relating to specific foundation design areas for Lots 8-11 shall be shown on the approved survey plan as per the Aurum Survey 'Lots 1 to 13, 100 to 103, 200 and 202 Being A Proposed Subdivision of Lots 1 & 2 DP 409271 and Lot 11 DP 25326' dwg 3533.4R.1D dated 9 October 2013.
  - d) Covenant areas relating to the Building Platforms areas shall be shown on the approved survey plan as per the Aurum Survey 'Lots 1 to 13, 100 to 103, 200 and 202 Being A Proposed Subdivision of Lots 1 & 2 DP 409271 and Lot 11 DP 25326' dwg 3533.4R.1D dated 9 October 2013.
  - e) That the Title Plan shall show Lot 11 hereon and Lot 2 Deposited Plan 409271 are to be held in the same Computer Freehold Register (CSN request number to be confirmed)
  - f) That the Title Plan shall show Lot 100 and Lot 13 hereon are to be held in the same Computer Freehold Register (CSN number to be confirmed).
  - g) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

[Note: the road naming application should be submitted to the Technical Officer: Infrastructure and Assets and should be lodged prior to the application for the section 223 certificate]

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

- 13. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
  - a) The consent holder shall provide "as-built" plans and information required to detail all engineering works completed in relation to or in association with this

subdivision/development to the Principal Resource Management Engineer at Council. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots) and Water reticulation (including private laterals and toby positions).

- b) A digital plan showing the location of all building platforms as shown on the survey plan shall be submitted to the Principal Resource Management Engineer at Council. This plan shall be in terms of New Zealand Transverse Mercator 2000 coordinate system (NZTM2000), NZGDM 2000 datum.
- c) The completion and implementation of all certified works detailed in Condition (9) above.
- d) The existing level of the building platform on Lot 4 is to be raised by 1m from existing ground level. The consent holder shall provide certification to the Principal Resource Management Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the building platform on Lot 4. Note this will require supervision of the fill compaction by an inspecting engineer (as named in condition (8)) as defined in section 3.1 NZS4431:1989 (amendment 1 July 1992).
- e) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the building platform on Lots 1-11 and boundary of Lot 12 and that all the network supplier's requirements for making such means of supply available have been met.
- f) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the building platform on Lots 1-11 and boundary of Lot 12 and that all the network supplier's requirements for making such means of supply available have been met.
- g) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of the water supply scheme and facilities associated with the development (i.e. flood protection bunds, stormwater channels and communal recreation areas).
- h) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (5) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads and Water. The certificates shall be in the format of a Producer Statement, or the NZS4404 Schedule 1B and 1C Certificate.
- i) 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.
- j) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- k) All exposed earthworked areas shall be top-soiled and revegetated.
- l) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- m) All planting identified on the certified Structural Landscape Layout Plan is to be completed.
- n) The Site Management Plan prepared by Glenn Davis Consulting regarding the management of access to current and historic offal pits and farm landfills shall be implemented.
- o) A covenant shall be registered on the Computer Freehold Register requiring future development to be undertaken in accordance with the Structure Plan, the Structure Plan Design Guidelines and the resource consent granted referenced RM110010 received 29

March 2011 and submitted with resource consent RM110010 with the exception of the roading and landscaping approved by RM130799

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

- a) All lot owners are required to be part of the management entity as required by Condition (13g) of RM130799. This management entity shall be established and maintained at all times and ensure maintenance of all water infrastructure and facilities associated with the development.
- b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
- c) All future buildings shall be contained within the Building Platform shown as Area X on Deposited Plan XXXXX.
- d) The maximum height for all buildings contained within residential building platforms shall be 6 metres above existing ground level.
- e) All future structures located within Area X 'specific design area' located on Lots 8-11 as shown on Deposited Plan XXXXX shall be subject to specific foundation design by a Chartered Professional Engineer.
- f) The building platform on Lot 4 has been raised above surrounding ground to reduce flood risk. The finished level of this platform shall not be lowered.
- g) The building platforms on Lots 1-12 are located on loess soils. Investigations have revealed that these soils do not meet the requirements to be defined as 'good ground' in terms of NZS3604 (New Zealand Building Code) due to the ultimate bearing pressure being less than 300 kPa. The foundations of all buildings on each building platform, shall be designed, supervised during construction and certified by a suitably qualified and experienced engineer.
- h) At the time a dwelling/building is constructed on Lots 1 – 12 the lot owner shall an access complies with the guidelines provided for in Council's development standard NZS 4404:2004 with amendments as adopted by the Council in October 2005. The access shall have a minimum formation standard of 150mm compacted AP40 with a 3.5m minimum carriageway width. Provision shall be made for stormwater disposal from the carriageway.
- i) At the time a dwelling/commercial building is erected on Lot 1-12, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an on-site effluent disposal system in compliance with AS/NZS 1547:2012. The design shall be a secondary system and shall take into account the site and soils investigation report and recommendations by Hadley Consultants Ltd, dated 26/09/2013. The proposed wastewater system shall be subject to the review of the Principal Resource Management Engineer at Council prior to implementation and shall be installed prior to occupation of the dwelling/building.
- j) At the time that a dwelling/commercial building is erected on Lots 1-12, the owner for the time being is to treat the domestic water supply by filtration and disinfection so that it complies with the Drinking Water Standards for New Zealand 2005.
- k) At the time a commercial building is erected on Lot 12, the lot owner shall provide Fire Fighting Assessment undertaken by a suitably qualified Fire Engineer to determine the volume of water to be maintained at all times as a static fire fighting reserve necessary for the commercial building. The assessment shall be provided to the Principal Resource Consent Engineer at Council for review prior to the commercial building being constructed.

- I) At the time a residential dwelling is erected on Lots 1-12, 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 (or superseding standard) is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on the site. Where pressure at the connection point/coupling is less than 100kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than 100kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3), a 70mm Instantaneous Coupling (Female) complying with NZS 4505, is to be provided. Flooded and suction sources must be capable of providing a flow rate of 25 litres/sec at the connection point/coupling. The reserve capacities and flow rates stipulated above are relevant only for single family dwellings. In the event that the proposed dwellings provide for more than single family occupation then the consent holder should consult with 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 Central North Otago Area Manager is obtained for the proposed method.

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

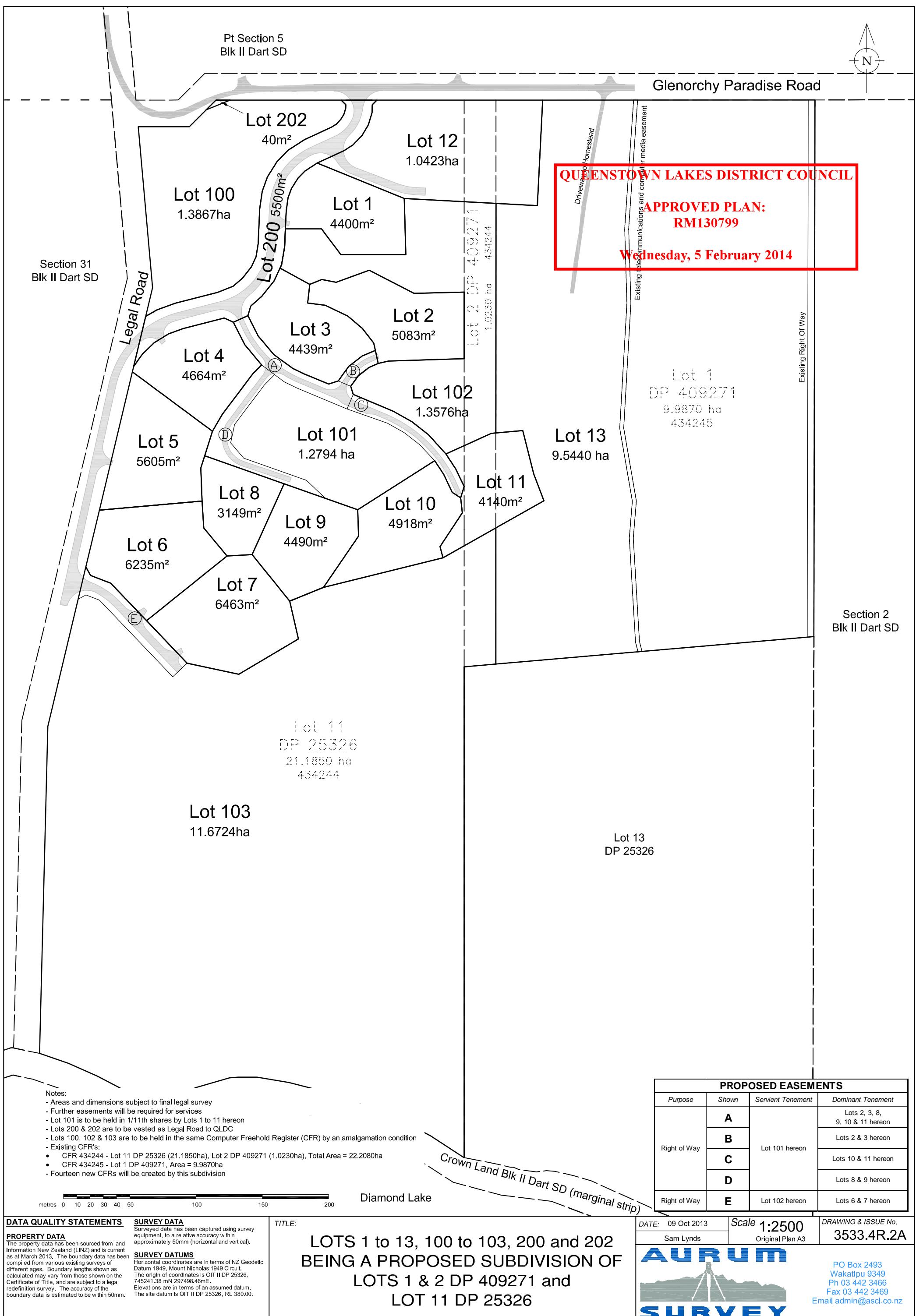
**Advice Note:** The New Zealand Fire Service considers that often the best method to achieve compliance with SNZ PAS 4509:2008 is through the installation of a home sprinkler system in accordance with Fire Systems for Houses SNZ 4517:2010, in each new dwelling. Given that the proposed dwelling is approximately 25km 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 a new dwelling.

