

APPLICATION AS NOTIFIED

K & J Butson (RM200946)

**Submissions Close
12 February 2021**

FORM 12

File Number: RM200946

QUEENSTOWN LAKES DISTRICT COUNCIL

PUBLIC NOTIFICATION

Notification of an application for a Resource Consent under Section 95A of the Resource Management Act 1991.

The Queenstown Lakes District Council has received an application for a resource consent from:

K & J Butson

What is proposed:

Resource Consent is sought for a five-lot rural subdivision. The proposed lots range in size between 1.0 and 6.78 hectares, with each lot containing a residential building platform:

Proposed Allotment	Area (ha)	Building Platform (m2)	Access
1	6.78	900m2	Direct from Highway
2	4.37	900m2	ROW over Proposed Lot 5
3	1.03	900m2	ROW over Proposed Lot 1
4	1.00	900m2	ROW over Proposed Lot 1
5	1.00	1000m2	Direct from Crossing SH8a

Landscaping and design controls are proposed in relation to future built form on the lots.

The location in respect of which this application relates is situated at:

Wanaka Luggate Highway, Wanaka, legally described as Lot 7 Deposited Plan 24216 held in Record of Title OT16B/228

The application includes an assessment of environmental effects. This file can also be viewed at our public computers at these Council offices:

- 74 Shotover Street, Queenstown;
- Gorge Road, Queenstown;
- and 47 Ardmore Street, Wanaka during normal office hours (8.30am to 5.00pm).

Alternatively, you can view them on our website when the submission period commences:

<https://www.qldc.govt.nz/services/resource-consents/notified-resource-consents#public-rc> or via our edocs website using RM200946 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Sarah Gathercole, who may be contacted by phone at 03 441 0465 or email at sarah.gathercole@qldc.govt.nz

Any person may make a submission on the application, but a person who is a trade competitor of the applicant may do so only if that person is directly affected by an effect of the activity to which the application relates that –

- a) adversely affects the environment; and
- b) does not relate to trade competition or the effects of trade competition.

If you wish to make a submission on this application, you may do so by sending a written submission to the consent authority no later than:

12 February 2021

The submission must be dated, signed by you and must include the following information:

- a) Your name and postal address and phone number/fax number.
- b) Details of the application in respect of which you are making the submission including location.
- c) Whether you support or oppose the application.
- d) Your submission, with reasons.
- e) The decision you wish the consent authority to make.
- f) Whether you wish to be heard in support of your submission.

You may make a submission by sending a written or electronic submission to Council (details below). The submission should be in the format of Form 13. Copies of this form are available Council website:

https://www.qldc.govt.nz/services/resource-consents/application-forms-and-fees#other_forms

You must serve a copy of your submission to the applicant (K & J Butson) as soon as reasonably practicable after serving your submission to Council. The applicant's contact details are:

K & J Butson
C/- Dan Curley
IP Solutions Ltd
dan@ipsolutions.nz
15 Cliff Wilson Street, Wanaka 9305

QUEENSTOWN LAKES DISTRICT COUNCIL



(Signed by Kenny Macdonald, Senior Planner, pursuant to a delegation given under Section 34A of the Resource Management Act 1991)

Date of Notification: 14 January 2021

Address for Service for Consent Authority:

Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300

Phone
Email
Website

03 441 0499
rcsubmission@qldc.govt.nz
www.qldc.govt.nz



APPLICATION FOR RESOURCE CONSENT OR
FAST TRACK RESOURCE CONSENT

FORM 9: GENERAL APPLICATION



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

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

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



APPLICANT //

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

*Applicant's Full Name / Company / Trust: KERRY AND JANICE BUTSON
(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address: 695 QUEENS DRIVE, INVERCARGILL

*Post code:

9810

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

*Email Address: KERRYBUTSON.NZ@GMAIL.COM

*Phone Numbers: Day 0274385142

Mobile: SAME AS LEFT

*The Applicant is:



Owner



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



Occupier



Lessee

Other - Please Specify:



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

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



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

*Name & Company: DAN CURLEY

*Phone Numbers: Day 027 601 5074

Mobile: SAME AS LEFT

*Email Address: DAN@IPSOLUTIONS.NZ

*Postal Address: 15 CLIFF WILSON STREET

*Postcode:

9305



INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf. For more information regarding payment please refer to the Fees Information section of this form.

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

Applicant:



Agent:



Other - Please specify:

Email:



Post:



*Attention: KERRY AND JANICE BUTSON

*Postal Address:

*Post code:

9305

*Please provide an email AND full postal address.

*Email: KERRYBUTSON.NZ@GMAIL.COM



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- The applicant name(s) will be the consent holder(s) responsible for the consent and any associated costs.

*Applicant's Full Name / Company / Trust:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

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

*Email Address:

*Phone Numbers: Day

Mobile:

*The Applicant is:

☐

Owner

☐

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

☐

Occupier

☐

Lessee

Other - Please Specify:



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

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

CORRESPONDENCE DETAILS //

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

*Name & Company:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:

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

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

Applicant:

☐

Agent:

☐

Other - Please specify:

Email:

☐

Post:

☐

*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



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

Owner Name:

Owner Address:

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

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

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

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

Details are the same as for invoicing

☐

Applicant:

☐

Landowner:

☐

Other, please specify:

*Attention:

*Email:

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



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

*Address / Location to which this application relates:

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

District Plan Zone(s):



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

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

YES ☐ NO ☐

Is there a dog on the property?

YES ☐ NO ☐

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

YES ☐ NO ☐

If 'yes' please provide information below



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

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

☐

Yes

☐

No

☐

Copy of minutes attached

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



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

☐

Land use consent

☐

Subdivision consent

☐

Change/cancellation of consent or consent notice conditions

☐

Certificate of compliance

☐

Extension of lapse period of consent (time extension) s125

☐

Existing use certificate



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

☐

Controlled Activity

☐

Deemed Permitted Boundary Activity

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

☐

BRIEF DESCRIPTION OF THE PROPOSAL //

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

*Consent is sought to:



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☐

Yes

☐

No

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



OTHER CONSENTS

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

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

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

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

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

☐

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

☐

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

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



OTHER CONSENTS // CONTINUED

☐

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

☐

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

☐ Any other National Environmental Standard

☐

Yes

☐

N/A

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

☐ Otago Regional Council

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

☐

Yes

☐

N/A



INFORMATION REQUIRED TO BE SUBMITTED //

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

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

☐

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

☐

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

☐

A site plan at a convenient scale.

☐

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

☐

An Assessment of Effects (AEE).

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



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



PRIVACY INFORMATION

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



FEES INFORMATION

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

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



FEES INFORMATION // CONTINUED

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

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

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

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

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

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

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

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



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

Please reference your payments as follows:

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

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

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

I confirm payment by:

☐

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

☐

Cheque payable to Queenstown Lakes District Council attached

☐

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

*Reference

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

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

*Date of Payment

Invoices are available on request

APPLICATION & DECLARATION

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

☐

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

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

OR:

☐

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

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

☐

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

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

Full name of person lodging this form

Firm/Company

Dated

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



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

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

1 INFORMATION MUST BE SPECIFIED IN SUFFICIENT DETAIL

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

2 INFORMATION REQUIRED IN ALL APPLICATIONS

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

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

Information provided within the Form above

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

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

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

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

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

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

ADDITIONAL INFORMATION REQUIRED IN SOME APPLICATIONS

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



ASSESSMENT OF ENVIRONMENTAL EFFECTS

Clause 6: Information required in assessment of environmental effects

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

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

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

UNDER THE FOURTH SCHEDULE TO THE ACT:

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

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

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

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

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



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

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

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

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

Application Form 9

Engineering Report

Assessment of Environmental Effects (AEE)

Geotechnical Report

Computer Register (CFR)

Wastewater Assessment

Covenants & Consent Notice

Traffic Report

Affected Party Approval/s

Waste Event Form

Landscape Report

Urban Design Report

Ecological Report

19th September 2020

Queenstown Lakes District Council
Wanaka Office
47 Ardmore Street
Wanaka 9305

Attention: Wanaka Planning Department

1.0 INTRODUCTION

Please find an application for resource consent and accompanying plans for the five-lot rural subdivision of Part Lot 7 DP 24216 which is a 14.2ha rural land-holding situated between the Wanaka Luggate Highway (SH6) and Shortcut Road (SH8a) that is owned by the Applicant Kerry and Janice Butson.

In summary of the application, resource consent is sought to subdivide one existing unoccupied title into five allotments (being proposed Lots 1-5, ranging in size between 1.0 and 6.78 hectares) that will each contain a residential building platform to enable the future establishment of rural living/occupation, whilst retaining the potential to accommodate small scaled horticultural land use activities.

This application includes a description of the subdivision scheme, service provisions, and an assessment of likely outcomes. This application also includes discussion on how likely outcomes align to relevant Operative and recently decided District Plan assessment criteria.

2.0 APPLICATION DETAILS

APPLICANT	KERRY AND JANICE BUTSON
SITE LOCATION	WANAKA LUGGATE HIGHWAY/SHORTCUT ROAD
LEGAL DESCRIPTION	LOT 7, DP 24216
CERTIFICATE OF TITLE REFERENCE	16002
SITE AREA	14.191 HA
ODP ZONING	RURAL GENERAL
PDP ZONING	RURAL

3.0 APPENDICES

APPENDIX A	CERTIFICATE OF TITLE & CURRENT INTERESTS
APPENDIX B	SUBDIVISION SCHEME PLAN
APPENDIX C	UTILITY SERVICE CONFIRMATION
APPENDIX D	ENGINEERING REPORT (MT IRON GEODRILL)
APPENDIX E	WATER LAB TESTING
APPENDIX F	LANDSCAPE ASSESSMENT REPORT
APPENDIX G	STRUCTURAL LANDSCAPE PLAN

4.0 SITE DESCRIPTION AND PROPOSAL

4.1 SITE DESCRIPTION

The subject title comprises 14.191 hectares of rural pastoral land which adjoins and is accessed from the Luggate-Cromwell Highway (State Highway 6), approximately 900m west of the Luggate Township.



FIGURE 1 – APPLICATION SITE (HIGHLIGHTED IN BLUE), QLDC GIS

Ms Anne Steven has provided a detailed description of the site within the Landscape Assessment Report attached at **Appendix F** to this application.

In sum:

- The site consists of two levels both largely characterised by simple open paddocks of pasture with the lower terrace being marginally more enclosed. It is noted that whilst the degree of openness is high, at present, the pasture is scattered with weeds and rabbit holes;
- The area is classified as Visual Amenity Landscape (VAL) under the ODP and Rural Character Landscape (RCL) under the PDP;
- The site is located in the “Luggate Triangle” – a distinctive area of basin floor land around 83ha which as referenced in **Appendix F**, is highly a modified landscape with a low degree of natural character.
- Ms Steven deems that the site does not have any features or qualities that are of particular interest or aesthetic value however, it does form the foreground to views from SH8A and SH6 of surrounding ONL.

With respect to vehicle crossings, both points of access (as proposed) will utilise existing crossing points. One of these currently extends from State Highway 6 at the site’s south-eastern corner (proposed to service Lots

1,3 & 4), while the other extends from State Highway 8a at the site's north-eastern corner (proposed to service Lots 2 & 5).



FIGURE 2 – AERIAL OF EXISTING ACCESS (HIGHLIGHTED IN GREEN), QLDC GIS

4.2 SUBDIVISION PROPOSAL

It is here-in proposed to subdivide the subject site into five allotments, which will (by nature of building platforms proposed to be identified) provide for five new rural-living/domestic activities within small scale horticultural land holdings.

Proposed Allotment	Area (ha)	Building Platform (m2)	Access
1	6.78	900m2	Direct from Highway
2	4.37	900m2	ROW over Proposed Lot 5
3	1.03	900m2	ROW over Proposed Lot 1
4	1.00	900m2	ROW over Proposed Lot 1
5	1.00	1000m2	Direct from Crossing SH8a

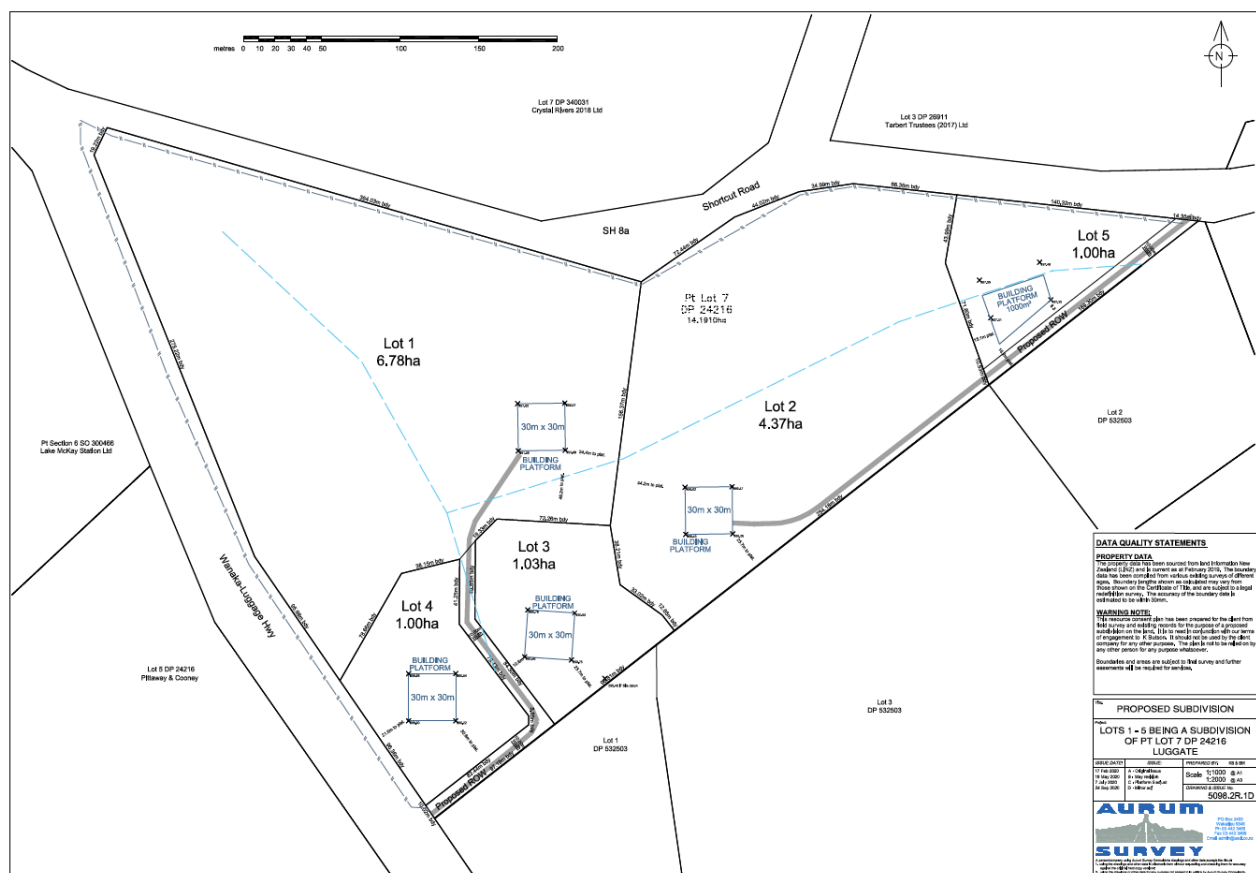


FIGURE 3 – PROPOSED SCHEME PLAN (FULL SIZE PLAN ATTACHED AS APPENDIX B TO THIS APPLICATION)

4.3 PROPOSED DESIGN CONTROLS (TO BE REGISTERED IN THE FORM OF CONSENT NOTICE)

Lots	Max Height	External Materials	Fencing	Other
1 & 5	4.8m	The exterior cladding of all buildings shall be coloured in the natural range of browns, greens or greys with a light reflectivity value of between 7% and 36%;	Any fencing of lot boundaries and any fencing outside of the curtilage areas shall be of post-and-wire or post and netting only (including rabbit netting).	All buildings are to be located within the building platforms; Building footprint is not to exceed 500m ² of each building platform;
2, 3 & 4	5.5m	The roofing materials of all buildings shall be coloured in the natural range of browns, greens, greys with a light reflectivity value of between 7% and 15% and shall be of matte finish. No opaque or pale skylight panels shall be used for		All structural landscape vegetation to be maintained in perpetuity and/or replaced if plants become diseased and/or die; Planting inside curtilage areas shall exclude ornamental, brightly coloured plants or trees and shall include no less than 50% of total plant numbers to be indigenous species; No domestic activities (including but not limited to the development of gardens; lighting; planting of any exotic vegetation; erection of structures; parking of vehicles including boats; caravans etc; location of children's play equipment such as

		roofing material to avoid banding effects that would highlight built form; Any additional structures or fixtures attached to the roof such as chimneys or satellite dishes shall be coloured to match the roof.	trampolines etc) shall be undertaken or located outside of the defined curtilage areas which are identified on the Structural Landscape Plan; All external lighting shall be down lighting only and not create light spill beyond the property. External lighting shall not be used to accentuate or highlight built form as viewed from beyond the property. All external lighting shall be located within the curtilage area only as identified on the landscape plan.
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4.4 PROPOSED STRUCTURAL LANDSCAPING

As part of this application, a structural landscape plan is proposed.