- m) All planting on the approved Structural Landscape Plan shall be maintained. Should any plant die or become diseased it shall be replaced in the next available planting season.
- n) Areas identified as open space shall be maintained in pastoral grass, by either grazing and/or mowing

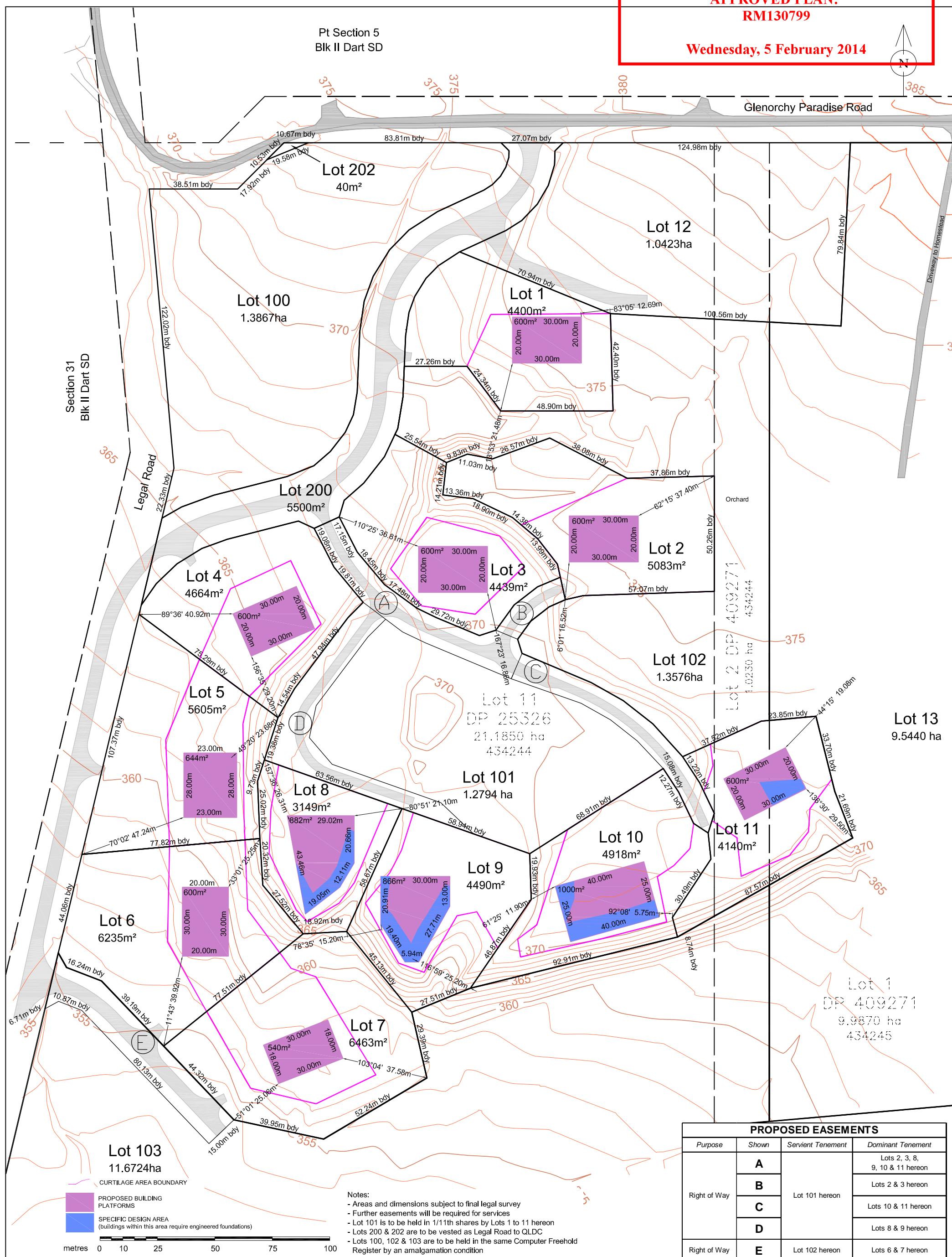
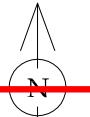
- o) The fencing around the offal pits and farm landfills as detailed in the Site Management Plan prepared by Glenn Davis shall be maintained in perpetuity.

**Advice Note:**

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



Wednesday, 5 February 2014

**DATA QUALITY STATEMENTS****PROPERTY DATA**

The property data has been sourced from land Information New Zealand (LINZ) and is current as at March 2013. The boundary data has been compiled from various existing surveys of different ages. Boundary lengths shown as calculated may vary from those shown on the Certificate of Title, and are subject to a legal redefinition survey. The accuracy of the boundary data is estimated to be within 50mm.

**SURVEY DATA**

Surveyed data has been captured using survey equipment, to a relative accuracy within approximately 50mm (horizontal and vertical).

**SURVEY DATUMS**

Horizontal coordinates are in terms of NZ Geodetic Datum 1949, Mount Nicholas 1949 Circuit. The origin of coordinates is OIT II DP 25326, 745241.38 mN 297498.46mE. Elevations are in terms of an assumed datum. The site datum is OIT II DP 25326, RL 380.00. Contour Interval is 1.0m. Contours are pre-development.

**TITLE:**

**LOTS 1 to 13, 100 to 103, 200 and 202  
BEING A PROPOSED SUBDIVISION OF  
LOTS 1 & 2 DP 409271 and  
LOT 11 DP 25326**

DATE: 09 Oct 2013

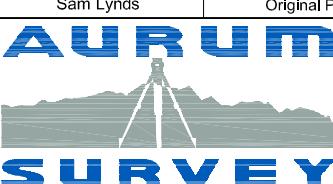
Sam Lynds

Scale 1:1500

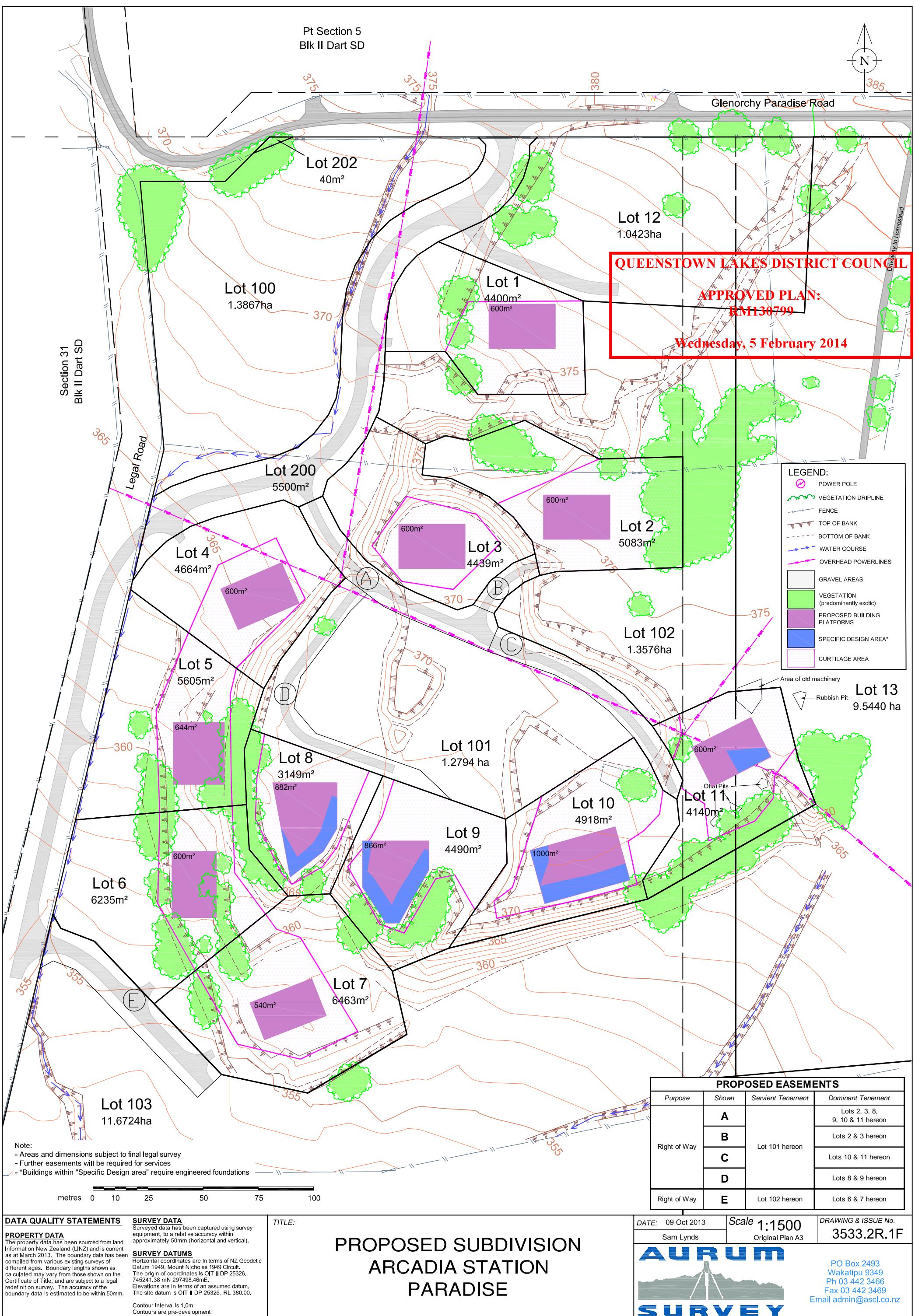
Original Plan A3

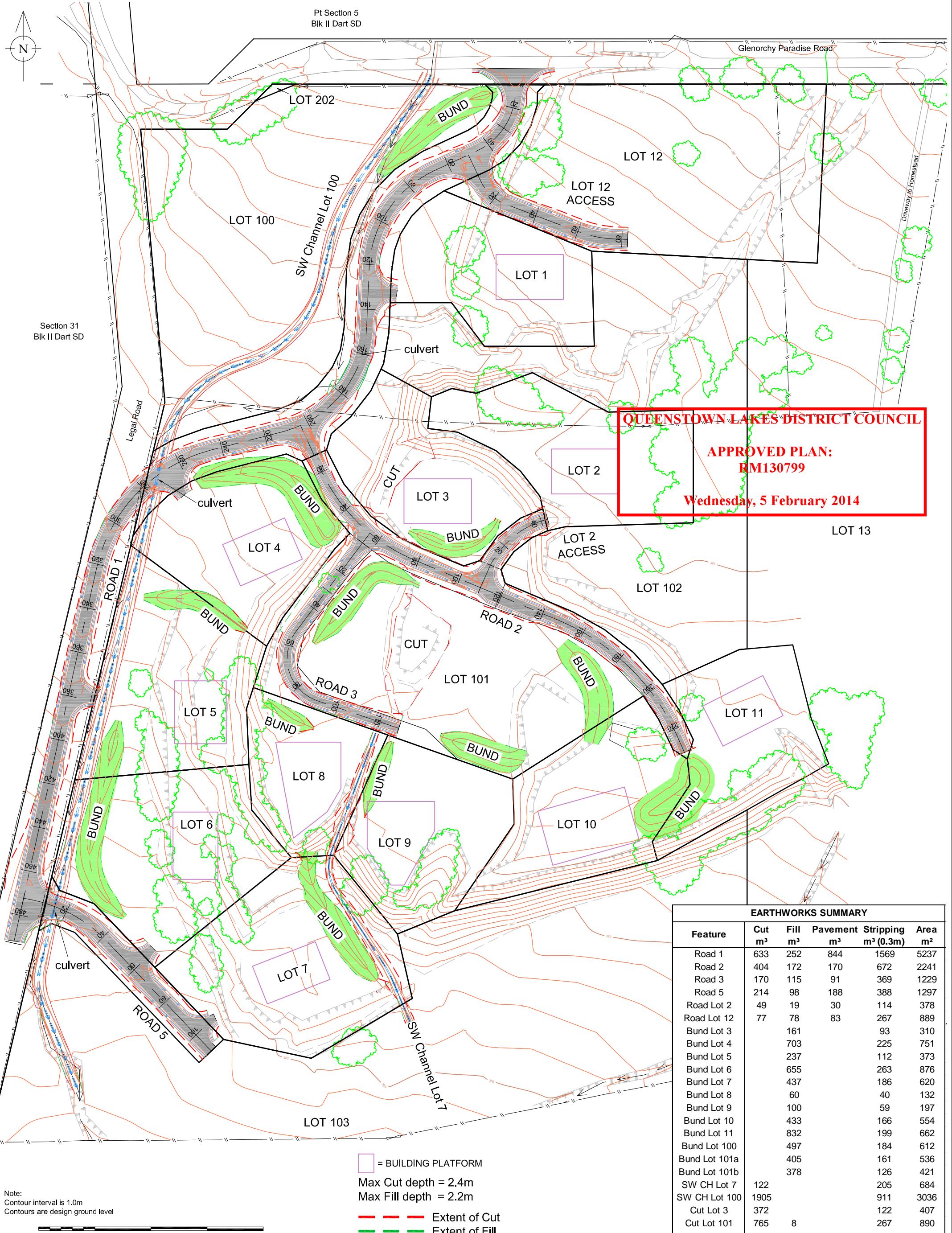
DRAWING &amp; ISSUE No.

3533.4R.1D



PO Box 2493  
Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469  
Email admin@ascl.co.nz





D	22.01.14	Lot labels updated	SML
C	31.10.13	Earthworks updated	SML
B	09.10.13	Volumes and design updated	SML
A	30.05.13	Initial Issue	JDR
REV.	DATE:	REVISION DETAILS:	BY:

**WARNING NOTE:**  
This plan has been prepared for the client from field survey and existing records as instructed. It is to be read in conjunction with our terms of engagement. It should not be used by the client company for any other purpose. The plan is not to be relied on by any other person for any purpose whatsoever.