As discussed within the landscape assessment report prepared by Ms Steven, landscape treatment will provide an opportunity to: provide a setting for the development, create landscape character, provide public visual amenity, and to mitigate the visual effect by reducing visibility of built form and curtilage to (mostly) low to (some) moderate levels. Proposed structural plantings, each building platform and associated curtilage areas are illustrated on the Structural Landscape Plan attached as part of **Appendix F** to this application.



FIGURE 4 – STRUCTURAL LANDSCAPE PLAN (ATTACHED AS APPENDIX E TO THIS APPLICATION)

4.5 PROVISION OF SERVICES

4.5(I) WATER SUPPLY

Potable, static firefighting and irrigation water will be provided by an existing water supply (stemming from the Clutha River) available to the property. The subject title has significant water rights in this respect, however for the purpose of potable use will require U.V treatment at the time of rural living establishment.

Proposed Lots 1-5 will be allocated a minimum of 5,000 litres of water per day for potable use. At the time of future building establishment, each lot will require to install a 55,000l litre storage tank (combination of tanks) in accordance with Council standards, that will provide for a suitable apportionment of static fire-fighting and potable supply. It is anticipated that Council will condition the registration of an appropriately worded Consent Notice in this regard.

All necessary easements will be created. Please find water quality laboratory test results of the proposed supply attached as **Appendix E** to this application, that will require updating at the time of 223 certification and land use establishment.

4.5(II) FOUL AND STORM-WATER DISPOSAL

Any future residential activity established on proposed Lots 1-5 will dispose of storm and foul sewer to ground. Mount Iron Geodrill have undertaken an assessment of the soil/ground-type and conditions of proposed Lots 1-5 and have determined that subject to final placement, ground conditions of the subject site are suitable for disposal to ground.

Please find this engineering assessment/reporting attached as **Appendix D** to this application.

4.5(iii) ELECTRICITY AND TELECOM

As part of this application, it is proposed that prior to the creation of titles for proposed Lots 1-5, the building platform on each lot be provided with connections to electricity and telecommunications.

Please find applicable utility service documentation/communication which discusses the availability of supply, attached at **Appendix C** to this application.

4.6 PROVISION OF VEHICLE ACCESS TO THE SUBDIVISION

Vehicle access to the subdivision is proposed via two existing formations that currently service both the subject site and rural living activity on neighbouring properties.

The Applicant has consulted with NZTA who have informed that specific measurements and assessment will require to be undertaken prior to a formal written approval being provided however such written approval will in any case be considered as post NZTA being notified of the proposal. The Applicant is currently measuring compliance and the specific formation standards of the existing access with the intent of providing this information to the NZTA for more detailed consideration.

Overall, internal access requirements will be constructed on generally flat ground, with physical works requiring minimal cut and fill volumes (less than those maximum volumes otherwise permitted by the Rural zone).

The Applicant is currently consulting with the New Zealand Transport Authority as to the final standard of crossing upgrade. Once agreed, final correspondence will be forwarded to QLDC's planning and engineering staff.

4.7 NATURAL HAZARDS

There are no natural hazards known to exist at the location of the site, or in close enough proximity to the site such that the proposed lots and future land use would be adversely affected/at risk by such hazard. This situation is also confirmed on QLDC's hazard data as reflected by the Hazard/Hails mapping.

4.8 NATIONAL ENVIRONMENTAL STANDARDS FOR ASSESSING CONTAMINANTS IN SOIL

With respect to a preliminary site investigation (PSI) of soil contaminants, consistent with the published guidelines for assessing and managing contaminants in soil to protect human health, a site walk over has been undertaken, followed by an investigation of known land use associated with the site.

While the existing land-cover is not natural and highly modified by agricultural activity, there is no anecdotal or documented evidence of any historic activity (such as the intensive use, storage, formulation, and/or disposal of pesticides, offal pits, landfills, animal dips, and/or fuel tanks) being located within the area of proposed Lots 1-5 that may present a risk of soil contamination and/or a risk to human health.

4.9 LANDSCAPE CATEGORY

Ms Steven has undertaken a detailed assessment of the site's landscape and how the proposed subdivision/future land use will affect the existing landscape amenity values of the subject site and surrounding landscape. Ms Steven has assessed the site to be classified as being part of a Rural Character Landscape under the Proposed District Plan.

5.0 RELEVANT PROVISIONS OF THE PROPOSED DISTRICT PLAN

5.2 ACTIVITY STATUS UNDER THE RECENTLY DECIDED DISTRICT PLAN

Under the Proposed District Plan, the site has been zoned Rural and the proposed subdivision requires the following consents:

- A **discretionary** activity consent pursuant to Rule 27.5.6 of Chapter 27, which specifies that any subdivision that does not fall within any rule in Section 27.5 should be processed as a discretionary activity; *and*
- A **discretionary** activity consent pursuant to Rule 21.4.10 for the identification of a building platform not less than 70m² and not greater than 1,000m².

Overall, under the Proposed District Plan, the proposal requires to be processed as a **discretionary** activity.

6.0 ASSESSMENT OF POTENTIAL ADVERSE EFFECTS

The following assessment of potential adverse effects has been aligned to address relevant assessment matters applicable to land use and subdivision development as generally outlined within Chapter 21 of the Proposed District Plan.

6.1 EFFECTS RELATING TO LOT SIZES, DIMENSIONS & SERVICES

Whether the lots are of sufficient area and dimensions to effectively fulfil their intended purpose:

The proposed subdivision will enable five rural-living activities to be established upon proposed Lots 1-5 in the future. If approved, each lot proposed by this application will be capable of providing for future land use activities that comply with relevant bulk and location standards, and so in respect of area and dimensions, each will be capable of fulfilling their intended purpose (each building platform and associated curtilage will provide adequately sized areas to establish built-form, associated domestication and more generally overall, rural-living activity within an area that affords high quality amenity values).

Other relevant standards that will require to be met, primarily relating to engineering matters (specifically foul and storm water disposal, access and service reticulation) will also be able to be met/accommodated by each lot, with lot areas and dimensions being ample in providing for waste and foul water disposal, the establishment of water tank(s), appropriate vehicle access, manoeuvring areas and landscaping.

Overall, as each of the five rural-living allotments have sufficient area to effectively fulfil their intended purpose, any potential adverse effects relating to the lot sizes and dimensions (as they relate to purpose) will be less than minor in degree.

The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities:

If approved, subdivision of the site will provide for an introduction of five new rural-living activities within a landscape setting that Ms Steven has described in reporting attached as **Appendix F** to this application. As is detailed in the landscape assessment, the site forms part of a 'triangle' of land, that is naturally defined by road boundaries (State Highway 8a, 6 and Church Road). This triangle accommodates a number of rural living activities that in some way alert an observer to the more intensive settlement area of Luggate.

In terms of the proposed rural living use, it is considered that this use will be highly compatible with the pattern and function of other land use establishments within the triangle, including land use directly adjoining the site to the north and east. In terms of subdivision patterns, it is important to note that land tenure is not experienced on an aerial plan, but on the ground (on foot, in car, or on bike). While the development as proposed will see an intensification of domestication within the 'triangle' of land the site forms part of, and a change of landscape character from that which it currently exhibits, these effects will not compromise the compatibility of each proposed lot with the pattern and use of adjoining subdivision and land use.

Whether the lots proposed are of sufficient size to accommodate on-site disposal of sewage, stormwater or other wastes to avoid adverse environmental effects beyond the boundaries of the lot:

Proposed Lot 1-5, all being in excess of 1ha in size comprise adequate area to accommodate disposal to ground systems, with dispersal being easily confined to areas within the boundaries of each allotment.

Mount Iron Geodrill have provided site and subdivision specific assessment in this regard, which is attached as **Appendix D** to this application. Provided that future land owners design and install any waste water system in accordance with relevant engineering standards, no adverse effects relating to the disposal of waste waters are anticipated.

Consideration of suitable connections to electricity, telecommunications and water supply:

Electricity & Telecommunications

As per utility service confirmation attached as **Appendix C**, proposed Lots 1-5 are able to be serviced with electricity and telecom. On the basis of both being required to be installed as part of subdivision, provided that any necessary easements are created, no adverse effects are anticipated of their installation and use.

Water Supply

As part of subdivision, an existing water supply will provide for the appropriate use and storage associated with domestic and fire-fighting requirements. No adverse effects associated with its use are anticipated.

Consideration of suitable vehicle access to each lot & related traffic effects:

Effects related to the safe and efficient functioning of the State Highway corridors will be traversed with NZTA as part of the notification process. The Applicant is currently measuring each crossings compliance with applicable traffic standards and will accept conditions related to formation upgrades should they be deemed necessary by NZTA and Council.

Other potential effects related to traffic movements more directly related to the daily movements of each rural-living activity may include the visibility of such movements from each State Highway and to potentially a very minor degree, as experienced from neighbouring land use establishments, including associated noise.

In respect of noise to be generated by vehicle movements associated with rural-living activity, it is unlikely that noise emissions from 90 percentile vehicles in proximity of each allotment will give rise to adverse effects over and above current ambient levels that include sounds associated with vehicles on both State Highway corridors.

6.2 EFFECTS ON LANDSCAPE QUALITY, RURAL AMENITY AND CHARACTER

Overall, actual adverse effects on landscape quality, rural amenity and character will relate to the presence of each dwelling and accessory building(s), human activity, and associated vehicle movements upon proposed Lots 1-5 as viewed from both State Highway corridors and private rural living establishments east of the site.

Effects on landscape quality and character will include a change of the subject site's landscape character, and a shift in/enhancement of natural values (importantly including biodiversity) as a result of developing structural landscaping that in time will transition the site from being open to more enclosed and natural.

Ms Steven has assessed that the proposed development will have a negligible effect on the character and quality of the wider context landscape, surrounding the 'Triangle' of land of which the subject site is located within. This is primarily due the tight and obvious containment of the triangle by the two state highways, from which the majority of landscape experiences are obtained.

Once the proposed vegetation has matured to a height of 3-5m to achieve a closed canopy, in Ms Steven's opinion there would be a slight improvement to the quality of the landscape from certain viewpoints. For example, Ms Steven considers there would be a more interesting and attractive view of vegetation when travelling west along Shortcut Road, which at present has a view of open pasture, bare ground and pine plantation only. In lower level views from the northwest, she considers that the proposed planting would help screen out the built form in the background of Luggate township, the industrial uses along Church Road and the nearer buildings on the Fairview property.

Overall, Ms Steven considers that the design of the layout, future buildings and proposed planting would be compatible with the existing character in the ways described above. The planting would contribute positively to the landscape character of the Site and the wider Triangle context, while having little effect on the quality and character of the broader context. There would be some change to views which would either block views (for a limited time), whilst providing a different foreground of visually appealing vegetation, and/or provide a low midground layer over which hills and mountains will continue to be viewed.

6.3 EFFECTS RELATING TO NATURAL HAZARDS

Whether the proposal exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips:

Overall, based on available information, the proposal will not exacerbate any natural hazard, including a consideration of flood, erosion, sedimentation, subsidence and/or land-slip.

6.4 POSITIVE EFFECTS

This application will present a number positive effects associated with:

- The development and enhancement of natural character (including biodiversity values) associated with structural landscaping;
- The provision for a more economically viable use of highly valued land (associated with location and amenity values) for rural living;
- The creation of rural living opportunities that will provide the local property market with 5 land purchase/home establishment opportunities, and associated economic benefits associated with future dwelling establishment/construction activity

7.0 RELEVANT ISSUES, OBJECTIVES AND POLICIES OF THE OPERATIVE & PROPOSED DISTRICT PLAN

Sections of the ODP that are relevant to this application include; 4 (District Wide Issues), 5 (Rural Areas) and 15 (Subdivision, Development and Financial Contributions).

In respect of Section 4 (District Wide Issues), the objectives and supporting policies generally seek to establish development outcomes while protecting nature conservation values (where they exist), landscape quality and amenity values as experienced or anticipated to be experienced from private and/or public locations that may benefit from such quality and/or amenity.

Part 4.2; Landscape and Visual Amenity is relevant to the application as the site's current landscape values will change as a result of proposed land use. In this regard, Policy 1 of 4.2.5 specifically focusses on 'Future Development' and its appropriateness.

Specific considerations relate to a landscapes capability to absorb effects, site specific visual amenity values (that may require protection) and ensuring that future outcomes will generally harmonise with site specific topography and ecological systems that may be a feature of a given site.

This sentiment is echoed throughout Policies 9, 'Structures' and 17 'Land Use' which both emphasise the preservation of visual amenity and landscape character. Policy 8 is related to the avoidance of cumulative degradation.

Section 5 of the ODP is relevant to Rural Areas. This section describes the purpose of the zone as being to manage activities so they can be carried out in a way that:

- protects and enhances nature conservation and landscape values;
- sustains the life supporting capacity of the soil and vegetation;
- maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and

- ensures a wide range of outdoor recreational opportunities remain viable within the Zone.

Objectives 1 and 3 generally seek to protect the character and landscape of rural areas by avoiding, remedying or mitigating potential adverse effects of activities on rural amenity. Objective 1, Policy 1.3 and 1.4 considers the specific issue of rural land use associated with rural production, and its protection.

Policy 1.7 and 1.8 both concern structures and seek to ensure that structures associated with land use are located in areas that exhibit a potential to absorb change.

In respect of Section 15 (Subdivision, Development and Financial Contributions), relevant objectives and policies (15.1.3) seek that subdivisions are provided with appropriate services (objective 1) and that the cost of services are met by the developer (Objective 2). Objectives 4 and 5 seek to recognise and preserve ONFs, ONLs and nature conservation values whilst at the same time protecting amenity.

In respect to the proposed development, Ms Steven notes that the area of which the site is situated displays a low natural character, which other for a development occurring is not likely to change.

Whilst development as proposed will modify and diminish the currently open character of the site, it is noted by Ms Steven, that the degree of effects related to that loss is entirely dependent on where one places value (open modified character or enhanced natural character interspersed by human domestication).

If value is placed on maintaining open character and space, the site may be limited in terms of its ability to absorb change. If a higher value is placed on a combination of maintaining the best views and a reasonable sense of open space, as well as on improving natural character, then the landscape of the site could be acknowledged as having absorption capacity.

Due to the proposed planting, the increased rural living density as immediately perceived will decrease over time as planting matures. Whilst not blocking views, the structural landscape plantings will also protect and enhance nature conservation values. While users of the public spaces will experience a level of domestication, as a consequence of density and design controls, that domestication, and resultant change in landscape character will provide consistency with other similar land use outcomes located within the triangle of land of which the site forms part of.

As detailed within this report, the development is proposed to be appropriately serviced.

Proposed District Plan

The relevant objectives and policies are contained within Chapters 3 (Strategic Direction), 6 (Landscapes and Rural Character), 21 (Rural Zone), 27 (Subdivision and Development) and 33 (Indigenous Vegetation and Biodiversity).

Chapter 3 of the PDP addresses Strategic Direction. Within this, 3.2.5.2 seeks to retain the District's distinctive landscapes. It addresses this through the maintenance and enhancement of RCLs through subdivision and focussing on areas with the potential to absorb change.

Chapter 6 relates further to Landscape values and Rural Character. The objectives and policies of the Proposed District Plan that address matters relating to landscape values are very closely aligned to those of the Operative District Plan however more emphasis is placed on the importance of protecting landscape character and visual amenity values, particularly as viewed/experienced from public places.

Policies 6.3.4 – 6.3.11 specifically address managing activities in the Rural zone. These policies seek to minimise adverse effects on biodiversity, indigenous vegetation, the night sky and landscape character, with the latter two of these matters being more relevant to the subject proposal.

The relevant objectives and policies of Chapter 21 give recognition to productive agriculture as the primary land use while protecting, maintaining and enhancing landscape and natural character. Objective 21.2.1 and associated policies, seek to enable a wide range of land uses, including farming and established activities are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values. It also addresses fire risk and avoiding cumulative degradation. Objective 21.2.2 seeks to maintain the life supporting capacity of soils.

Chapter 27 relates to Subdivision and Development. Fundamentally, much like the ODP, this chapter seeks that subdivisions are appropriately serviced. The relevant objectives include 27.2.1 providing for quality environments with policies emphasising appropriate subdivision design and connectivity to infrastructure. Objective 27.2.4 seeks subdivision design that enhances natural features and biodiversity, including the protection of landscapes.

Chapter 33 relates to Indigenous Vegetation and Biodiversity. The objectives and policies within this chapter relate to Significant Natural Areas, Alpine Environments and the protection, maintenance and enhancement of the District's indigenous biodiversity. Relevant to the application, Policy 33.2.1.9 seeks recognition of the opportunities which subdivision, use and development provides for biodiversity values. Similarly, Policy 33.2.1.10 then seeks to facilitate and support restoration of degraded natural ecosystems and indigenous habitats using indigenous species that naturally occur and/or previously occurred in the area. Objective 33.2.3 again relevant to the proposal emphasises the importance of opportunity recognition for the enhancement and maintenance of indigenous biodiversity values. This includes retention, enhancement and identifying locations with the potential for regeneration particularly where productive values are low.

In respect of the subject proposal, dependent upon where the Council see value being, the site may be capable of absorbing the level of change proposed, and in that case the application would serve an opportunity to enhance indigenous biodiversity values while creating a more economic use for the property associated with rural living. As such, if approving this application, Council would avoid developing an alternative site that may otherwise be less capable, and potentially more vulnerable to degradation.