**TITLE:**

### PROPOSED SUBDIVISION EARTHWORKS & ROADING ARCADIA STATION PARADISE

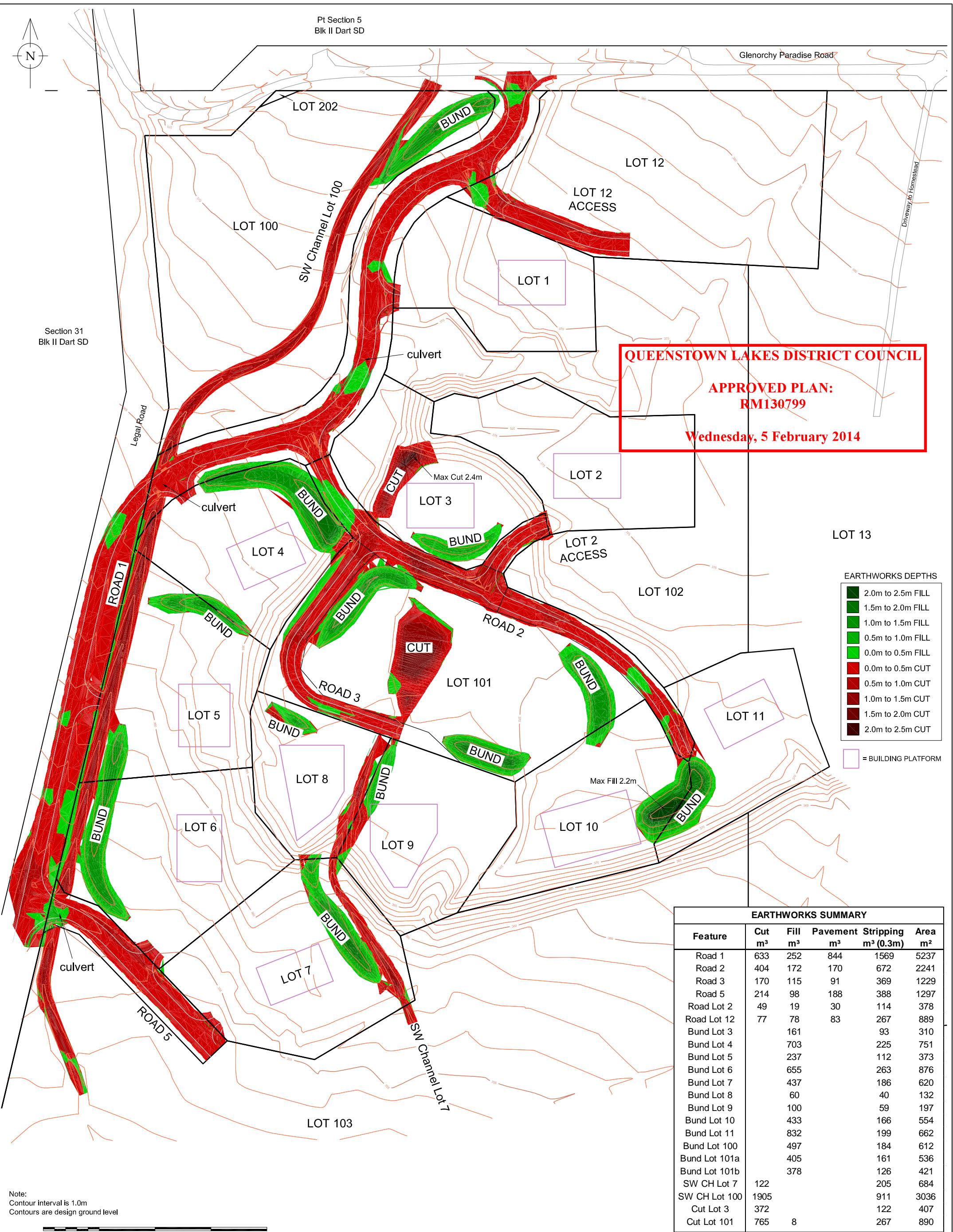
**DATE:** 30 May 2013 **Scale:** 1:1500 **DRAWING & ISSUE No.**  
**BY:** Jason Rhind **Original Plan A3** **3533.3R.1D**



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Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469

Email admin@ascl.co.nz



C	22.01.14	Lot labels updated	SML
B	31.10.13	Earthworks updated	SML
A	30.05.13	Initial Issue	SML
REV.	DATE:	REVISION DETAILS:	BY:

**WARNING NOTE:**  
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**TITLE:**

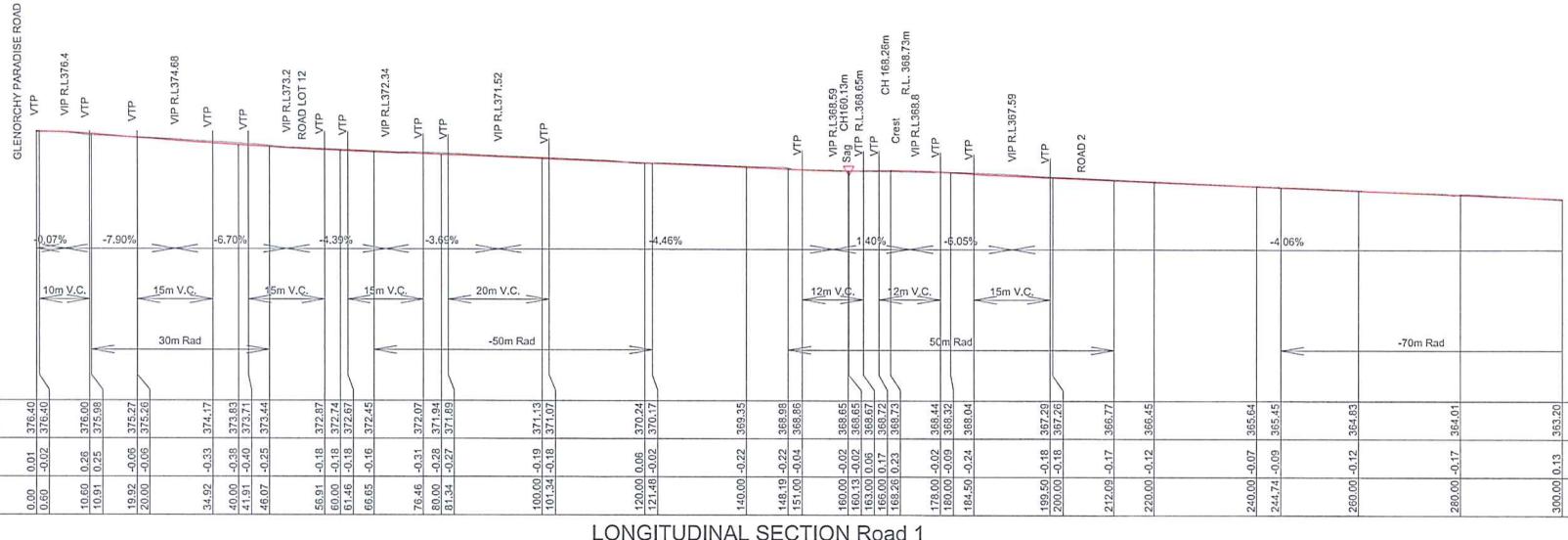
**PROPOSED SUBDIVISION  
EARTHWORKS DEPTHS  
ARCADIA STATION  
PARADISE**

DATE: 19 Oct 2013 Scale 1:1500 DRAWING & ISSUE No.  
BY: Sam Lynds Original Plan A3 3533.R3.C5

**AURUM SURVEY**  
PO Box 2493  
Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469  
Email admin@ascl.co.nz

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DATUM 323.00  
DESIGN LEVELS ON  
ROAD CENTRELINE  
CUT (Negative)  
FILL (Positive)  
CHAINAGE



## LONGITUDINAL SECTION Road 1

Horizontal scale 1:1000  
Vertical scale 1:1000

QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:  
RM130799**

**Wednesday, 5 February 2014**

**DESIGN GRADELINE**

**VERTICAL GEOMETRY**

**HORIZONTAL GEOMETRY**

---

**DATUM 315.00**

---

**DESIGN LEVELS ON**

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**ROAD CENTRELINE**

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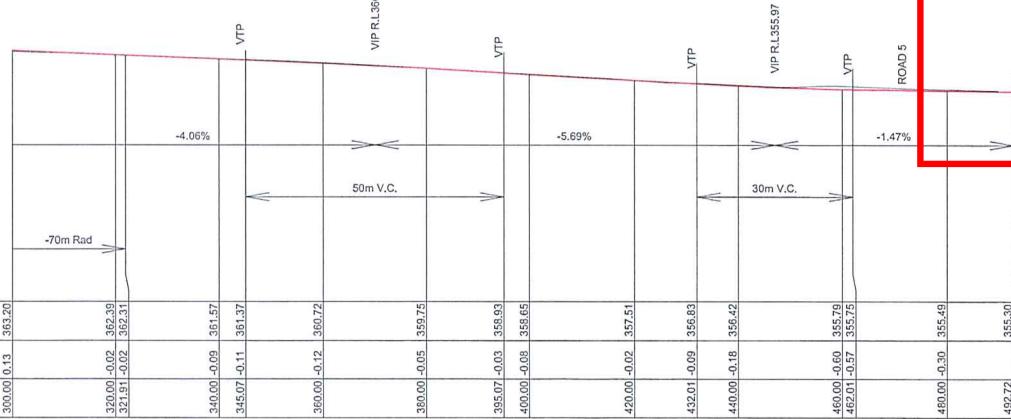
**CUT (Negative)**

---

**FILL (Positive)**

---

**CHAINAGE**



## LONGITUDINAL SECTION Road 1

Horizontal scale 1:1000  
Vertical scale 1:1000

## LEGEND

## NOTES

- No work to commence without engineers approval
  - All work to be in accordance with Queenstown Lakes District Council standards & NZS 4404
  - Contractor is responsible for identifying and protecting all existing services both above and below ground.