The proposed subdivision will harmonise with the local topography as much is practically possible, and as a result of structural landscape plantings will enhance and protect indigenous biodiversity. Whilst users of public spaces will experience an increased level of domestication, such will be viewed in conjunction with proposed structural planting and is not something which is considered inconsistent in the wider area.

The proposed subdivision scheme includes the identification of five building platforms that in combination with design control and structural landscaping, will effectively manage the future location, appearance and visibility of built form. Outcomes associated with the proposal will generally ensure a visual coherence with the subject site's local landscape, and a preservation of the wider landscape as is existing. While the proposal will modify the character of the subject site in the vicinity of proposed Lots 1-5, this change will be a movement from pastoral open landscape to a more natural landscape with associated benefits.

The proposed subdivision is able to be adequately serviced and Ms Steven has assessed that the proposal will protect and enhance indigenous biodiversity contributing to an enhancement of landscape values, while introducing a level of domestication which is not out of character with the wider area.

Overall, while there are elements of the proposal that have the potential to result in outcomes that are inconsistent with some objectives and policies of the Proposed District Plan, more specifically those relating to landscape character, the proposed mitigation measures in combination with positive outcomes supported by relevant objectives and policies contained with Chapter 33 will ensure that outcomes overall (in

full context of how the site is used and perceived within the land unit of which it is located) will not be contrary with outcomes envisaged by an implementation of the objectives and policies when if applied/assessed as a collective.

Looking at this application on a big picture, the subject site is not a highly productive agricultural unit. It is located within a triangular area of land that is bordered/encompassed by roads, and is viewed in association with rural living activities that already exist within its vicinity. While there are views through the property, one only experiences such for a short period of time, and given evidence of existing rural living activities, an increase in density as proposed is not likely to offend any member of the public in context of their experience or expectation when travelling past the site.

While the landscape of the site will certainly change, it is arguable as to what degree of effect will eventuate. More certain is that if the site is to transition to becoming more enclosed by nature of establishing native vegetation, positive effects will arise associated with the establishment of natural character and biodiversity within a landscape that otherwise contributes little to rural production and/or landscape appreciation.

9.0 RESOURCE MANAGEMENT ACT 1991

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources.

The Act defines sustainable management as “... *managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:*

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

The proposed subdivision activity will manage the land resource of subject site to ensure that five new rural-living environments/allotments can be provided for whilst retaining a rural amenity, which albeit different from that presently available, will be pleasant and more natural than the status quo as experienced or potentially observed by those either living in proximity to the site, or passing the site within the Highway corridor.

Details of this proposal will ensure the land resource of the site will not only be sustained, but enhanced in terms of its life-supporting capacity, and while mitigating adverse effects on the environment.

Section 7 of the Act is also relevant to the application, specifically matters (c) the maintenance and enhancement of amenity values, and (f) the maintenance and enhancement of the quality of the environment. Both of these matters have been considered and assessed by Ms Steven as part of her assessment attached as **Appendix F** to this application.

10.0 CONCLUSION

Resource consent is sought to subdivide the subject site into five allotments that will provide for the creation of five new rural-living allotments that are able to be appropriately serviced.

The subject site is not a highly productive agricultural unit. It is located within a triangular area of land that is bordered/encompassed by roads, and is viewed in association with rural living activities that already exist


within its vicinity. While there are views through the property, one only experiences such for a short period of time, and given evidence of existing rural living activities, an increase in density as proposed is not likely to offend any member of the public in context of their experience or expectation when travelling past the site

To ensure this, the proposal includes volunteered controls with respect to building location, height, external materials, colours and landscaping.

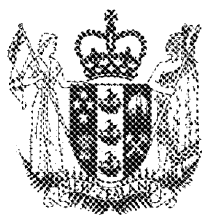
Proposed landscape treatment will provide an opportunity to enhance the natural characteristics of the property. Planting will contribute positively to the landscape character of the site and the wider triangle context, while having little effect on the quality and character of the broader context, and/or the existing patterns of land use and subdivision within the vicinity of the site.

As the proposal will promote the sustainable management and enhancement of the subject site's natural and physical resource, it is respectfully requested that post public notification, Council approve consent subject to the inclusion of appropriately worded conditions.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Dan Curley', with a long, sweeping line extending from the bottom of the signature.

Dan Curley
IP Solutions Ltd



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



Identifier
Land Registration District
Date Issued

OT16B/228
Otago
20 December 1994

Part-Cancelled

Prior References

OT15A/551

Estate	Fee Simple
Area	14.2080 hectares more or less
Legal Description	Lot 7 Deposited Plan 24216

Registered Owners

Kerry Samuel Butson and Janice Merle Butson

Interests

Subject to Section 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

824737.12 Transfer creating the following easements - 26.2.1993 at 12.07 pm

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Conduct electric power	Lot 1 Deposited Plan 22247 - CT OT15A/550	A DP 22247	Lot 7 Deposited Plan 24216 - herein	Section 309(1)(a) Local Government Act 1974
Conduct electric power	Lot 1 Deposited Plan 22247 - CT OT15A/550	B Transfer 824737.12	Lot 7 Deposited Plan 24216 - herein	Section 309(1)(a) Local Government Act 1974
Convey water	Lot 1 Deposited Plan 22247 - CT OT15A/550	B DP 22247	Lot 7 Deposited Plan 24216 - herein	Section 309(1)(a) Local Government Act 1974
Convey water	Lot 1 Deposited Plan 22247 - CT OT15A/550	A Transfer 824737.12	Lot 7 Deposited Plan 24216 - herein	Section 309(1)(a) Local Government Act 1974

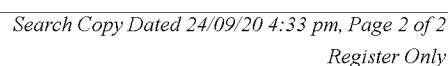
872699.9 Easement Certificate specifying the following easements - 20.12.1995 at 10.59 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Convey water	Lot 1 Deposited Plan 24216 - CT OT16B/223	C-D DP 24216	Lot 7 Deposited Plan 24216 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 2 Deposited Plan 24216 - CT OT16B/224	D-E-F DP 24216	Lot 7 Deposited Plan 24216 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 2 Deposited Plan 24216 - CT OT16B/224	E-H DP 24216	Lot 7 Deposited Plan 24216 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 3 Deposited Plan 24216 - CT OT16B/225	F-G DP 24216	Lot 7 Deposited Plan 24216 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 4 Deposited Plan 24216 - CT OT16B/226	A-B DP 24216	Lot 7 Deposited Plan 24216 - herein	Section 243 (a) Resource Management Act 1991
Convey water	Lot 4 Deposited Plan 24216 - CT OT16B/226	G-B-C DP 24216	Lot 7 Deposited Plan 24216 - herein	Section 243 (a) Resource Management Act 1991

948001.1 Gazette Notice 1998 p636 declaring part of the within land marked B SO Plan 24157 (170m²) is acquired for road which shall form part of State Highway No. 8A and shall vest in the Crown - 18.5.1998 at 2.57 pm

951009.8 Encumbrance to Contact Energy Limited - 14.7.1998 at 9.26 am

10309941.2 Mortgage to Westpac New Zealand Limited - 26.2.2016 at 11:03 am



872699/9

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

I/~~WE~~ NORMAN WILLIAM PITTAWAY of Wanaka Farmer

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Dunedin on the _____ day of _____ 19____ under No. 24216 ✓ are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE DEPOSITED PLAN NO. 24216 ✓

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement "ST"		Dominant Tenement Lot No.(s) or other Legal Description "DT"	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right to Convey Water	Lot 4	A - B	Lot 7 ✓	ST 16B/226 DT 16B/228
" "	Lot 1	C - D ✓	Lots 2, 3, 4, & 7 ✓	ST 16B/223 DT 16B/224 DT 16B/225 DT 16B/226 DT 16B/228
" "	Lot 2	D-E-F, E-H ✓	Lots 1, 3, 4 & 7 ✓	ST 16B/224 DT 16B/223 DT 16B/225 DT 16B/226 DT 16B/228
" "	Lot 3	F - G /	Lots 1, 2, 4 & 7 ✓	ST 16B/225 DT 16B/223 DT 16B/224 DT 16B/226 DT 16B/228
" "	Lot 4	G - B - C /	Lots 1, 2, 3 & 7 ✓	ST 16B/226 DT 16B/223 DT 16B/224 DT 16B/225 DT 16B/228

Handwritten signature

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

~~XXXXXX~~

The following are in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

A handwritten signature in black ink, appearing to be 'M. J. P.', located in the bottom right corner of the page.

1 INTERPRETATION

In this instrument unless the context otherwise requires:

"the Certificate" means this easement certificate (including these conditions) as it may be varied from time to time.

"these conditions" means these conditions as they may be varied from time to time.

"costs" means the costs of the installation, creation, establishment, operating, repair, maintenance, reconditioning, replacing, upgrading and serving of any article, property or facility used or needed for the proper exercise of the rights created by this Certificate.

"dominant land" in relation to any easement means the land described in the first schedule to which the relevant easement is appurtenant.

"easement" means an easement recorded by this Certificate.

"the Grantee" in relation to each easement means the registered proprietor for the time being of the dominant land which the relevant easement is appurtenant.

"the Grantee and other authorised persons" in relation to any easement means the Grantee and the agents, employees, contractors, tenants, licensees and invitees of the Grantee and all other persons authorised or invited by the Grantee to enjoy the relevant easement and, where the context so admits, means any of such persons.

"the Grantor" in relation to each easement means the registered proprietor for the time being of the servient land which is subject to the relevant easement.

"the Grantor and other authorised persons" in relation to any easement means the Grantor and the agents, employees, contractors, tenants, licensees and invitees of the Grantor and all other persons authorised or invited by the Grantor to enjoy the relevant easement and, where the context so admits, means any of such persons.

"the plan" means deposited plan No. 24216 Otago Registry.

"servient land" in relation to any easement means the land described in the first schedule which is subject to the relevant easement.

"specified area" means any part of the land specified in the first schedule as being subject to an easement.

"water supply area" means that part of the land described in the first schedule as being subject to a water supply easement.

"water supply easement" means the rights recorded by this Certificate in relation to each water supply area.

2 GENERAL PROVISIONS RELATING TO EASEMENTS

The following provisions are applicable to the easements recorded by this Certificate and the parties covenant accordingly:

- (a) Each grant shall be for all time



- (b) No power is implied in respect of any easement for the Grantor to determine the easement for breach of any provision in this Certificate (whether express or implied) or for any other cause, it being the intention of the parties that each easement shall subsist for all time unless it is surrendered.
- (c) It is intended that the Scheme be for the benefit of all the land described in the Schedule and the parties covenant that they will not exercise or attempt to exercise or authorise or permit any other person to exercise or attempt to exercise any rights or powers contained in this Certificate otherwise than in accordance with the covenants in this Certificate. The Covenants contained in this Certificate shall be mutually enforceable inter se by the Grantor and Grantees.
- (d) The parties shall pay all costs incurred in connection with the easements created by this Certificate in the proportions to be determined by agreement between the parties (which agreement may be recorded in a Deed of Covenant or other instrument registered against the Title to the servient and dominant lands) and failing such agreement the costs shall be borne in such shares as are reasonable having regard to the irrigable area of the servient land, the nature of farming activity carried on and the usage of water. The proportions shall be determined by arbitration in accordance with the provisions of Clause 5 hereof. If however, the incurring of costs was caused by the deliberate act or omission of either the Grantor or the Grantee then the party responsible shall be liable for the costs so incurred.

3 WATER SUPPLY EASEMENTS

The following provisions shall apply to each water supply easement:

3.1 Right to Convey Water

The Grantee and other authorised persons have the right (in common with the Grantor and all others having the like right) to convey and lead water in free and unimpeded flow (except during any periods of necessary cleaning, renewal and/or repair) through pipes and conduits laid or to be laid under the surface of and through the soil of the water supply area to the dominant land.

3.2 Access

The Grantee may, for the purposes of complying with any obligation of the Grantee under this Certificate:

- (a) Enter the servient land with or without Agents, Employees and Contractors with all necessary tools, implements, machinery, vehicles or equipments; and
- (b) remain on the servient land for such time as is reasonable for the purposes of performing such obligation; and
- (c) in exercising any rights under this subclause the Grantee shall:
 - (i) cause as little damage, disturbance, inconvenience and interruption to the servient land and use of the servient land as is reasonably necessary; and
 - (ii) forthwith make good any damage done to the servient land and to the occupier of the servient land.

4 DEFAULT

If any party ("The Defaulting Party") neglects or refuses to perform or join with the other party ("The Other Party") in performing any obligation under this Certificate the following provision shall apply:



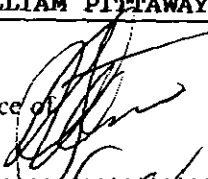
- (a) The other party may serve upon the Defaulting Party a written notice ("**A Default Notice**") requiring the Defaulting Party to perform or to join in performing such obligation and stating that, after the expiration after seven days from the service of the Default Notice the Other Party may perform such obligations;
- (b) If at the expiration of the Default Notice the Defaulting Party still neglects or refuses to perform or join in performing the obligation the Other Party may:
 - i. perform such obligation; and
 - ii. for that purpose enter the relevant servient land or dominant land and carry out any work.
- (c) The Defaulting Party shall be liable to pay to the Other Party the costs of the Default Notice and the specified proportion of the costs incurred in performing such obligation;
- (d) The Other Party may recover from the Defaulting Party as a liquidated debt any monies payable pursuant to this subclause.

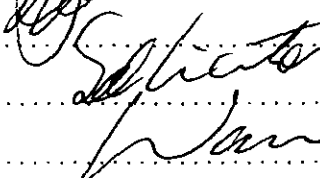
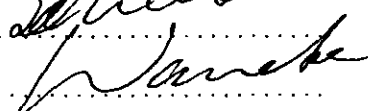
5 ARBITRATION


- 5.1 All disputes and differences which may arise between the parties in relation to this Transfer, or as to any matter arising under this Transfer, or in relation to the parties' rights or obligations under this Transfer, or in relation to the work to be carried out under this Transfer, shall be referred to arbitration in accordance with the Arbitration Act 1908.
- 5.2 The arbitration shall be commenced by either party giving to the other notice in writing stating the subject matter and details of the dispute or difference and that party's desire to have the matter referred to arbitration.
- 5.3 The arbitration shall be by one arbitrator if the parties can agree upon one and, if not, then by two arbitrators, one to be appointed by each party and their umpire to be appointed by the arbitrators before they begin to consider the dispute or difference.
- 5.4 The award in the arbitration shall be final and binding on the parties.



~~2xx Terms, conditions, covenants, or restrictions in respect of any of the above easements~~

Dated this 19th day of December 1994
Signed by the above-named
NORMAN WILLIAM PITTAWAY

in the presence of
Witness
Occupation
Address



EASEMENT CERTIFICATE

(IMPORTANT): Registration of this certificate does not of itself create any of the easements specified herein.

Correct for the purposes of the
Land Transfer Act

Solicitor for the registered proprietor

The within easements, when
created will be subject to Section
243 Resource Management Act
1991

AR.

FILE COPY

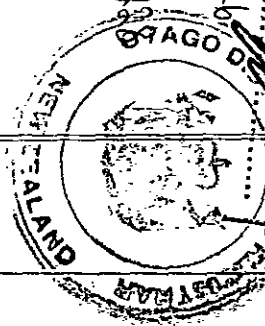
10.5.9 20 DEC 94

87269919

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY OTAGO
ASST. LAND REGISTRAR

166/223
166/224
166/225

166/226



CHRIS STEVEN
Barrister and Solicitor
Wanaka





DocID: 119473167

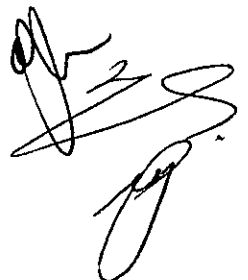
MEMORANDUM OF ENCUMBRANCE FOR SECURING A SUM OF MONEY

NORMAN WILLIAM PITTAWAY of Wanaka, Farmer ("the Proprietor") being registered as the proprietor of an estate in fee simple in all that parcel of land, subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon, containing: 248.7392 hectares more or less being Section 37, part Sections 38 and 39 Block VIII Lower Hawea District and Section 17 and Part Sections 57 and 58 Block VI Tarras District and also being contained and described in Certificate of Title 17B/320 (Otago Registry); 23.0165 hectares more or less being Lot 5 on Deposited Plan 24216 and also being contained and described in Certificate of Title 16B/227 (Otago Registry); 14.208 hectares more or less being Lot 7 on Deposited Plan 24216 and also being contained and described in Certificate of Title 16B/228 (Otago Registry); 1.2991 hectares more or less being Lot 1 on Deposited Plan 25265 and also being contained and described in Certificate of Title 17B/319 (Otago Registry) ("the said Land") and desire to render the said Land available for the purposes of securing to and for the benefit of **CONTACT ENERGY LIMITED** together with its subsidiaries and all their assigns and successors in title ("Contact") the rent charge mentioned below **DO HEREBY ENCUMBER** the said Land for the benefit of Contact with the rent charge of \$1.00 to be raised and paid at the time and in the manner following, that is to say -

In one annual sum on the first day of March in each year thereafter provided always that if during the twelve months immediately preceding the first day of March in any year there shall have been no breach of any of the obligations of this Memorandum then the rent charge payable on the first day of March shall be deemed to have been paid.

NOW THEREFORE WE COVENANT AND AGREE AS FOLLOWS:

1. **THAT** I will forbear from objecting on the basis of noise, visual impact, injurious affection or other adverse conditions to the presence of a power station on land adjacent to the said Land for which Contact (or its subsidiaries or associated companies) is or will be registered as a registered proprietor of an estate in fee simple in all that parcel of land subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon, containing 15.5313 hectares or thereabouts being Lots 1-8 inclusive on Deposited Plan 22247 and being comprised and described in Certificate of Title Volume 15A/550 Otago Registry ("Contact Land") or to the building of a new station or demolition of any existing station on the Contact Land or to any rebuilding, modifications or alterations to any power station whether existing or future on the Contact Land.
2. **THAT** I shall upon written request from Contact from time to time provide at a reasonable cost of Contact, support, co-operation and/or assistance of whatever nature reasonably required by Contact in respect of any application or requests for consent or renewal of consent that Contact may make from time to time of or incidental to its electricity related activities from time to time, on or about the Land, for the purposes of the Resource Management Act 1991 or any such amendments thereto or any statutory modification or re-enactment for the time being in force **PROVIDED ALWAYS** that I shall not be required to provide such support, co-operation or assistance in the event that I do not take any steps to oppose any such application, request for consent or renewal of consent.

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to be a first name followed by a surname, possibly 'John Smith' or similar, though the exact text is illegible due to the cursive style.

3. **THAT** I will not sell, lease or otherwise dispose of the said Land without first notifying the purchaser, lessee or other person taking an interest in the said Land of the existence of Contact's rights reserved by this Memorandum.
4. **THAT** Section 64 of the Property Law Act 1952 applies to this Memorandum of Encumbrance but otherwise (and without prejudice to Contact's rights of action at common law as a rent charge):
 - (a) Contact shall be entitled to none of the powers and remedies given to mortgagees by the Land Transfer Act 1952 and the Property Law Act 1952; and
 - (b) No covenants on the part of myself or my successors in title are implied in this Memorandum other than the covenant for further assurance implied by Section 154 of the Land Transfer Act 1952; and
 - (c) Contact shall have the right to protect its interest evidenced herein by registration of the within Memorandum against the title to the said Land.

TO THE END AND INTENT that this Memorandum shall run with the said Land and bind myself and my successors and assignees in title.

5. **THAT** in the event that I wish to enter into a mortgage or mortgages of the said Land to have priority to this Memorandum and not being in default of my obligations under the provisions of this Memorandum I shall be entitled in all things to a Memorandum of Priority granted by Contact in favour of any such mortgage or mortgages **PROVIDED THAT** the mortgagee consents to and acknowledges that it is bound by the covenants of this Memorandum for the purposes of Section 105 of the Land Transfer Act 1952.

A handwritten signature in black ink, appearing to be 'M. J. [unclear]', is located in the bottom right corner of the page.


**IN CONSIDERATION OF THESE PRESENTS CONTACT HEREBY COVENANTS
AND AGREES:**

6. **CONTACT** shall consent to the registration of any document whether by way of mortgage or other encumbrance or interest whatsoever and shall agree that any such instrument presented for registration shall take priority over its own encumbrance. Contact shall not charge any fee for such consent nor for the endorsement of its consent on any document nor for the execution of any such document and Contact shall pay its own costs and expenses incurred in giving consents and executing such documents.
7. **CONTACT** will release this encumbrance as soon as reasonably practicable after the expiration of the last date for objecting to any application brought by Contact for such consent as may be necessary for the construction of the power station may commence provided that the Proprietor has complied with the provisions of this Deed.

IN WITNESS WHEREOF this Encumbrance has been executed this 22nd day of May 1998

SIGNED by
NORMAN WILLIAM PITTAWAY)
in the presence of:)


Signature


Signature

Full Name Raymond Murray Blake
Solicitor
Wanaka

Address

Occupation



EXECUTED by)

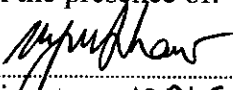
CONTACT ENERGY LIMITED)

by its attorneys:

Anita Jane Murdoch)
Full Name Signature

Tina Jane Symmans)
Full Name Signature

In the presence of:


Signature MALCOLM JAMES MURDOCH SHAW

Wellington
Address

Solicitor
Occupation

correct for the purposes of the Land Transfer Act
DO
Solicitor for the Proprietor.

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

We, Tina Jane Symmans, Corporate Support Services Director of Wellington and Anita Jane Mazzoleni, General Counsel of Auckland, certify:

1. **THAT** by Deed dated 21 December 1996 Contact Energy Limited appointed us as its attorneys on the terms and conditions set out in that Deed.
2. **THAT** a copy of that Power of Attorney is registered at various District Land Registries as follows:

Wellington	No. B556943.1
North Auckland	No. D114265.1
South Auckland	No. B402688
Taranaki	No. 439574
Gisborne	No. G214525.1
Hawkes Bay	No. 653200.1
Nelson	No. 365857.1
Canterbury	No. A285999/1
Otago	No. 925564
Westland	No. 106874
Marlborough	No. 189664
Southland	No. 240815.1

3. **THAT** at the date hereof we have not received any notice or information of the revocation of that appointment by Contact Energy Limited.

SIGNED at Wellington on the 22nd day of May 1998


Tina Jane Symmans


Anita Jane Mazzoleni

F5000000590198

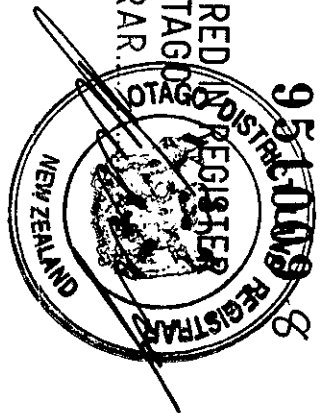
MWP_0010193

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951009 8

PARTICULARS ENTERED
LAND REGISTRY OTAGO
ASST. LAND REGISTRAR



824737/12

MEMORANDUM OF TRANSFER

326.25
CHECK.

I, NORMAN WILLIAM PITTAWAY of Wanaka Farmer (the Transferor)

being registered as the proprietor of an estate

in fee simple

subject however to such encumbrances liens and interests as are notified by memoranda underwritten or
endorsed hereon in all piece of land containing

be the same a little more or less

in all that parcel of land containing 15.5313 ha or thereabouts being Lots 1-8
(inclusive) on Deposited Plan 22247 being the land comprised and described in
SAR Certificate of Title Volume 15A Folio 550 (Otago Land Registry) subject to
the reservations and conditions imposed by Section 8 Mining Act 1971 and Section
5 Coal Mines Act 1979, Electricity Agreement 599286/8, and Land Improvement
Agreement 696900 (hereinafter called "the land first described") and Electricity
Agreement 469056
AND

in all that parcel of land containing 359.6808 hectares being Section 37, Part
Sections 38 & 39 Block VIII Lower Hawea District and Sections 17, 18, 57, Part
Section 58 and ~~XXX~~ Section 59 Block VI Tarras District being the land comprised
and described in Certificate of Title Volume 15A Folio 551 (Otago Land
Registry) subject to the reservations and conditions imposed by Section 8 Mining
Act 1971 and Section 5 Coal Mines Act 1979, Electricity Agreement 599286/8, and
Land Improvement Agreement 696900 (hereinafter called "the land second
described") and Electricity Agreement 469056, Mortgages 467274/2 and
515703

NEW ZEALAND STAMP DUTY 1400
24/07/9200099001 DUTY 326.25

IN CONSIDERATION OF the sum of \$32,625.00

paid to them by

ELECTRICITY FARM LAND HOLDINGS NO.1 LIMITED at Wellington

the receipt of which sum they hereby acknowledge and DO HEREBY TRANSFER to the said

ELECTRICITY FARM LAND HOLDINGS NO.1 LIMITED

all their estate and interest in the said pieces of land firstly described

RESERVING HOWEVER to the TRANSFEROR the full free and uninterrupted rights liberties and privileges to the intent that the same shall be easements forever appurtenant to the land secondly described (hereinafter called the "dominant tenement") and each and every part thereof;

1. To conduct electric power whether by underground cable or overhead wire including the free uninterrupted and unrestricted right liberty and privilege for the transferor and any other authorised persons (in common with the transferor and all other persons have the like right) from time to time and at all times
 - 1.1 To receive transmit and conduct electric power as aforesaid together with any necessary junction box or distribution sub station in a free and unimpeded flow along those portions of the land firstly described (being the servient tenement) and marked "A" on Deposited Plan 22247 and marked "B" on the plan attached hereto;
 - 1.2 To maintain and use the power cables junction box and other necessary fittings already laid placed or installed under or on or over the surface of the specified portions of the land firstly described;
 - 1.3 To lay place or maintain or to have laid placed or maintained any power cables junction box or other fittings in replacement or in substitution for all or any of those power cables junction box or other fittings; and
 - 1.4 Together with his servants workmen and agents and with or without vehicles laden or unladen and with tools machinery and equipment, from time to time and at all times as occasions shall require, to enter upon the servient tenement and construct equip maintain repair alter renew and operate on the specified portions for the purposes of laying erecting

A M E N D E D
ORDER OF LAND VALUATION TRIBUNAL

LVP NO: 94/91

IN THE LAND VALUATION
 TRIBUNAL AT THE DISTRICT
 COURT AT DUNEDIN

IN THE MATTER OF AN APPLICATION
 UNDER THE LAND SETTLEMENT PROMOTION
 AND LAND ACQUISITION ACT 1952 FOR
 CONSENT TO A SALE/LEASE OF LAND

BETWEEN NORMAN WILLIAM PITTAWAY and DOROTHY
 JOSEPHINE PITTAWAY and JOHN GRAHAM TODD

Vendor/~~Lesser~~

AND ELECTRICITY FARM LAND HOLDINGS No.1 LIMITED

Purchaser/~~Lessee~~

BEFORE THE OTAGO LAND VALUATION TRIBUNAL

On the application of Norman William Pittaway
 for the consent of the Land Valuation Tribunal to the sale/~~lease~~
 In respect of the land described in the schedule hereto
 It is ordered that the consent of the Land Valuation Tribunal be granted to the
 transaction pursuant to Part II of the Land Settlement Promotion and Land
 Acquisition Act 1952

SCHEDULE

- (i) Containing 1.6 hectares or thereabouts subject to survey being Part
 S.7 Block-VIII-Lower Hawea Survey District and being part of the land
 comprised in Certificate of Title 5A/540 (Otago Land Registry).
 (ii) Containing 18.5 hectares or thereabouts subject to survey being Part
 Ss.38 and 39 Block VIII Lower Hawea District and Part Ss.57 and 58 Block
 VI Tarras District being part of the Land in C. of T. 10B/974 (Otago Land
 Registry)
 Pursuant to an agreement dated 15 March 1991
 Situated in the County of Queenstown-Lakes District Council

CONSIDERATION:

\$	00
36,000	
36,000	00

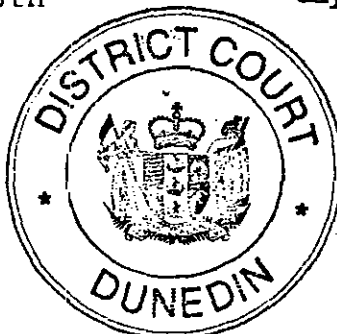
LEASE DETAILS:

Annual Rental - \$ N/A

Dated at Dunedin this 28th

day of May

19 91



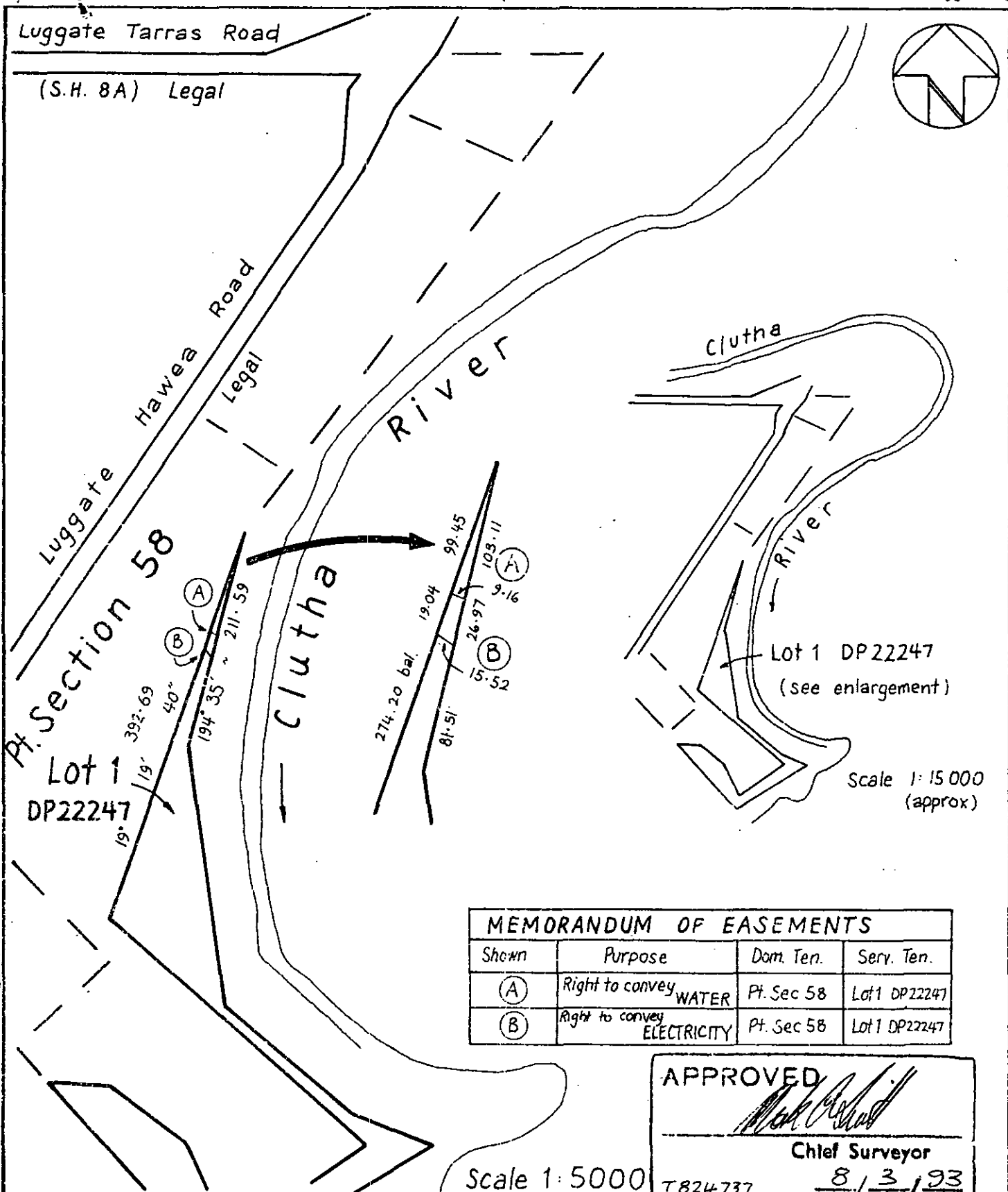
[Signature]
 Deputy Registrar

Copies to:

Chris Steven
 Box 161
 WANAKA

Office of Crown Lands
 CPO Box 170
 WELLINGTON

Branch Manager
 Valuation Department
 Box 215
 DUNEDIN



MEMORANDUM OF EASEMENTS			
Shown	Purpose	Dom. Ten.	Serv. Ten.
(A)	Right to convey WATER	Pt. Sec 58	Lot 1 DP22247
(B)	Right to convey ELECTRICITY	Pt. Sec 58	Lot 1 DP22247

APPROVED

 Chief Surveyor
 8/3/93
 T 824 737

WORKS
 Consultancy Services

 W. G. Whiting
 Registered Surveyor

TITLE: PLAN SHOWING RIGHTS TO CONVEY WATER & ELECTRICITY OVER LOT 1, DP22247, BLK VI, TARRAS SD.

This drawing and its contents are the property of Works and Development Services Corporation (NZ) Ltd. Any unauthorised employment or reproduction, in full or in part is forbidden.

SCALE: as shown	FILE: DECEMBER 1991	JOB / /	CODE	SHEET
REVISION				

inspecting repairing maintaining and removing such cables junction box or other fittings or any part thereof but subject to the condition that as little disturbance as possible is caused to the surface of the land of the transferor and that the surface is restored as nearly as possible to its former condition and any other damage done by reason of the aforesaid operations is repaired

2. A right to convey water as defined in the Seventh Schedule to the Land Transfer Act 1952 over that part of the land firstly described marked "B" on Deposited Plan 22247. ✓
3. A right to convey water as defined in the Seventh Schedule to the Land Transfer Act 1952 over that part of the land firstly described marked "A" as shown on the plan annexed hereto. ✓

(ow) ✓ AND THE TRANSFEREE HEREBY COVENANTS WITH THE TRANSFEROR that the transferee will not place any buildings or erections or plant or allow or suffer to grow any tree or shrub on the said portion of the land and will not at any time hereafter do permit or suffer to be done any act whereby the rights powers licences and liberties hereby granted to the TRANSFEROR may be interfered with or affected in any way.

fen ✓ AND THE TRANSFEREE HEREBY FURTHER AGREES to be bound by a Fencing Covenant as defined by the Fencing Act 1978.