A person/company using Aurum Survey Consultants drawings and other data accepts the risk of:  
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A	09.10.13	Initial Issue	SM
REV. DATE:	REVISION DETAILS:		BN

**WARNING NOTE:**  
This plan has been prepared for J & R Velnt from field survey and existing records for the purpose of a proposed subdivision on the land. It is to be read in conjunction with our terms of engagement. It should not be used by the client company for any other purpose. The plan is not to be relied on by any other person for any purpose whatsoever.

TITLE

LONGSECTION  
ARCADIA STATION  
PARADISE

9th October 2012 Scale 1:1000 Vt DRAWING & ISSUE No.  
Sam Lunde 1:1000 Hz 3533 3B 2A



PO Box 2493  
Wakatipu 9349  
Ph 03 442 3466  
Fax 03 442 3469  
Email [admin@ascl.co.nz](mailto:admin@ascl.co.nz)

## DESIGN GRADELINE

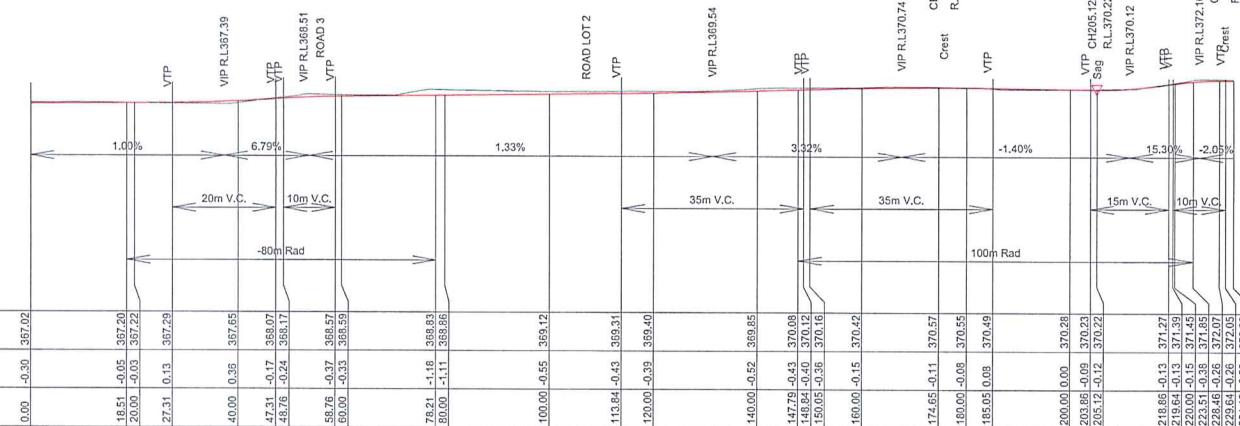
## VERTICAL GEOMETRY

## HORIZONTAL GEOMETRY

DATUM 327.00

DESIGN LEVELS ON  
ROAD CENTRELINE  
CUT (Negative)  
FILL (Positive)

CHAINAGE



LONGITUDINAL SECTION Road 2

Horizontal scale 1:1000

Vertical scale 1:1000

## DESIGN GRADELINE

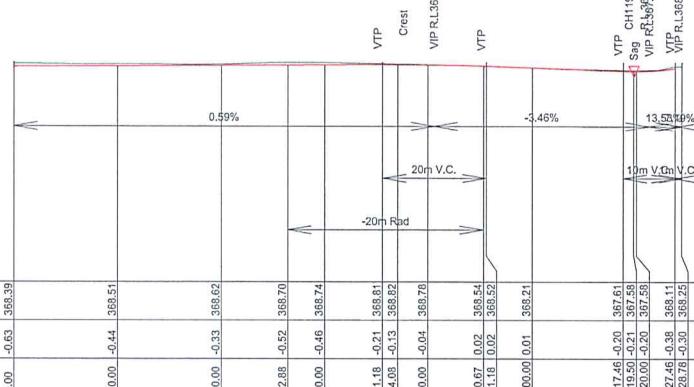
## VERTICAL GEOMETRY

## HORIZONTAL GEOMETRY

DATUM 327.00

DESIGN LEVELS ON  
ROAD CENTRELINE  
CUT (Negative)  
FILL (Positive)

CHAINAGE



LONGITUDINAL SECTION Road 3

Horizontal scale 1:1000

Vertical scale 1:1000

## DESIGN GRADELINE

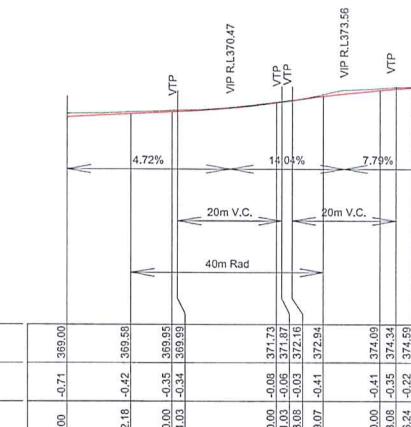
## VERTICAL GEOMETRY

## HORIZONTAL GEOMETRY

DATUM 329.00

DESIGN LEVELS ON  
ROAD CENTRELINE  
CUT (Negative)  
FILL (Positive)

CHAINAGE



LONGITUDINAL SECTION Road Lot 2

Horizontal scale 1:1000

Vertical scale 1:1000

**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM130799**

**Wednesday, 5 February 2014**

**TITLE:** LONGSECTION  
ARCADIA STATION  
PARADISE

**WARNING NOTE:**  
This plan has been prepared for J & R Vaist from field survey and existing records for the purpose of a proposed subdivision on the land shown. It is to be used only for the purposes of engineering, construction, or surveying the land shown, and may not be used for any other purpose. The plan is not to be relied on.

**A:** 09.10.13 **Initial Issue** **SML:** **BY:**

**REV:** **DATE:** **REVISION DETAILS:** **BY:**

9th October 2012 **Scale:** 1:1000 Vt  
1:1000 Hz **DRAWING & ISSUE No.:**  
Sam Lynds Original Plan A3 3533.3R.3A



PO Box 2493  
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Ph 03 442 3466  
Fax 03 442 3469  
Email admin@ascl.co.nz

NOTES:

- No work to commence without engineers approval
- All work to be in accordance with Queenstown Lakes District Council standards & Nzs 4400
- Contractor is responsible for identifying and protecting all existing services both above and below ground

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## DESIGN GRADELINE

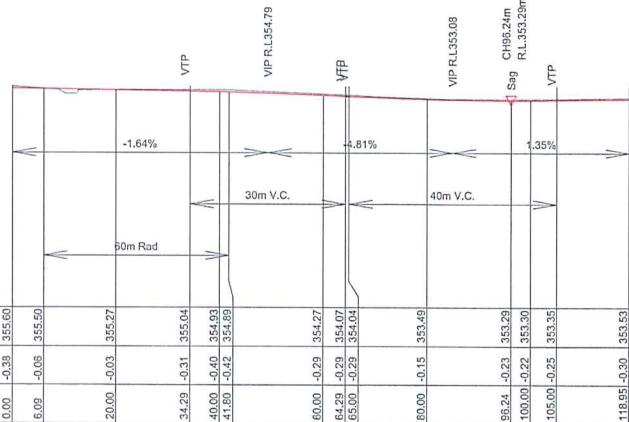
## VERTICAL GEOMETRY

## HORIZONTAL GEOMETRY

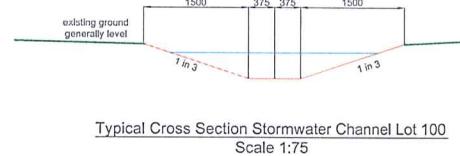
## DATUM 313.00

DESIGN LEVELS ON  
ROAD CENTRELINE  
CUT (Negative)  
FILL (Positive)