IN WITNESS WHEREOF these presents have been executed this 23rd day of June 1992

Signed by the abovenamed

NORMAN WILLIAM PITTAWAY

as transferor in the presence of:

Witness's Signature

Occupation

Address

[Handwritten signature]
[Handwritten signature]
[Handwritten signature]

[Handwritten signature: N.W. Pittaway]

THE COMMON SEAL of ELECTRICITY
FARM LAND HOLDINGS NO.1 LIMITED
was hereunto affixed in the
presence of:



[Handwritten signature: A.J. Cross] Director

[Handwritten signature: G. Guman] Director/Secretary

MEMORANDUM OF TRANSFER

of LAND

N.W. PITTAWAY Transferor

ELECTRICITY FARM LAND Transferee
HOLDINGS NO.1 LIMITED

THE EASEMENTS MARKED A and B ON DP.22247
ARE SUBJECT TO SECTION 309 (1)(a) LOCAL
GOVERNMENT ACT 1974

Transfer correct for the purposes of the Land
Transfer Act

D.A. Robertson
(Solicitor for) the transferee
(S.A. Robertson)

I hereby certify that this transaction does not
contravene the provisions of Part IIA of the
Land Settlement Promotion and Land Acqui-
sition Act 1952.

D.A. Robertson
(Solicitor for) the transferee
(S.A. Robertson)

Particulars entered in the R-
the schedule of land herein
the time stamped below

District Land Register
Assistant
of the District of

12.07 26.FEB.93 824737/12
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY OTAGO
ASST LAND REGISTRAR
15A/550 (55)
16B/226
16B/225
16B/226
16B/227
16B/228
16B/229

AURORA ENERGY LIMITED

PO Box 5140, Dunedin 9058

PH 0800 22 00 05

WEB www.auroraenergy.co.nz



21 April 2020

Daniel Curley

I P Solutions

Sent via email only: dan@ipsolutions.nz

Dear Dan,

**ELECTRICITY SUPPLY AVAILABILITY FOR A PROPOSED FIVE LOT SUBDIVISION..
CORNER OF WANAKA LUGGATE HIGHWAY AND SHORTCUT ROAD, LUGGATE. PT LOT 7 DP 24216**

Thank you for your inquiry outlining the above proposed development.

Subject to technical, legal and commercial requirements, Aurora Energy can make a Point of Supply¹ (PoS) available for this development.

Disclaimer

This letter confirms that a PoS **can** be made available. This letter **does not** imply that a PoS is available now, or that Aurora Energy will make a PoS available at its cost.

Next Steps

To arrange an electricity connection to the Aurora Energy network, a connection application will be required. General and technical requirements for electricity connections are contained in Aurora Energy's Network Connection Standard. Connection application forms and the Network Connection Standard are available from www.auroraenergy.co.nz.

Yours sincerely

A handwritten signature in black ink, appearing to read "Niel Frear".

Niel Frear

CUSTOMER INITIATED WORKS MANAGER

¹ Point of Supply is defined in section 2(3) of the Electricity Act 1993.

Chorus Property Development Team

PO Box 9405
Waikato Mail Centre
Hamilton 3200
Telephone: 0800 782 386
Email: develop@chorus.co.nz

C H O R U S

23 April 2020

Chorus Ref #: WNK57444

Your Ref #:

C/- IP Solutions

Attention: **Daniel Curley**

Dear Sir / Madam

Property Development – WNK: Cnr Wanaka Luggate Highway & Short Cut Road, Wanaka. 5 Lots (Lots 1-5) Simple Estimate

Thank you for your enquiry regarding the above subdivision.

Chorus is pleased to advise that, as at the date of this letter, we would be able to provide COPPER telephone reticulation for this property development. In order to complete this reticulation, we require a contribution from you to Chorus' total costs of reticulating the development. Chorus' costs include the cost of network design, supply of telecommunications specific materials and supervising installation. At the date of this letter, our estimate of the contribution we would require from you is \$52,619.40 (including GST).

We note that (i) the contribution required from you towards reticulation of the development, and (ii) our ability to connect the subdivision to the Chorus network, may (in each case) change over time depending on the availability of Chorus network in the relevant area and other matters.

If you decide that you wish to undertake reticulation of this property development, you will need to contact Chorus (see the contact details for Chorus Property Development Team above). We would recommend that you contact us at least 3 months prior to the commencement of construction at the subdivision. At that stage, we will provide you with the following:

- confirmation of the amount of the contribution required from you, which may change from the estimate as set out above;
- a copy of the Contract for the Supply and Installation of Telecommunications Infrastructure, which will govern our relationship with you in relation to reticulation of this property development; and
- a number of other documents which have important information regarding reticulation of the property development, including - for example - Chorus' standard subdivision lay specification.

Yours faithfully

Jarred Hebden
Property Development Coordinator



GEOTECHNICAL ASSESSMENT REPORT

IP BUTSON GEOTECH

WANAKA LUGGATE HIGHWAY LUGGATE

CLIENT: IP SOLUTIONS

JOB REF: G21010

DATE: 11 SEPTEMBER 2020

MT IRON GEODRILL



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Report Prepared By



Gavin Tippet

B.Sc (Geol), P.G.Dip.Eng.Geol, M.Sc (Eng.Geol), MEngNZ

Engineering Geologist



1 INTRODUCTION

This report presents the results of a geotechnical assessment carried out by Mt Iron Geodrill on behalf of IP Solutions for the proposed sub-division of Part Lot 7 DP 24216, Wanaka Luggate Highway, Luggate as indicated in Figure 1.

The work was commissioned by Dan Curley, of IP Solutions (on behalf of Kerry Butson) via signed SFA dated 27 July 2020.

The scope of work for the geotechnical assessment included providing recommendations on:

- Natural hazard assessment
- Soil parameters for the design of structural elements
- Temporary and permanent batter angles
- Suitability for material reused as fill
- Suitability for onsite stormwater and wastewater disposal
- Preliminary bearing capacity assessment

The following report presents the results of field investigations and provides discussion and recommendations relevant to the above scope of work.

Limitations

Findings presented as a part of this report are for the sole use of IP Solutions, Kerry Butson and the Queenstown Lakes District Council in accordance with the specific scope and the purposes outlined above. While other parties may find this reporting useful, the findings are not intended for use by other parties and may not contain sufficient information for the purposes of other parties or other uses.

Our professional services are performed using a degree of care and skill normally exercised, under similar circumstances, by reputable consultants practising in this field at this time. No other warranty, expressed or implied, is made as to the professional advice presented in this report.

1.1 RELATED DOCUMENTS

In this report, reference is made to the following documents:

- NZS 4431:1989 and amendments. Code of Practice for Earthfill for Residential Development
- NZS 3604: 2011 Timber Framed Buildings
- NZS 1170.5: 2004 Structural design actions Part 5 Earthquake actions – New Zealand
- Geology of the Wakatipu area 1:250,000 QMap (Qm18), GNS Science: 2000
- Part D: Guidelines for the investigation and assessment of subdivisions in the Canterbury region
- ORC Publication - Seismic Hazard in Queenstown Lakes District, August 2015
- Earthquake Geotechnical Engineering Practice: Module 3, May 2016

2 SITE INFORMATION

- The site is located to the south-east of the junction between Shortcut Road and the Wanaka Luggate Highway, approximately 2km north of Luggate.
- The site is currently bare farmland with no buildings present.
- Topography is generally flat to slightly undulating with a north-south trending terrace riser in approximately the middle of the site.





Figure 1 - Approximate site locations is shown by red arrow

3 GEOLOGY

The geology of the site is mapped by the Qm14 as comprising:

OIS2 (Late Pleistocene) outwash deposits - Unweathered to slightly weathered, well sorted, sandy gravel forming large outwash terraces in Clutha catchment

It is noted that the lower terrace is mapped is being slightly younger Hāwea Formation with an age of between 12,000 and 18,000 years with the higher terrace being shown with an age of between 18,000 and 30,000 years.

The Qmap is at a 1:250,000 scale so only details the larger units present. Site investigations have confirmed the presence of glacier outwash deposits.

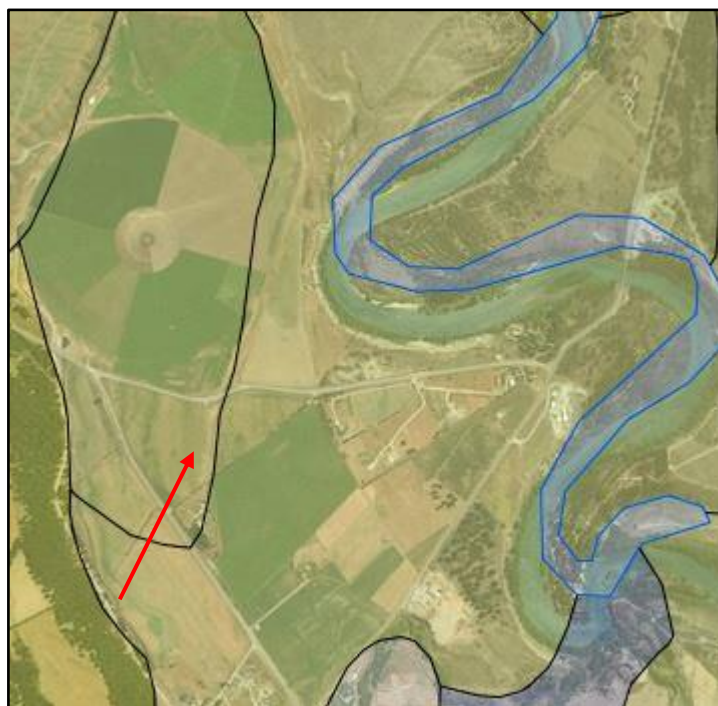


Figure 2 - Approximate site location is shown by the red arrow.

The geology of the area is dominated by schist terrane that has been extensively eroded by alluvial and glacial action over many thousands of years. The current geology of the site is a depth of relatively young remnant glacial outwash deposits overlying the much older schist bedrock.

There have been several glacial advances which have deposited large volumes of sediment in the area. These deposits have been successively eroded by younger glacial events to form the terraces present in the Upper Clutha area.

No active faults were mapped in the field, however, the active Grand View fault shown on the published Qm 18 approximately 6km from the site to the east.

There is a significant seismic risk to the Wanaka region when the rupture of the alpine fault system occurs; recent probability predictions estimate a magnitude 7.5 or greater is highly likely within the next 45 years. Significant ground shaking is expected from this type of event.

The site is located in an area of past glacial activity with several advance and retreat events causing the underlying bedrock to be scoured by glacial ice sheets resulting in the deposition of glacial sediments such as till over the schist bedrock and lacustrine and deltaic alluvial fan deposits. The Lacustrine depositional environment has resulted in the deposition of lake sediments, which are typically sands and silts. When unconsolidated and in high groundwater situations it is these sediments that can liquefy when subject to seismic shaking.

4 SITE INVESTIGATIONS AND ASSESSMENTS

Fieldwork was carried out on 27 July 2020 and comprised of:

- Eight test pits to 1.5m to 2.2m depth;
- Two Scala Penetrometer tests
- One infiltration test in TP3

All fieldwork was carried out either by a Mt Iron Geodrill representative who located and produced engineering logs of the test pits.

Test locations were located by handheld GPS using zone 59 UTM coordinates, with an error of $\pm 3\text{m}$. Approximate locations are shown on Figure 1.

5 RESULTS OF INVESTIGATION

5.1 SURFACE CONDITIONS

The surface conditions at the time of site visit showed the following:

- No evidence of water seeps or springs at the surface on or near the proposed building platforms on the day of the field investigation;
- No evidence of current or historic land instability in natural soils;
- Minor evidence of erosion in the natural soils, limited to the topsoil
- No evidence of filling on any of the proposed building platforms

5.2 INTERPRETED SUBSURFACE CONDITIONS

The typical soils types encountered during the field investigations have been divided into three main geotechnical units as summarised in Table 1. Engineering logs of the test pits are presented in Appendix A.

TABLE 1 – SUMMARY OF GEOLOGICAL UNITS AND SOIL TYPES

UNIT	SOIL TYPE	DESCRIPTION
1	TOPSOIL	Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.
2a	ALLUVIUM	SILT: yellow brown, low to moderate dilatancy silt, minor fine sand.
2b	ALLUVIUM	SAND: brown grey, medium to coarse grained, well graded sand, minor silt. $\phi = 37^\circ$
3a	ALLUVIUM	Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand. $\phi = 36^\circ$
3b	ALLUVIUM	Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders. $\phi = 37^\circ$
4	ALLUVIUM	Silty SAND: yellow grey, fine grained sand, high dilatancy silt (approximately 10% to 15%). $\phi = 36^\circ$

Table 2 contains a summary of the distribution of the above geotechnical units in each borehole location.

TABLE 2 – SUMMARY OF DISTRIBUTION OF GEOLOGICAL UNITS ENCOUNTERED AT TEST PIT LOCATIONS

TEST LOCATION	DEPTH ENCOUNTERED BELOW EXISTING GROUND LEVEL (m)					
	UNIT 1	UNIT 2a	UNIT 2b	UNIT 3a	UNIT 3b	UNIT 4
TP1	0.0 - 0.3	-	-	0.3 - 0.6	0.6 - >1.5	-
TP2	0.0 - 0.3	-	-	0.3 - 0.6	0.6 - >1.5	-
TP3	0.0 - 0.3	0.3 - 0.7	0.7 - 1.2	-	-	1.2 - >2.2
TP4	0.0 - 0.3	0.3 - 0.7	0.7 - 1.2	-	-	1.2 - >2.2
TP5	0.0 - 0.3	-	-	0.3 - 0.6	0.6 - >1.5	-
TP6	0.0 - 0.1	-	-	0.3 - 0.6	0.6 - >1.5	-
TP7	0.0 - 0.3	-	-	0.3 - 0.6	0.6 - >1.5	-
TP8	0.0 - 0.3	-	-	0.3 - 0.6	0.6 - 1.3	1.3 - >2.2
- Unit not encountered						
> Unit extends to a depth greater than investigation						

5.3 EXISTING FILL

No Fill was encountered on either of the building platforms.

6 GROUNDWATER

Groundwater was not encountered on the site during the field investigation. It is likely that groundwater table is approximately 20m depth (based on data from nearby bores) however this has not been confirmed as part of this investigation.

It should be noted that fluctuations in the groundwater levels can occur due to seasonal variations, temperature, rainfall and other similar factors, the influence of which may not have been apparent at the time of investigation.

7 LABORATORY TESTING

No material was sampled for laboratory testing. If material onsite is to be used for structural fill, then laboratory testing will be required.

8 DISCUSSION AND RECOMMENDATIONS

8.1 SITE PREPARATION

Site preparation and earthworks suitable for structure and pavement support should consist of:

- Prior to the placement of any new fill, the proposed areas should be stripped to remove all vegetation, topsoil, root affected or other potentially deleterious material. Stripping is generally expected to be required to depths of about 0.3m
- New site fill beneath structures should be compacted to a minimum density ratio of 95% Standard Compaction within acceptable limits of optimum moisture content (OMC);
- All new fill should be supported by properly designed and constructed retaining walls or else battered at 1V:2H or flatter and protected against erosion;

- Earthworks should be in accordance with the recommendations of NZS 4431:1989 '*Earth Fill for Residential development*'.

8.2 EXCAVATION CONDITIONS

Where excavation is required, it is anticipated that all site materials could be excavated by conventional dozer blade or excavator (1.7 ton) bucket at least to the depths indicated on the appended logs. The depths of topsoil material where encountered during fieldwork are summarised in Table 2.

8.3 SUITABILITY OF SITE SOILS AS FILL

It is considered that site soils Unit 3a and Unit 3b could be reused as engineered fill. It is recommended that if these materials were to be used they would need to be blended and screened to remove all material greater than 65mm.

All other units are considered to be only suitable for landscaping fill only.

If other uses are envisaged for site material then it recommended that laboratory testing may be required inline with the type of reuse proposed.

8.4 NATURAL HAZARDS

No natural hazards are noted on or near the site on the QLDC hazard maps or may be present at the site. however the following should be noted

- Seismic faults and Ground Shaking

8.4.1 Seismic Faults and Ground Shaking

As outlined in Section 3 above, the site is close to the mapped location of the active Grandview Fault and the NW Cardrona Fault. Of these the more active (relatively speaking) is the Cardrona Fault. There have been several identified rupture events in investigation trenches dug, within the Cardrona Valley, across the fault by research groups in the past. The recurrence interval for a magnitude 7.0 event is estimated at 6,200 years. However, the risk to buildings in the Luggate area is considered to be the same as for those in the wider Wanaka area.

The greater risk to the site and again the wider Wanaka area is from the Alpine Fault, approximately 80km to the west. It is believed that the Alpine Fault could be capable of producing a magnitude 8.0 event and has a recurrence interval of 350 - 400 years. It is expected likely to a magnitude 7.5 or greater event could occur in the next 45 years.

It is therefore considered that while there is a risk to any buildings on site from seismic events, they should be no greater than for the wider area.

It is considered that the proposed buildings will be Importance Level 2 (IL2) structures in accordance with NZS1170:1. IL2 structure design requirements, including resistance of earthquake shaking with an annual probability of exceedance of 1 / 500 (i.e. a 500-year return period), which corresponds to the ultimate limit state (ULS) design seismic loading.

At ULS, a structure should be able to withstand the potential (earthquake) deformations without structural collapse and protect the safety of the occupants. Earthquake shaking with an annual probability of exceedance of 1 / 25 (i.e. a 25-year return period) is assigned to the serviceability limit state (SLS) design level. At the SLS level the design requirement is that deflections do not result in damage causing loss of function of the structure and that damage is readily repairable.

NZS1170.5 and NZTA Bridge Manual (Version 3.2, May 2016) provide guidance on the ULS and SLS earthquake magnitude and ground shaking parameters. The calculation methodology outlined in Section

6.2 of the Bridge Manual has been followed to assess the design PGA for the site, for two ground motion cases (SLS and ULS) as outlined below:

$$PGA = C_{0,1000} \left(\frac{Ru}{1.3} \right) fg$$

Where:

- C_{1000} = Unweighted Peak Ground Accelerations for Class C Site (Figure 6.1(a) of NZTA bridge Manual) = 0.4 for the Wanaka Area
- Ru (ULS) = Return Period Factor for ULS event (1/500 year for IL2) = 1.0
- Ru (SLS) = Return Period Factor for SLS event (1/25 year for IL2) = 0.25
- $f = 1.33$ for Class C shallow soil sites (conservative given the unknown depth to rock under the site)
- g = acceleration from gravity = 9.81 m/s/s

TABLE 3 – SUMMARY OF THE EARTHQUAKE SCENARIOS RECOMMENDED FOR DESIGN

	SERVICE LIMIT STATE (SLS) DESIGN EARTHQUAKE	ULTIMATE LIMIT STATE (ULS) DESIGN EARTHQUAKE
RETURN PERIOD (YEARS)	25	500
MOMENT MAGNITUDE (M_w)	7	7
PEAK HORIZONTAL GROUND ACCELERATION (PGA)	0.1g	0.4g

The site is not subject to near-fault factors as outlined in Section 3.1.6 of NZS1170.5:2004.

9 SUBSOIL SUBCLASS FOR SEISMIC DESIGN

Soils in this site are considered to fall in the site subsoil 'Class C – Shallow Soil sites' in accordance with NZS 1170.5:2004.

10 PRELIMINARY BEARING CAPACITY STRESSES

Bearing capacity assessed using the Terzaghi bearing capacity equation.

$$Gross\ q_{ult} = cN_c + p_o N_q + 1/2 \gamma B N_\gamma$$

Where:

- q_{ult} = ultimate bearing capacity of the soil
- cN_c = is due to cohesion and friction in the soil
- p_o = total over burden pressure at the foundation level
- γ = bulk unit weight of the soil
- B = width of the footing (for strip footing)
- N_c, N_q & N_γ are termed bearing capacity factors and are related to the friction angle of the soil

The soil parameters used for the bearing capacity assessment are detailed in Table 2 below

A standard footing size of 0.4m wide by 0.4m embedment has been used for the calculations. These dimensions are considered to be consistent with NZS3604:2011 standard footings. A square footing of 1m by 1m with embedment of 0.2m is used (as a Mt Iron Geodrill Standard) to assess the bearing capacity for slab type foundations. All calculations assume drained conditions.

It shall be noted that the dimensions used are only used to allow the calculation of the bearing capacity. All footings designs should be either code marked designs or checked by a suitably qualified person.



TABLE 4 - BEARING CAPACITY SOIL PARAMETERS

PARAMETER	Silty GRAVEL (Unit 3a)	Silty GRAVEL (Unit 3a)	Gravelly SAND (Unit 3b)	Gravelly SAND (Unit 3b)	SILT (Unit 2a)	SILT (Unit 2a)
ϕ (Friction Angle)	36°	36°	37°	37°	32°	32°
γ (bulk unit weight of soil below footing level)	17 kN/m ³	17 kN/m ³	17 kN/m ³	17 kN/m ³	17 kN/m ³	17 kN/m ³
γ (bulk unit weight of soil above footing level)	14 kN/m ³	14 kN/m ³	14 kN/m ³	14 kN/m ³	14 kN/m ³	14 kN/m ³
C (cohesion)	-	-	-	-	2kN	2kN
c_u (shear strength of soil)	-	-	-	-	-	-
B (Width of footing)	0.4 m	1 m	0.4 m	1 m	0.4 m	1 m
L (Length of footing)	-	1 m	-	1 m	-	1 m
(depth of embedment)	0.4 m	0.2 m	0.4 m	0.2 m	0.4 m	0.2 m
CALCULATED ULTIMATE BEARING CAPACITY q_{ult}	>300 kPa (Strip Footing)	>300 kPa (Rectangular Footing)	>300 kPa (Strip Footing)	>300 kPa (Rectangular Footing)	270 kPa (Strip Footing)	>300 kPa (Rectangular Footing)

Once the Gross Ultimate Bearing Capacity q_{ult} is gained it is divided by 3 to get the Allowable bearing capacity for the soil at foundation level.

There is a slight advantage to using a depth factor in the calculations of bearing capacity, but these are used with caution which has been done in this case. Based on the parameters above and a strip footing width of 0.4 m and embedment depth of 0.4 m an allowable bearing capacity of 100 kPa is likely to be achieved in the Unit 3 materials and an allowable bearing capacity of 190 kPa is likely to be achieved in the Unit 2a materials.

It is highly recommended that all foundation conditions are checked at the time of construction to confirm the design assumptions.

11 GEOTECHNICAL SOIL PARAMETERS

Geotechnical soil parameters for retaining design are tabulated below:

TABLE 5 – GEOTECHNICAL SOIL PARAMETERS

Soil/Rock Type	Bulk Density (kN/m ³)	Effective Cohesion (kPa)	Effective Friction Angle (°)
Topsoil	14	-	25
Engineered Fill	17	0	35
Site Soils (silt)	17	2	32
Site Soils (Gravelly Sands)	17	0	36

All retaining structures should be designed by a Chartered Professional Engineer and have full height of retaining drainage measures installed with a collection drain at the base, to suitable outfall to the stormwater system.

11.1 PERMEABILITY

An assessment of the soil permeability was undertaken during the site investigation visit for the purposes of onsite wastewater disposal at the location of Lot 2. One onsite permeability test (SK1) was conducted in soils which were considered to be representative of those across and around Lot 2 and likely to be those in which wastewater disposal is likely to take place.

A summary of the results of the permeation testing are outlined in Table 6.

TABLE 6 – SUMMARY OF PERMEATION TESTING

TEST LOCATION	SOIL TYPE	PERMEABILITY mm/hr
SK1	Silt	18

The results of the permeability testing are appended.

11.2 SUITABILITY FOR ONSITE STORMWATER DISPOSAL

It is considered that the site is suitable for onsite stormwater disposal. It is highly recommended that all locations for on-site stormwater disposal are tested at the time of design to check the infiltration rate at the actual disposal soils as some variation may be present.

11.3 SUITABILITY FOR ONSITE WASTEWATER DISPOSAL

It is considered that Lots 1, 3, 4 and 5 should be suited to onsite wastewater disposal. It is considered that the soils for these lots is Category 1 as per AS/NZS1547:2012 Table 5.1.

Lot 2 should also be suitable for on site disposal, however, the soils at this location are considered to require more detailed investigation during the design phase. It is considered that the silt soils (to a depth of 0.7m) should have a K_{sat} permeability of approximately 18mm/hr (0.44m/day) which is Category 4, weakly Structured soil as per AS/NZS1547:2012 Table 5.1.

Careful selection and design of wastewater disposal systems will need to be undertaken once the size and location of each house are better known.

It is highly recommended that all locations for on-site wastewater disposal are tested at the time of design to check the infiltration rate at the actual disposal soils as some variation may be present.

12 CONCLUSIONS

The proposed development is considered geotechnically suitable for the site. As long as the above considerations in Sections 8 through 11 above are followed for design and construction, no adverse geotechnical effects are expected.

13 APPLICABILITY

This report is only to be used by the parties named above for the purpose that it was prepared and shall not be relied upon or used for any other purpose without the express written consent of the principal and Mt Iron Geodrill Ltd.

This report only addresses the geotechnical issues of the site for the proposed development.

The extent of testing associated with this assessment is limited to discrete locations and variations in ground conditions can occur between and away from such locations. If subsurface conditions encountered during construction differ from those given in this report further advice should be sought without delay.

14 COMPETENCY STATEMENT

I, Gavin Tippet, am a member of Engineering New Zealand (MEngNZ 1153129), and hold the following qualifications:

- BSc (Geology),
- PGDip Engineering Geology,
- M.Sc (Engineering Geology).

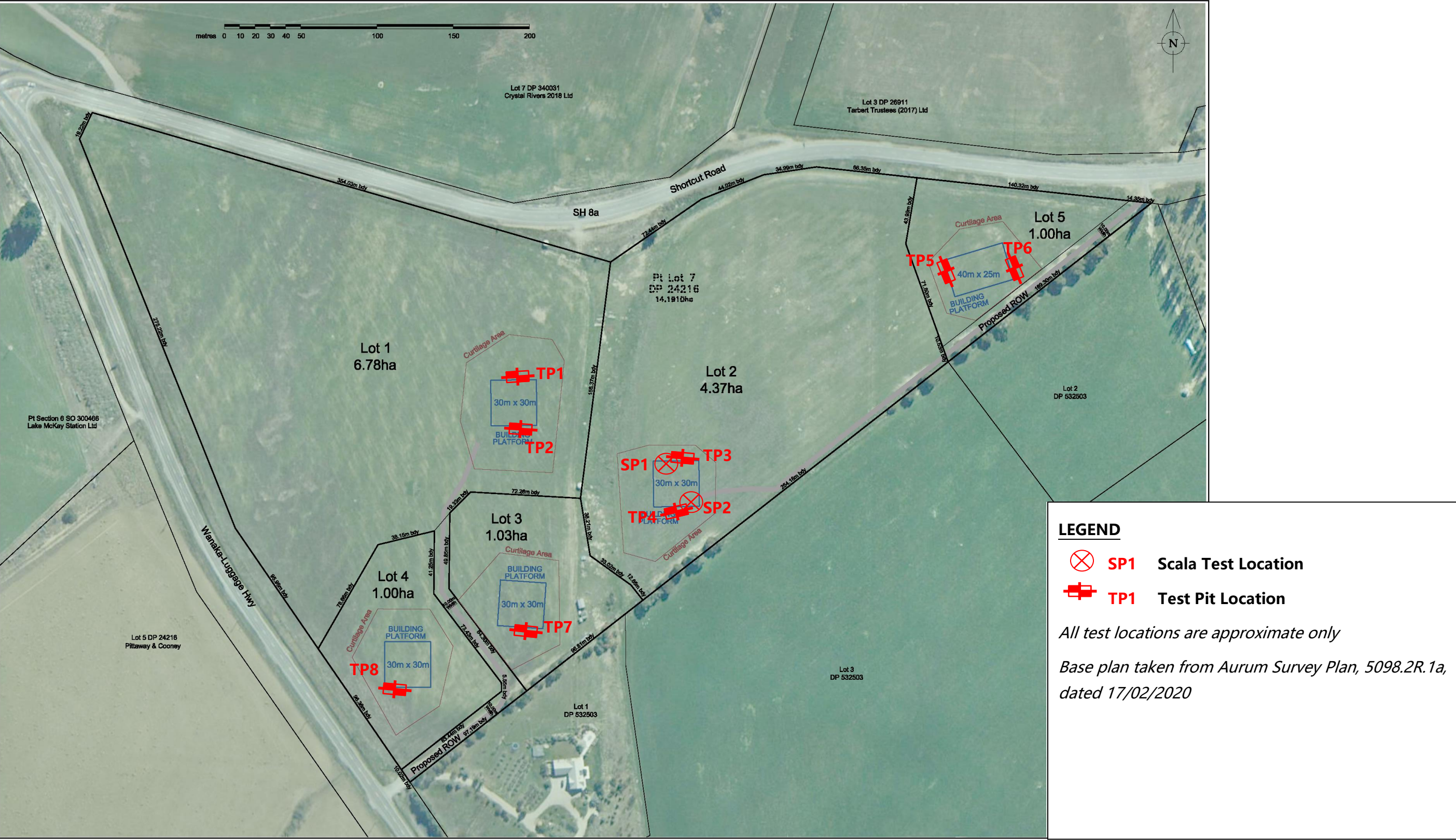
Mt Iron Geodrill holds a current policy of Professional Indemnity Insurance no less than \$200,000.



Appendix A – SITE PLAN

- Testing location plan (Figure 1)





LEGEND

SP1 **Scala Test Location**

TP1 **Test Pit Location**

All test locations are approximate only



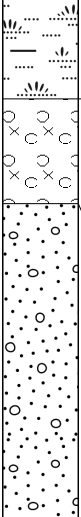
Base plan taken from Aurum Survey Plan, 5098.2R.1a, dated 17/02/2020

	Project: IP BUTSON GEOTECH Wanaka Luggate Highway Luggate	Client: IP Solutions	Drawing Title: Site investigation Plan	Scale: NTS	Drawing Number Figure 1
				Job No. G21010	Revision: 11/09/2020

Appendix B – ENGINEERING LOGS

- Test Pit Logs (TP1 - TP8)
- Scala Penetrometer Results
- Permeation Results



TP1		TEST PIT LOG								
CO-ORDINATES: 362495 5044950 ± m: 6m ELEVATION: 291 DATUM: usm/MSL		JOB NUMBER: G21010 PROJECT: IP BUTSON GEOTECH LOCATION: Wanaka Luggate Highway LUGGATE		EQUIPMENT TYPE & MODEL: Yanmar ViO17 COMPANY: Mt Iron Geodrill OPERATOR: G Tippet		PIT DIMENSIONS: Wide: 0.5m Long: 2.4m				
METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOISTURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional	
E	0			N		TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.	D - M	F - St	TOPSOIL	0
	Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand. Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders.					MD		ALLUVIUM	1	
	1					Hole ends 1.5m (Collapsing)			L - MD	
	2									
	3									3
	4									4
METHOD: N Natural Exposure X Existing Excavation E Excavator HA Hand Auger		SAMPLES: U50 Undisturbed Sample 50mm Diameter D Disturbed Sample V Vane Shear (kPa) Bs Bulk Disturbed Sample E Environmental Sample INF Infiltration test		MOISTURE: D Dry M Moist W Wet S Saturated		CONSISTENCY / DENSITY: VS Very Soft VL Very Loose S Soft L Loose F Firm MD Medium Dense St Stiff D Dense VSt Very Stiff VD Very Dense H Hard Fb Friable		NOTE: A scale result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7. WATER: ◁ Water Inflow ▼ Standing Water Level ▽ Estimated High Water Level N Nil Water Observed		

TP2		TEST PIT LOG								
CO-ORDINATES: 362489 5044923 ± m: 6m ELEVATION: 291 DATUM: usm/MSL		JOB NUMBER: G21010 PROJECT: IP BUTSON GEOTECH LOCATION: Wanaka Luggate Highway LUGGATE		EQUIPMENT TYPE & MODEL: Yanmar ViO17 COMPANY: Mt Iron Geodrill OPERATOR: G Tippet						
DATE: 27 July 2020 LOGGED BY: GT		PIT DIMENSIONS: Wide: 0.5m Long: 2.4m								
METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOISTURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional	
E	0					TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.	D - M	F - St	TOPSOIL	0
	Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand.					MD		ALLUVIUM	1	
	1					Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders.			L - MD	
	2					Hole ends 1.5m (Collapsing)				2
	3									3
	4									4
METHOD: N Natural Exposure X Existing Excavation E Excavator HA Hand Auger		SAMPLES: U50 Undisturbed Sample 50mm Diameter D Disturbed Sample V Vane Shear (kPa) Bs Bulk Disturbed Sample E Environmental Sample INF Infiltration test		MOISTURE: D Dry M Moist W Wet S Saturated		CONSISTENCY / DENSITY: VS Very Soft VL Very Loose S Soft L Loose F Firm MD Medium Dense St Stiff D Dense VSt Very Stiff VD Very Dense H Hard Fb Friable		NOTE: A scala result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7. WATER: ◁ Water Inflow ▼ Standing Water Level ▽ Estimated High Water Level N Nil Water Observed		

Document Set ID: 6689288

Version: 1, Version Date: 18/11/2020

TEST PIT LOG



CO-ORDINATES: 362590
5044860
± m: 6m
ELEVATION: 285
DATUM: usm/MSL

JOB NUMBER: G21010
PROJECT: IP BUTSON GEOTECH
LOCATION: Wanaka Luggate Highway
LUGGATE

DATE: 27 July 2020
LOGGED BY: GT

EQUIPMENT
TYPE & MODEL: Yanmar ViO17
COMPANY: Mt Iron Geodrill
OPERATOR: G Tippett

PIT DIMENSIONS:
Wide: 0.5m Long: 2.4m

METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOSITURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional	
E	0			I N		TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.	D - M	F - St	TOPSOIL	0
					SILT: yellow brown, low to moderate dilatancy silt, minor fine sand.	St		ALLUVIUM	1	
	1				SAND: brown grey, medium to coarse grained, well graded sand, minor silt	MD				
					Silty SAND: yellow grey, fine grained sand, high dilatancy silt (approximately 10% to 15%)	MD - D				
	2	End @ 1.9m Limit of Investigation			Hole ends 2.2m Limit of Machine					2
	3									3
	4									4