## CHAINAGE



Typical Cross Section stormwater Channel Lot 7  
Scale 1:75



## DESIGN GRADELINE

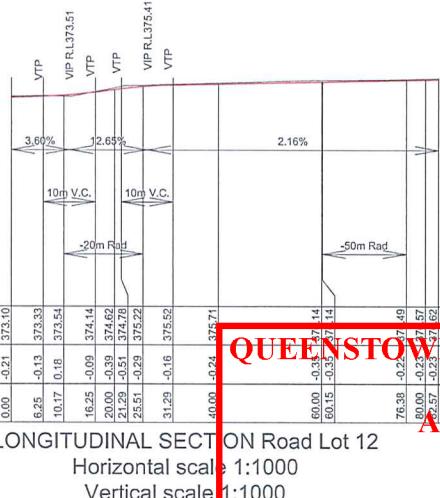
## VERTICAL GEOMETRY

## HORIZONTAL GEOMETRY

## DATUM 333.00

DESIGN LEVELS ON  
ROAD CENTRELINE  
CUT (Negative)  
FILL (Positive)

## CHAINAGE



**QUEENSTOWN LAKES DISTRICT COUNCIL**

**APPROVED PLAN:  
RM130799**

**Wednesday, 5 February 2014**

## NOTES:

- No work to commence without engineers approval
- All work to be in accordance with Queenstown Lakes District Council standards & NZS 4404
- Contractor is responsible for identifying and protecting all existing services both above and below ground



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B	21.10.13	Stormwater channel sections added	SML
A	09.10.13	Initial Issue	SML
REV DATE:	REVISION DETAILS:	BY:	

**WARNING NOTE:**  
This plan has been prepared for J & R Voint Farm field survey and existing records for the purpose of a proposed subdivision on the land. It is to be read in conjunction with our terms of engagement. It should not be used by the client company for any other purpose. The plan is not to be relied on by any other person for any purpose whatsoever.

## TITLE:

**LONGSECTION  
ARCADIA STATION  
PARADISE**

**DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL**  
**RESOURCE MANAGEMENT ACT 1991**

<b>Applicant:</b>	J Veint
<b>RM reference:</b>	RM110010
<b>Location:</b>	Glenorchy-Paradise Road, Glenorchy Rural
<b>Proposal:</b>	An application to establish a Structure Plan for Arcadia Station.
<b>Type of Consent:</b>	Land Use
<b>Legal Description:</b>	Lot 2 Deposited Plan 409271 and Lot 11 Deposited Plan 25326 held in Computer Freehold Register 434244 Otago; Lot 1 Deposited Plan 409271 held in Computer Freehold Register 434245 Otago; Lot 13 Deposited 25326 held in Computer Freehold Register OT17B/743 Otago; and Section 1-2 Block II Dart Survey District held in Computer Freehold Register OT7D/1300 Otago.
<b>Valuation Number:</b>	2911132002
<b>Zoning:</b>	Rural Visitor
<b>Activity Status:</b>	<b>Controlled Activity</b>
<b>Notification:</b>	Non-notified
<b>Commissioner:</b>	Commissioner Sinclair
<b>Date Issued:</b>	11 May 2011
<b>Decision:</b>	<b>Granted with conditions</b>

This is an application for resource consent under Section 88 of the Resource Management Act 1991 to establish a Structure Plan for Arcadia Station. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 10 May 2011. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

Under the District Plan the site is zoned Rural Visitor and the proposed activity requires:

- A **controlled** activity resource consent pursuant to Rule 12.4.3.2(i) Structure Plan whereby each structure plan within the Rural Visitor Zone must show the locations where activities are to be undertaken, landscaping, open space and details of density of development.

Overall, the application is considered to be a **controlled** activity.

### **Notification Determination**

The application was considered on a non-notified basis in terms of Section 95A and 95B whereby the consent authority was satisfied that the adverse effects of the activity on the environment are not likely to be more than minor and whereby no persons or order holders were, in the opinion of the consent authority, considered to be adversely affected by the activity.

### **Decision**

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

#### General Conditions

1. That the development must be undertaken/carried out in accordance with the plans drawn by Baxter Design Group – Arcadia Rural Visitor Zone Structure Plan, Ref: 1540 Paradise Veint Structure Plan 10 Nov 2010 (**as approved 2 May 2011**) the Structure Plan Design Guidelines received 29 March 2011 and the application as submitted, with the exception of the amendments required by the following conditions of consent.
2. 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.
3. At the time this consent is given effect to the consent holder shall register a covenant on the Computer Freehold Register requiring future development to be undertaken in accordance with the Structure Plan, the Structure Plan Design Guidelines and the resource consent granted referenced RM110010 received 29 March 2011 and submitted with resource consent RM110010.

### **Reasons for the Decision**

#### Proposal

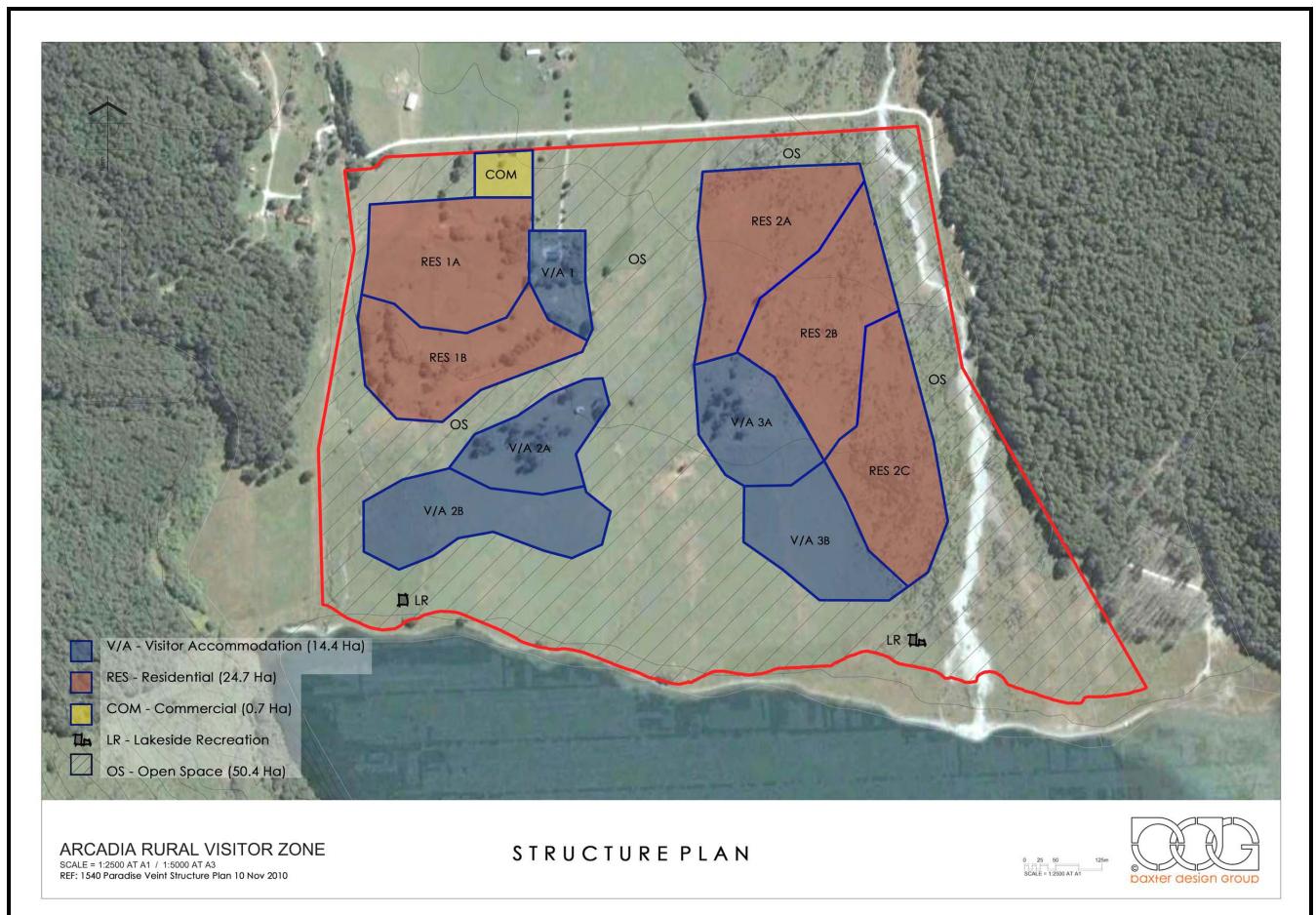
The applicant seeks to establish a Structure Plan for Arcadia Station. It is intended that the Structure Plan will provide a framework to guide future land use development by defining future development areas, landscaping restrictions, density of development and open space, while protecting and enhancing key features of the site.

The Structure Plan encompasses 11 development areas as follows:

- Residential 1A (Res 1A);
- Residential 1B (Res 1B);
- Residential 2 (Res 2A, B and C);
- Visitor Accommodation Area 1 (Arcadia Homestead);
- Visitor Accommodation Area 2A (V/A2A);

- Visitor Accommodation Area 2B (V/A2B);
- Visitor Accommodation Area 3A (V/A3A);
- Visitor Accommodation Area 3B (V/A3B);
- Commercial Area (COM);
- Open Space (OS); and
- Lakeside Recreation (LR).

These development areas are illustrated on the Structure Plan below.



**Figure 1 Structure Plan**

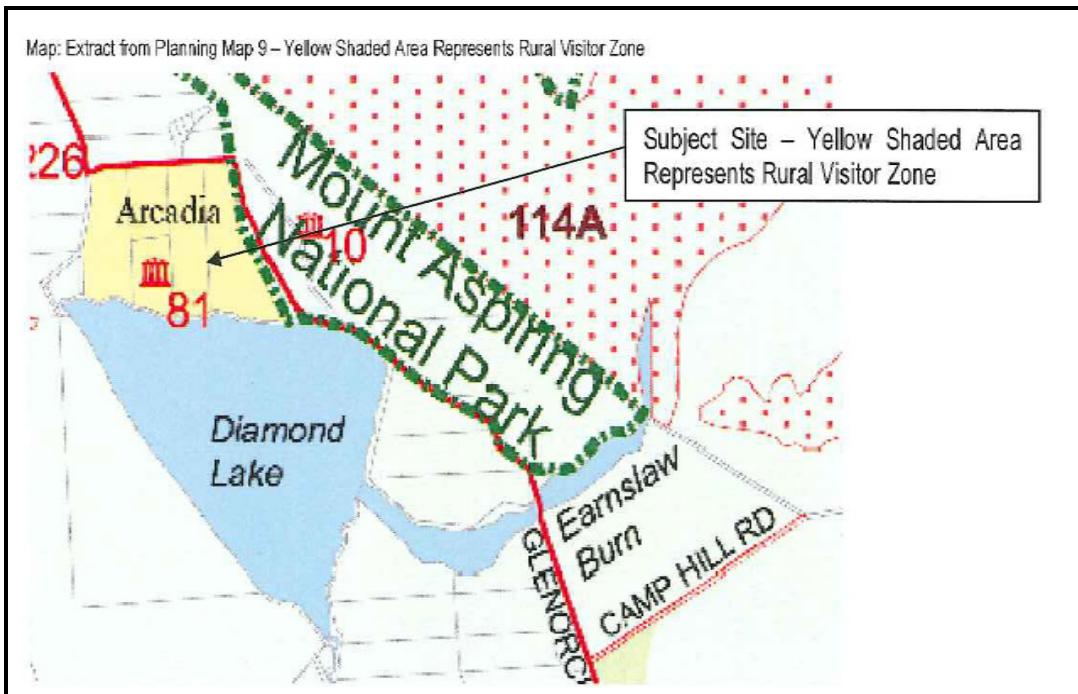
The Structure Plan will be accompanied by a number of design guidelines determining density, wall colour, materials, claddings, building height, roof pitch and cladding, roading, fencing, vegetation, and curtilage areas

Finally the applicant has volunteered that the resource consent decision includes a condition that will tie future land use development to the Structure Plan and supporting Design Guidelines document.

It is noted that while the Rural Visitor Zone contains a controlled activity rule for a structure plan, it does not contain a corresponding standard or rule requiring that a structure plan must be approved prior to development.

#### Site and Locality Description

The site is located to the south and west of the Glenorchy-Paradise Road at the base of the Diamond Lake /Paradise Valley, north of Diamond Lake and south-west of Turret Head. The site encompasses the Arcadia Station and Homestead.



**Figure 2: Location of Subject Site.**

Arcadia Homestead is listed as a protected feature under the District Plan. There are a number of implement sheds associated with the homestead, as well as another dwelling owned by the Applicant. The land containing the Arcadia Homestead and bounded by Diamond Lake and the Paradise Road is zoned "Rural Visitor". This is an area of approximately 89 hectares.

#### Site History

Arcadia House was designed and built in 1883 by William Mason who proposed to use the surrounding 128 hectares as a retirement farm. The property was later sold and used as a guest house for over 50 years. In 1943 the property was sold to the Veint family who continued to operate the property as a guest house until 1949 when it was purchased by the Miller family with whom it remained until 1998. The property is now overseen by the applicant. The remainder of the property is grazed and used as farmland.

#### Effects on the Environment

The District Plan does not specify any relevant Assessment Matters but it focuses on the criteria that must be met for each Structure Plan. This will form the basis of the following assessment.

It is of relevance that the Structure Plan does not provide any certainty with regards to the granting of further consents. All buildings and visitor accommodation require controlled activity consents, commercial and retail activities require discretionary resource consents. Equally, as identified above, the District Plan does not contain any provisions requiring an approved Structure Plan to be complied with although the applicant is volunteering this as a condition of consent.

#### Baseline

The site is located in the Rural Visitor Zone. This zoning is significant in understanding the environment.

The purpose of this zone “*is to complement the existing range of visitor accommodation opportunities in the District and provide for increased opportunity for people to experience the rural character, heritage and amenity of the rural area*”. In association with this zoning the District Plan anticipates -

- Buildings;
- Residential Activity;
- Visitor Accommodation; and
- Commercial Recreation Activities.

Upon a review of the provisions of Section 12.3 Rural Visitor Zones of the District Plan, it is noted that the site is zoned as an area with higher potential to absorb change, and the zone allows for dense built form of up to four stories in height, although that development would have to meet the objectives and policies of the zone in respect of the mitigation of adverse effects on landscape and natural values.

#### *Location of Proposed Activity Areas*

There are three distinct clusters of activity/development proposed for the site. The proposed activities are predominantly residential and visitor accommodation with a small area of commercial activity located adjacent to the Glenorchy-Paradise Road. The location of each activity area is considered to be logical and sympathetic to the topography of the site and surrounding landscape. The large areas of open space will retain the rural integrity of the surrounding landscape, the view-shafts from the Glenorchy-Paradise Road down to the lake, as well as the heritage values and architecture of Arcadia Homestead. The large clusters of residential activity are located closest to public roads and adjoining sites where farming and residential activity is already established. The proposed visitor accommodation activity is largely contained on the lake side of the site and away from adjoining properties. The commercial area proposed is small relative to the size of the site and will ensure an acceptable level of rural amenity within the rural visitor area is retained. The small Lakeside Recreation Areas are located on the flat, pastoral land adjacent to the lake but will not compromise the openness of this part of the site.

Lakes Environmental's Landscape Architect (Helen Mellsop) has considered the potential effects on visual amenity as a result of the location of the activity areas. Ms Mellsop notes that when viewed from the Glenorchy-Paradise Road south of the Earnslaw Burn, and from the foreshore of the lake, future development would appear clustered against a backdrop of dark exotic and indigenous vegetation and against the higher terraces of the site. Further, that the proposed level of development that is encouraged by the Structure Plan could be absorbed without significant landscape effects, as long as buildings were appropriately designed and landscaped. The proposed density provisions and further restrictions on development will help to limit the extent of these effects.

Overall, the location of the proposed activity areas will ensure development is managed and appropriately contained to protect surrounding scenic resources.