METHOD: N Natural Exposure X Existing Excavation E Excavator HA Hand Auger	SAMPLES: U50 Undisturbed Sample 50mm Diameter D Disturbed Sample V Vane Shear (kPa) Bs Bulk Disturbed Sample E Environmental Sample INF Infiltration test	MOISTURE: D Dry M Moist W Wet S Saturated	CONSISTENCY / DENSITY: VS Very Soft VL Very Loose S Soft L Loose F Firm MD Medium Dense St Stiff D Dense VSt Very Stiff VD Very Dense H Hard Fb Friable	NOTE: A scala result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7. WATER: ◁ Water Inflow ▼ Standing Water Level ▽ Estimated High Water Level N Nil Water Observed
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Document Set ID: 6689288

TEST PIT LOG



CO-ORDINATES: 362584
5044894
± m: 6m
ELEVATION: 285
DATUM: usm/MSL

JOB NUMBER: G21010
PROJECT: IP BUTSON GEOTECH
LOCATION: Wanaka Luggate Highway
LUGGATE

DATE: 27 July 2020
LOGGED BY: GT

EQUIPMENT
TYPE & MODEL: Yanmar ViO17
COMPANY: Mt Iron Geodrill
OPERATOR: G Tippet

PIT DIMENSIONS:
Wide: 0.5m Long: 2.4m

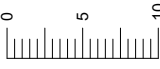
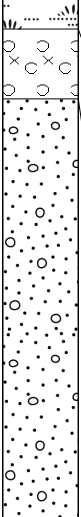
METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOSITURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional	
E	0					TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.	D - M	F - St	TOPSOIL	0
					SILT: yellow brown, low to moderate dilatancy silt, minor fine sand.	St		ALLUVIUM	1	
	1				SAND: brown grey, medium to coarse grained, well graded sand, minor silt	MD				
					Silty SAND: yellow grey, fine grained sand, high dilatancy silt (approximately 10% to 15%)	MD - D				2
	2					Hole ends 2.2m Limit of Machine				3
	3									4

METHOD:	SAMPLES:	MOISTURE:	CONSISTENCY / DENSITY:	NOTE:
N Natural Exposure	U50 Undisturbed Sample	D Dry	VS Very Soft	A scale result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7.
X Existing Excavation	50mm Diameter	M Moist	S Soft	
E Excavator	D Disturbed Sample	W Wet	F Firm	
HA Hand Auger	V Vane Shear (kPa)	S Saturated	St Stiff	
	Bs Bulk Disturbed Sample		VSt Very Stiff	WATER:
	E Environmental Sample		H Hard	◁ Water Inflow
	INF Infiltration test		Fb Friable	▼ Standing Water Level
				▽ Estimated High Water Level
				N Nil Water Observed



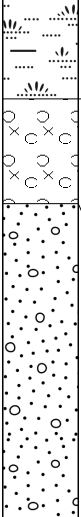
TP5		TEST PIT LOG								
CO-ORDINATES: 362484 5044813 ± m: 6m ELEVATION: 290 DATUM: usm/MSL		JOB NUMBER: G21010 PROJECT: IP BUTSON GEOTECH LOCATION: Wanaka Luggate Highway LUGGATE		EQUIPMENT TYPE & MODEL: Yanmar ViO17 COMPANY: Mt Iron Geodrill OPERATOR: G Tippet						
DATE: 27 July 2020 LOGGED BY: GT		PIT DIMENSIONS: Wide: 0.5m Long: 2.4m								
METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOISTURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional	
E	0					TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.	D - M	F - St	TOPSOIL	0
	Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand. Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders.					MD		ALLUVIUM	1	
	1					Hole ends 1.5m (Collapsing)				
	2									
	3									
	4									4
METHOD: N Natural Exposure X Existing Excavation E Excavator HA Hand Auger		SAMPLES: U50 Undisturbed Sample 50mm Diameter D Disturbed Sample V Vane Shear (kPa) Bs Bulk Disturbed Sample E Environmental Sample INF Infiltration test		MOISTURE: D Dry M Moist W Wet S Saturated		CONSISTENCY / DENSITY: VS Very Soft VL Very Loose S Soft L Loose F Firm MD Medium Dense St Stiff D Dense VSt Very Stiff VD Very Dense H Hard Fb Friable		NOTE: A scala result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7. WATER: ◁ Water Inflow ▼ Standing Water Level ▽ Estimated High Water Level N Nil Water Observed		

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TP6		TEST PIT LOG							
CO-ORDINATES: 362426 5044745 ± m: 6m ELEVATION: 290 DATUM: usm/MSL		JOB NUMBER: G21010 PROJECT: IP BUTSON GEOTECH LOCATION: Wanaka Luggate Highway LUGGATE DATE: 27 July 2020 LOGGED BY: GT		EQUIPMENT TYPE & MODEL: Yanmar ViO17 COMPANY: Mt Iron Geodrill OPERATOR: G Tippet PIT DIMENSIONS: Wide: 0.5m Long: 2.4m					
METHOD	DEPTH (m) 	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOISTURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional
E	0					TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets. Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand. Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders.	F - St MD	TOPSOIL	0
	1					D - M L - MD	ALLUVIUM	1	
	2					Hole ends 1.5m (Collapsing)			2
	3								3
	4								4

METHOD: N Natural Exposure X Existing Excavation E Excavator HA Hand Auger	SAMPLES: U50 Undisturbed Sample 50mm Diameter D Disturbed Sample V Vane Shear (kPa) Bs Bulk Disturbed Sample E Environmental Sample INF Infiltration test	MOISTURE: D Dry M Moist W Wet S Saturated	CONSISTENCY / DENSITY: VS Very Soft VL Very Loose S Soft L Loose F Firm MD Medium Dense St Stiff D Dense VSt Very Stiff VD Very Dense H Hard Fb Friable	NOTE: A scala result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7. WATER: ◁ Water Inflow ▼ Standing Water Level ▽ Estimated High Water Level N Nil Water Observed
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TP7		TEST PIT LOG								
CO-ORDINATES: 362776 5045025 ± m: 6m ELEVATION: 285 DATUM: usm/MSL		JOB NUMBER: G21010 PROJECT: IP BUTSON GEOTECH LOCATION: Wanaka Luggate Highway LUGGATE		EQUIPMENT TYPE & MODEL: Yanmar ViO17 COMPANY: Mt Iron Geodrill OPERATOR: G Tippet						
DATE: 27 July 2020 LOGGED BY: GT		PIT DIMENSIONS: Wide: 0.5m Long: 2.4m								
METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOISTURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional	
E	0					TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.	D - M	F - St	TOPSOIL	0
	Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand.					MD		ALLUVIUM	1	
	1			Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders.	L - MD					
	2					Hole ends 1.5m (Collapsing)				2
	3									3
	4									4
METHOD: N Natural Exposure X Existing Excavation E Excavator HA Hand Auger		SAMPLES: U50 Undisturbed Sample 50mm Diameter D Disturbed Sample V Vane Shear (kPa) Bs Bulk Disturbed Sample E Environmental Sample INF Infiltration test		MOISTURE: D Dry M Moist W Wet S Saturated		CONSISTENCY / DENSITY: VS Very Soft VL Very Loose S Soft L Loose F Firm MD Medium Dense St Stiff D Dense VSt Very Stiff VD Very Dense H Hard Fb Friable		NOTE: A scala result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7. WATER: ◁ Water Inflow ▼ Standing Water Level ▽ Estimated High Water Level N Nil Water Observed		

Document Set ID: 6689288

Version: 1, Version Date: 18/11/2020

TP8		TEST PIT LOG							
CO-ORDINATES: 362809 5045032 ± m: 6m ELEVATION: 285 DATUM: usm/MSL		JOB NUMBER: G21010 PROJECT: IP BUTSON GEOTECH LOCATION: Wanaka Luggate Highway LUGGATE		EQUIPMENT TYPE & MODEL: Yanmar ViO17 COMPANY: Mt Iron Geodrill OPERATOR: G Tippet					
DATE: 27 July 2020 LOGGED BY: GT		PIT DIMENSIONS: Wide: 0.5m Long: 2.4m							
METHOD	DEPTH (m)	BLOWS/50mm	WATER	SAMPLES	GRAPHIC	DESCRIPTION: Soil Name, Plasticity or Particle Characteristics, Colour, Secondary Components & Minor Components	MOISTURE	CONSISTENCY DENSITY	Structure and Additional Observations Geological / Depositional
E	0					TOPSOIL - Sandy SILT: brown, low dilatancy silt, fine grained sand, organics, rootlets.		F -St	TOPSOIL
	1					Silty GRAVEL: brown, fine to coarse grained, sub-rounded, poorly graded gravel, low to moderate dilatancy silt, some fine to coarse grained, well graded sand. Gravelly SAND: brown grey, medium to coarse grained, well graded sand, fine to coarse grained, sub-rounded, poorly graded gravel, some sub-rounded cobbles and minor small boulders.	D - M	ALLUVIUM	
	2					Silty SAND: yellow grey, fine grained sand, high dilatancy silt (approximately 10% to 15%)	MD - D		
	3					Hole ends 2.2m Limit of Machine			
4									4

METHOD:

N Natural Exposure

X Existing Excavation

E Excavator

HA Hand Auger

SAMPLES:

U50 Undisturbed Sample 50mm Diameter

D Disturbed Sample

V Vane Shear (kPa)

Bs Bulk Disturbed Sample

E Environmental Sample

INF Infiltration test

MOISTURE:

D Dry

M Moist

W Wet

S Saturated

CONSISTENCY / DENSITY:

VS Very Soft VL Very Loose

S Soft L Loose

F Firm MD Medium Dense

St Stiff D Dense

VSt Very Stiff VD Very Dense

H Hard

Fb Friable

NOTE:

A scala result of 2.5 blows per 50mm is equivalent to a geotechnical ultimate bearing capacity of 300kPa in accordance with NZS 3604-2011, Section 3.3.7.

WATER:

◁ Water Inflow

▼ Standing Water Level

▽ Estimated High Water Level

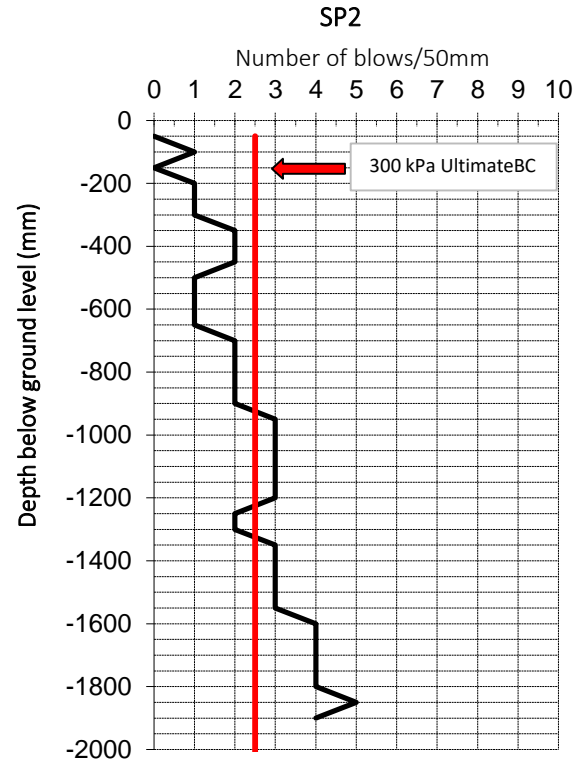
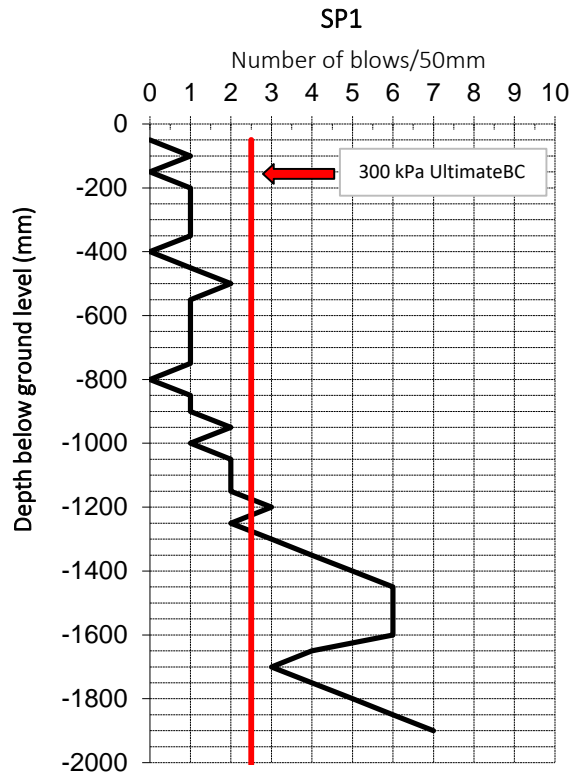
N Nil Water Observed

SCALA PENETROMETER RESULTS



JOB NUMBER: G21010	PROJECT: IP Butson Geotech
	LOCATION: Wanaka Luggate Highway, Luggate
CO-ORDINATES: mE	DATE: 27-Jul-20
See attached plan mN	OPERATOR: G Tippet

Note: No Friction correction has been applied to the field results. 5 Blows per 100mm is considered compliance with NZS3604 3.3.7



Infiltration Capacity Test Sheet

Project:	G21010 IP Butson Geotech		
Site Location:	Wanaka Luggate Highway, Luggate		
Test Number:	SK-1 in TP3	Test Date:	27-Jul-20
Operator:	Gavin Tippet	Test Time:	3:57 p.m.
Auger Ø:	100 mm	Permeameter Ø ID:	46 mm
Depth of Auger Hole:	600mm	Average Hole Ø:	100 mm



$$K_{sat} = \frac{4.4Q \left[0.5 \sinh^{-1} \left(\frac{H}{2r} \right) - \sqrt{\left(\frac{r}{H^2} \right) + 0.25} + \frac{r}{H} \right]}{2\pi H^2}$$

Ksat = 18 mm/hr 0.4 m/day

Permeameter Readings

Time	Δ Time (hr)	Water Level (mm)	Δ Water Level (mm)	Permeameter test was conducted between 0.2m and 0.6m	Water Level in hole 400mm
3:57:00 PM	0	1698	0		
3:58:00 PM	0:01:00	1612	86		
3:59:00 PM	0:01:00	1534	78		
4:00:00 PM	0:01:00	1454	80		
4:01:00 PM	0:01:00	1376	78		
4:02:00 PM	0:01:00	1304	72		
4:03:00 PM	0:01:00	1234	70		
4:04:00 PM	0:01:00	1164	70		
4:05:00 PM	0:01:00	1096	68		
4:06:00 PM	0:01:00	1028	68		
4:07:00 PM	0:01:00	958	70		
4:08:00 PM	0:01:00	890	68		
4:09:00 PM	0:01:00	824	66		
4:10:00 PM	0:01:00	756	68		
4:11:00 PM	0:01:00	690	66		
4:12:00 PM	0:01:00	622	68		
			67.2		

Onsite Wastewater Disposal Site & Soils Assessment

Use for Subdivision or Building Platform Resource Consent

The design standard for waste water treatment and effluent disposal systems is AS/NZS 1547:2012. All references in this form relate to this standard.

Applications for subdivision consent should provide sufficient information to demonstrate that each lot will be capable of accommodating an on-site system.

Site Description

Property Owner: Kerry Butson

Location Address: Wanaka Luggate Highway

Luggate

Legal Description (eg Lot3 DP1234) : Part Lot 7 DP 24216

List any existing consents related to waste disposal on the site: Nil known

General description of development / source of waste water: _____

5 lot sub-division with houses on each

The number and size of the lots being created: 5 lots variable sizes

Site Assessment (refer to Tables R1 & R2 for setback distances to site features)

Land use bareland currently (farming)

Topography undulating with terrace riser in middle

Slope angle less than 5°

Aspect open

Vegetation cover grass

Areas of potential ponding unlikley

Ephemeral streams nil

Drainage patterns and overland paths generally by direct infiltration

Flood potential (show with return period on site plan) nil

Distance to nearest water body >100m

Water bores with 50m (reference ORC Maps) nil

Other Site Features no disposal on terrace riser

Slope stability assessment details – summarise any areas unsuitable for waste water irrigation.
(Attach report if applicable): _____

N/A

(Highest potential) Depth to ground water:

Summer 20m

Winter 20m

Information Source ORC Bore data

What is the potential for waste water to short circuit through permeable soils to surface and / or ground water?

High if not designed correctly (discharge control required for proposed lots 1, 3, 4 and 5)

Soil Investigation (Appendix C)

Field investigation date: 27/07/2020

Number of test pit bores (C3.5.4): 8 pits to between 1.5m and 2.2m

Soil investigation addendum to be attached that includes a plan showing test pit or bore location, log results and photos of the site profile.