#### *Landscaping*

##### *Vegetation/Landscape Planting:*

Ms Mellsop considers that additional indigenous vegetation, particularly along the foreshore of the lake and around any lakeside structures, adjacent to grey shrubland areas and along the small watercourse located on the western boundary would enhance the natural character and ecological values of the site. As volunteered by the applicant, the Open Space areas will be maintained in pasture and managed to ensure no weed species such as broom, gorse or sweet briar are allowed to establish. The planting of native species is also encouraged in the area east and south east of the Residential 2A, B and C areas. It is considered this will increase the visual amenity of the site, serve to extend the existing vegetation and increase the potential for development to be absorbed along that edge of these activity areas.

As stated in the proposed guidelines, where possible, in each of the residential activity areas, the mature exotic vegetation will be retained and incorporated into the landscape treatment to be approved at the time of building establishment. The Structure Plan guidelines also stipulate that if trees are to be planted then the species shall be Mountain Beech and/or similar species that currently exist within each of the activity areas. Further limitations are placed on the Residential 2A, B and C activity areas in respect of the planting of exotic species (specifically height and area of species) and this will ensure an acceptable degree of rural character is retained. Exotic tree planting is also restricted in each of the Visitor Accommodation Areas.

Ms Mellsop has not raised any concerns regarding the proposed vegetation management for the property. This opinion is adopted and therefore it is considered that the effects in regard to landscape planting will be less than minor.

#### Fencing:

The applicant proposes to restrict fences to post and wire with a maximum height of 1 to 1.2 metres and courtyard walls to 1.8 metres in height and within 4 metres of the building. These restrictions on materials and height for fencing and courtyard walls will ensure that the rural character of the Rural Visitor Zone is retained. Post and wire fencing is typically rural and in keeping with the existing character, while courtyard walls are to be contained within 4 metres of buildings for visitor accommodation, no more than 1.8 metres in height and shall be built to match the building materials. The containment of the courtyard walls will ensure the domesticating elements of the development do not creep into the Open Space areas designated around the site. Ms Mellsop does not raise any landscape issues with regard to the proposed restrictions on fencing.

#### Curtilage:

Curtilage areas are proposed for Residential Areas 1A and 1B. Only 60% of each individual allotment within these activity areas may be used as curtilage and areas outside of the curtilage areas must be maintained in pastoral grass. The Residential 2A, B and C areas will have Homestead Areas which require the dwelling, landscaped areas, ancillary structures and garaging to be established within the designated area. These areas shall be 50% of any allotment. It is considered that the restriction on the size of the curtilage and Homestead areas will adequately contain visual effects and domestication.

Ms Mellsop has not raised any issues in regard to the proposed curtilage and Homestead areas.

#### Roadways/Access:

The Structure Plan has been designed to anticipate two entrances to the site, one from the Paradise-Glenorchy Road and one to the Arcadia Homestead. A secondary road is anticipated from an unformed legal road on the western boundary to the VA2 Area. This will be linked to the open space area between VA2 and VA3 activity areas.

The applicant proposes that walkways will be an integral part of access development on the site and Baxter Design Group has recommended a circular network of walkway between residential and visitor accommodation areas, with access to the lake edge and LR facilities.

The proposed roading materials in the Lakeside Recreation area will be maintained in gravel only with swale edging and built to a maximum width of 2.5 metres. This will limit potential effects on the natural character of the lakeshore area. All other roadways within the site shall be surfaced with either gravel or chip seal and this will also help to retain elements of rural character within the site.

#### *Open Space*

Between the three main clusters of activity areas the applicant has proposed Open Space areas to allow for view shafts of the lake and of the Arcadia Homestead and to provide visual relief and contrast within the landscape. Ms Mellsop considers that a greater setback of built development from the lakeshore is important in maintaining the landscape values of the area, however while a larger area of open space/greater setback from the lake would be preferable, the District Plan stipulates a

setback of 10 metres for buildings for Residential Accommodation and a setback of 20 metres for Visitor Accommodation. The Council retains control over the location of activities through the Structure Plan process, however there is little guidance as to what this means. In this case the proposed setbacks for the activity areas along the lake front will be greater than that required by the District Plan. Further, a number of design controls have been offered by the applicant to ensure development does not compromise the openness of the lake and acceptable level of rural amenity is retained. Ms Mellsop states that:

*Potential development in line with the proposed structure plan could appear as a small resort nestled by the lake. Dense built form up to four stories in height would be apparent from public roads and from the lake shore, but intervening areas of open pastoral land would be retained. Of particular benefit would be the maintenance of open vistas from the Glenorchy-Paradise Road to Diamond Lake and to the main facade of the homestead, and retention of the natural character of the River of Jordan and its surrounds.*

On balance, while it is recognised that greater setbacks are preferable, the District Plan anticipates a high level of development in this location. On balance, the Structure Plan results in positive effects.

No other concerns have been raised in regard to the proposed Open Space areas.

The landscape architects report is adopted and relied upon with regards to other landscaping effects. The adverse effects on landscape are therefore considered no more than minor.

#### *Density of Development*

Section 12 of the District Plan – Rural Visitor Zone – does not specify what the anticipated densities for development might be for that zone. The applicant has specified proposed densities for each of the eleven activity areas within the Structure Plan. The provision of the proposed densities provides greater certainty about the outcome of future development on the site. Ms Mellsop has advised that the densities proposed within each activity area could be absorbed within the property without having significant adverse effects on the landscape values of the surrounding area. Overall, it is considered that the proposed densities provided for by the Structure Plan are appropriate for the zone and within the surrounding landscape.

#### *Conclusion*

The District Plan does not provide any relevant Assessment Matters to guide assessment. However the Environmental Results Anticipated (Section 12.3.5) focus on the retention of predominant rural character while providing the potential for consolidated areas to be utilised for visitor facilities, the provision of a range of accommodation and recreation buildings while ensuring the quality of the local environment is maintained, and the exclusion of activities which cause adverse environmental effects and the protection of traffic safety on local roads and State Highways. Each of the proposed activity types is considered to be appropriate and aligned with the District Plan requirements for the Rural Visitor Zone and each Activity Area is appropriately located and will be adequately managed in the future in respect of the density of development, landscaping and the retaining of rural amenity values within the zone and surrounding landscape. The proposed Structure Plan is in effect providing a mechanism to limit the possible outcomes of future development within the site, without determining them. In this regard it is a positive proposal.

#### Effects on Persons

The purpose of a Structure Plan is to determine the potential and appropriate areas for future development. In this instance a controlled activity resource consent is required to establish Structure Plan for the subject site. This type of activity is a paper exercise and generally anticipated within the Rural Visitor Zone. The types of activities proposed are anticipated in the Zone with the possible exception of the commercial area for which a discretionary resource consent will be required. Ms Mellsop has advised that the integrity of the zone and surrounding landscape will be retained as a result of this proposal. For these reasons no persons are considered to be adversely affected.

#### Objectives and Policies

The relevant objectives and policies are contained in Section 12 .3 Rural Visitor Zone of the District Plan.

The objectives under 12.3.4 encourage the provision for the ongoing operation of the existing visitor areas recognising their operational needs and avoiding, remedying or mitigating adverse effects on landscape, water quality and natural values, and the scope for extension of activities in the Rural Visitor Zones. The relevant policies seek to ensure that new development has regard to the landscape values which surround rural visitor areas, to ensure the expansion of activities occur at a scale, or at a rate, consistent with maintaining the surrounding rural resources and amenities and to recognise the rural values of the Rural Visitor Zone and in particular buildings at Arcadia Station.

Ms Mellsop has advised that the proposed location, scale and density that will result from the proposed Structure Plan will be appropriately absorbed within the landscape and the historical and rural integrity of Arcadia Homestead will be retained. The provision for services such as water supply, sewage treatment and disposal, electricity and telecommunication services will be assessed at the time resource consent is applied for to development future buildings.

The Structure Plan enables activities anticipated by the Rural Visitor Zone while having regard to the surrounding landscape values.

Overall the proposal is consistent with the above objectives and policies.

### **Other Matters**

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

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

For the forgoing reasons a Development Contribution is not required.

### **Administrative Matters**

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or reschedule its completion.

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

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

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Pip Riddell on phone (03) 450 0353 or email [philipa.riddell@lakesenv.co.nz](mailto:philipa.riddell@lakesenv.co.nz).

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