If fill material was encountered during the soil investigation state how this will impact on the waste water system:

N/A

Average depth of topsoil: 300mm

Indicative permeability (Appendix G) : >3m/day for Lots 1, 3, 4 and 5; 0.44m/day lot 2

Percolation test method (refer to B6 for applicability) : Visual assessment (lots 1, 3, 4 & 5, as per AS/NZS Appendix G Lot 2 (attach report if applicable)

Soil Category (Table 5.1)	Soil Texture (Appendix E)	Drainage	Tick One
1	Gravel and sands	Rapid	✓ lots 1, 3, 4 & 5
2	Sandy loams	Free	
3	Loams	Good	
4	Clay loams	Moderate	✓ lot 2
5	Light clays	Moderate to slow	
6	Medium to heavy clays	Slow	

Reasons for placing in stated category:

Visual assessment and permeability assessment

Loading rate, DLR (*Table L1*): 20mm/day primary, 50mm Secondary Lots 1, 3, 4 & 5, 6mm/day primary, 20mm Secondary lot 2

Explanation for proposed loading rate:

As per AS/NZS1547:2012 recommendations (Table L1)

Recommendations from site and soils assessment

Specify any design constraints

Specify any areas unsuitable for location of the disposal field

Specify any unsuitable treatment and/or disposal systems

Propose suitable mitigation to enable successful effluent treatment

Discharge control if using beds or trenches

Attachments Checklist

N/A

Copy of existing consents

✓

Soil investigation addendum

✓

To scale site plan, the following must be included on the plan:

Buildings

Boundaries

Retaining Walls

Embankments

Water bodies

Flood potential

Other septic tanks / treatment systems

Water bores

Existing and proposed trees and shrubs

Direction of ground water flow

North arrow

Note that an Otago Regional Council (ORC) consent may also be required to discharge domestic waste water to land if any of the following apply:

- *Daily discharge volume exceeds 2,000 litres per day*
- *Discharge will occur in a groundwater protection zone*
- *Discharge will occur within 50 metres of a surface water body (natural or manmade)*
- *Discharge will occur within 50 metres of an existing bore/well*
- *Discharge will result in a direct discharge into a drain/water ace/ground water*
- *Discharge may runoff onto another persons' property*

If any of these apply then we recommend that you correspond with the ORC;

Otago Regional Council
"The Station" (upstairs)
Cnr. Camp and Shotover Streets
P O Box 958
Queenstown 9300

Tel: 03 442 5681

I believe to the best of my knowledge that the information provided in this assessment is true and complete. I have the necessary experience and qualifications as defined in Section 3.3 AS/NZS 1547:2012 to undertake this assessment in accordance with the requirements of AS/NZS 1547:2012:

Company:	<u>Mt Iron Geodrill</u>
Email:	<u>info@mtirongeodrill.com</u>
Phone number:	<u>0275342589</u>
Name:	<u>Gavin Tippet</u>
Signature:	<u></u>
Date:	<u>11/09/2020</u>

Queenstown Lakes District Council
10 Gorge Road
Private Bag 50072
QUEENSTOWN 9348

Phone: 03 441 0499 Wanaka 03 443 0024
Fax: 03 442 4778
Email: services@qldc.govt.nz
Website: www.qldc.govt.nz

Adam Fairmaid
1153 Wanaka-Luggate Highway
Luggate 9382

LABORATORY ANALYSIS REPORT

#69636

Tuesday, 4 July 2017

Job Start: 21/06/17 09:15:07

LAB. REF.	Sample Taken:	Sample Description		ANALYSIS	RESULT	c o m m e n t s	
		Test start:	Test complete:			Analytical Method	Detection Limits
15850	20/06/17 10:00	Subdivision (potential) ~ Bore Water			 (Citilab to include explanatory notes with report).	
		21/06/17 14:10:05	26/06/17 10:31:48	Alkalinity to pH 4.5	16 g/m ³ as CaCO ₃	APHA 2320, B	1 g/m ³ as CaCO ₃
		21/06/17 14:10:06	26/06/17 10:31:49	Alkalinity to pH 8.3	<1 g/m ³ as CaCO ₃	APHA 2320, B	1 g/m ³ as CaCO ₃
		27/06/17 09:33:44	27/06/17 14:43:45	Bromide (IC)	<0.1 g/m ³	APHA4110, B	0.03 g/m ³
		27/06/17 09:33:46	27/06/17 14:43:47	Chloride (IC)	0.48 g/m ³	APHA4110, B	0.05 g/m ³
		26/06/17 12:04:47	26/06/17 13:17:14	Colour (Hazen) *	<2.5 Hazen	Lovibond Comparator	2.5° Hazen
		21/06/17 14:10:08	26/06/17 10:38:23	Conductivity @ 25°C	4.1 mS/m	APHA 2510, B	0.03 mS/m
		27/06/17 09:33:41	27/06/17 14:43:44	Fluoride (IC)	<0.1 g/m ³	APHA4110, B	0.03 g/m ³
		21/06/17 15:46:53	3/07/17 09:51:34	Total Hardness Bv Calculation	16.4 g/m ³ as CaCO ₃	APHA 2340, C	1 g/m ³ as CaCO ₃
		21/06/17 14:10:03	26/06/17 11:15:29	pH	7.49 @ 20°C	APHA 4500 - H+, B	0.02 pH unit
		27/06/17 09:33:40	27/06/17 14:43:39	Phosphate (IC) *	<0.2 g/m ³	APHA4110, B	0.4 g/m ³
		27/06/17 09:36:22	27/06/17 14:44:01	Phosphate-P (IC) *	<0.1 g/m ³	APHA4110, B	0.2 g/m ³
		27/06/17 09:33:46	27/06/17 14:43:52	Sulphate (IC)	1.9 g/m ³	APHA4110, B	0.03 g/m ³
		26/06/17 12:04:34	26/06/17 13:22:34	Turbidity - class 1	0.95 NTU	APHA 2130, B	0.05 NTU
>> Referral: Hill Laboratories, Hamilton.		21/06/17 15:47:13	3/07/17 09:51:48	Arsenic-Total *	0.0026 g/m ³	APHA 3125, B	0.001 g/m ³
>> Referral: Hill Laboratories, Hamilton.		21/06/17 15:47:04	3/07/17 09:51:37	Calcium-Total (ICP) *	6.0 g/m ³	APHA 3125, B	0.001 g/m ³
>> Referral: Hill Laboratories, Hamilton.		21/06/17 15:46:54	3/07/17 09:51:35	Iron-Total (ICP) *	<0.021 g/m ³	APHA 3125, B	0.005 g/m ³
>> Referral: Hill Laboratories, Hamilton.		21/06/17 15:47:05	3/07/17 09:51:42	Magnesium-Total (ICP) *	0.34 g/m ³	APHA 3125, B	0.002 g/m ³
>> Referral: Hill Laboratories, Hamilton.		21/06/17 15:46:56	3/07/17 09:51:36	Manganese-Total (ICP) *	0.00132 g/m ³	APHA 3125, B	0.0003 g/m ³
		27/06/17 09:33:39	27/06/17 14:43:27	Nitrate (IC)	0.82 g/m ³	APHA4110, B	0.03 g/m ³
		27/06/17 09:36:22	27/06/17 09:36:25	Nitrate-N (IC)	0.19 g/m ³	APHA4110, B	0.01 g/m ³
		21/06/17 09:24:16	24/06/17 19:23:32	E. coli (Quanti-Tray)	<1.0 MPN/100 mL	APHA 9223 B	1.0 MPN/100 mL

Citilab



Analyst's Comments:

These samples were collected by yourselves and analysed as received at the laboratory.

The detection limits given are those attainable in a relatively clean matrix.

Detection limits may be higher for individual samples should insufficient sample be available, or if the matrix requires that dilutions be performed during analysis.

Units: In accordance with modern practice the previous 'mg/L' is now expressed as the equivalent 'g/m³'.

A handwritten signature in blue ink, appearing to read 'Frank Ho'.

Dr. Frank Ho
Lab Services Manager



Citilab is accredited by International Accreditation New Zealand (IANZ). The tests reported here have been performed in accordance with its terms of accreditation - with exception of any marked *, which are not within Citilab's scope.

A handwritten signature in blue ink, appearing to read 'LWGibbons'.

Liana Wheeler-Gibbons
Microbiology Technician (KTP)

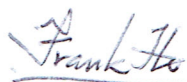
Sample -15850 A Fairmaid – River water

Batch 69636

Determinants	Results (mg/L or specified)	MAV ¹ or GV ²	Target range	Comments
Acidity	-	-	Low	-
Alkalinity	16	-	Low	Ok
Bromide	<0.1	-	Low	Ok
Chloride	0.48	250	<250	Ok
Colour	<2.5	-	<5.0	Ok
Conductivity	4.1	-	<40, low	Ok
Fluoride	<0.1	-	Low	Ok
Total hardness	16.3	200	50-80	Soft*
pH	7.49	7.0 to 8.5	7.0 to 8.0	Ok
Phosphate	<0.2	250	Low	Ok
Sulphate	1.9	250	<125	Ok
Total arsenic	0.0026	0.01	0.005	Ok
Turbidity	0.95	5	2.5	Ok
Total calcium	6.0	-	40	Low*
Total iron	<0.021	0.2	<0.2	Ok
Total magnesium	0.34	-	10	Low*
Total manganese	0.00132	0.4	<0.04 for appearance	Ok
E.coli	<1.0	<1.0	<1.0	Ok
Nitrate	0.82	50	<25	Ok

¹MAV means Maximum Acceptable Values quoted from Drinking Water Standards for New Zealand 2008. ²GV means Guideline Values from the same source above.
mg/L equals to g/m³ and is often referred to as ppm (parts per million). < means less than.

The water was deemed **SUITABLE** for drinking purpose with respect to the tested parameters according to the 2008 guidelines of The New Zealand Drinking Water Standards. The low calcium and magnesium had rendered the water “soft”, but the good pH should prevent this “softness” from causing any metal corrosion problem.



Dr. Frank Ho
Laboratory Services Manager

**LANDSCAPE ASSESSMENT
PROPOSED 5 LOT SUBDIVISION
Butson Property, Wanaka-Luggate Highway**



Anne Steven
Registered Landscape Architect
Wanaka

October 2020

**LANDSCAPE ASSESSMENT
PROPOSED 5 LOT SUBDIVISION
Butson Property, Wanaka-Luggate Highway**

October 2020

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APPENDICES



LANDSCAPE ASSESSMENT PROPOSED 5 LOT SUBDIVISION Butson Property, Wanaka-Luggate Highway

1. INTRODUCTION

I have been engaged by Kerrie Butson (the Applicant) to provide the landscape assessment for a proposed subdivision of a 14.21ha property near Luggate into 5 small lots for rural living. The property is on the northwest point of the “Luggate Triangle” (the Triangle) (see map below).

The Zoning is Rural General and the landscape classification is Visual Amenity Landscape (VAL) in the Operative District Plan and Rural Character Landscape (RCL) in the proposed District Plan (PDP).

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



Location of Application Site

1.1. Relevant Experience

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

Residing in Wanaka, I have driven past the Triangle many times on all sides since 2001. I have carried out a number of landscape assessments in the Wanaka-Luggate area for different development projects, and for landscape studies including assessments of landscape to identify and evaluate ONL. I have been managing an ecological restoration project for the last 5 years on conservation land near the site, between the road and the Clutha River, and have cycled through this area numerous times (on road and on the Clutha River track).

I am thus familiar with the Site and its context landscape and have spent considerable time analysing it. I visited the Site and surrounding landscape in November 2019 and June 2020 specifically for the purposes of this assessment.

1.2. Scope of Assessment

This report:

- describes the application site (the Site),
- identifies, describes and analyses the landscape context and identifies the significance of the Site in context
- describes the proposals
- describes the visibility of the proposals and
- assesses the potential landscape and visual effects of the proposed development with regard to the provisions of the assessment matters for Rural Landscape Character in the operative part of the Proposed District Plan (PDP).

A description of the ranking used for assessing natural character and degrees of visibility are in the Appendix 1. Figs. 1-3 are in the Attachments. There is also an Attachments document of views of the proposed development (V1 -V22).

2. THE SITE

The Site comprises two levels or treads of flat to gently rolling gravel outwash plain, separated by a planar scarp broadly curving along a south to north alignment (**refer Fig. 1**). The scarp continues through the adjoining property to the south, and on the other side of SH8A to the northeast. The upper terrace rolls away gently to the west and northwest expressing the sides of an historic meltwater swale that ran around the base of the much larger scarp to the west and north. As the Wanaka-Luggate Road (SH6) runs through this swale along the Site's west boundary, the upper terrace of the Site forms a distinct low horizon to the north and east over which only the more distant hills are viewed. The lower terrace is generally flat. Another scarp to a lower level again lies immediately beyond the Site to the northeast.

The two treads are large simple open paddocks of pasture/fodder crop that has in the past been grazed and cut for hay. At present a rank weedy pasture cover with many rabbit holes and warrens characterises the vegetation cover. There are a few scattered matagouri and porcupine shrubs on the scarp including a small clump of matagouri shrubs around 2-3m tall close to the south end. A lone pine tree 15-20 years old is on the scarp very close to the boundary. There were also groups of mature pines along the Shortcut Road boundary, removed sometime between 2003 and 2005.



Aerial view of the Site in 2003, showing the mature pine trees that were present along the northern site boundary, some of which were in road reserve. Note also at that time the belts of trees across the Lake McKay Station paddocks to the north. These lines of trees blocked views across the landscape at this time.

There are no permanent buildings on the Site apart from two pale brown plastic water tanks – one on the north fence line near the scarp, and a second part way along the crest of the scarp. An underground pipe system provides water to several hydrants for irrigation, running through the centre of the paddocks. There are three re-locatable buildings (sheds or huts) on top of the south end of the scarp and another small hut-like building in the clump of matagouri. There is no building platform on the Site.

The Applicant advises the north fence on Shortcut Road is not on the legal boundary, which is 2m closer to the road; and that the southwest legal property boundary is 7.5m inside the existing SH6 fence, roughly in line with the inset gateway in the south corner (and continuing the tree-lined road boundary line of the neighbouring property to the south). The inset fencing on the north road boundary was preparatory to future shelter tree planting, which has not been undertaken. There is a gate/road access in the southeast corner off SH6 and off SH8A at the top of the scarp, and in the northeast corner using the same access as that to the neighbouring property to the east.

The Site is completely open and plain in character. It has no aesthetic or visually memorable qualities or features of particular note. The simple broadly curving scarp is the only Site feature. The Site character is typical of and contributes to the pleasant rural agricultural landscape character of the Upper Clutha basin floor farming areas. There is a strong attribute of open space enjoyed from the two highways. Visual coherence is high (due to simple open paddocks and lack of development) although various items stored on the Site introduce some visible clutter. Natural character of the Site is moderate-low. The natural landforms of the terraces and scarp are intact and co-dominate the character with the simple pastoral vegetation cover. The Site is almost completely modified for pastoral use however (it has been completely border dyked in the past and is or has been sown in exotic pasture/feed crop). The vegetation cover on the steeper scarp is slightly more natural with a very minor component of native grey shrubland. The three small buildings and water tanks are obvious but relatively small cultural elements.



View north across the Site from SH6



View southwest across the lower terrace of the Site from Shortcut Road (SH8A).
The trees mark the boundary with the neighbouring property.

All Site features are shown in **Fig. 1**.

3. LANDSCAPE CONTEXT

The Site is located in the “Luggate Triangle” – a distinctive area of basin floor land of around 83ha just to the northwest of Luggate (refer **Fig. 2A and 2B**). The triangular area is clearly bounded by SH6 (Wanaka-Luggate Road) on the southwest side, SH8A (Shortcut Road) on the north side, and Church Road on the southeast side.

The Triangle is set within a wider context landscape of a down-set part of the Upper Clutha basin filled in with terraced fluvio-glacial and alluvial deposits (refer **Fig. 2A**). This area is enclosed by the 3.2km long Airport Hill scarp arcing from the northwest at the Clutha River to southwest between Luggate (relative to the Site) about half of which is covered in mature pine plantation on Lake McKay Station; the rocky steep Pisa Range footslopes behind and above Luggate township with their variable cover of mature conifers, pest broom, sweet brier, kanuka, grey shrubland and bracken; and the outwash terraces into which the Clutha River is incised. The latter includes the large, sculpted true left river scarp viewed to the north/northeast, a particularly outstanding part of the ONL of the river corridor. Further to the southeast there is mature pine tree cover over this scarp, above the Red Bridge area.

Surrounding mountains relevant as backdrop enjoyed from within the context landscape are the Glenfoyle/Grandview hills to the north/northeast and the northern end of the Pisa Range to the south and west, and distantly to the southeast, the Dunstan Range. Distantly to the north, Mt Maude and the mountains beyond Lake Hawea can be seen.

Fig. 2A shows the immediate landscape context and **Fig. 2B** shows the wider context.

The Triangle comprises stepped terraces/outwash surfaces held in small rural lot ownership, mostly for rural lifestyle and/or small-scale production or intensive cropping. The upper surface lots were uniformly bigger (until recently) at around 15-20ha, and used for pastoral and fodder crop production. They are too small to be viable economic agricultural units under these uses. The lower lots are mostly smaller around 2-5ha, with one of 14ha along the Church Road boundary.

There has been recent subdivision of two of the properties in the Triangle – the Halliday property on the lower terrace adjoining Shortcut Road¹, and the Slab Trust Ltd property on the upper terrace along SH6 and adjoining the Site to the southeast².

The Halliday subdivision resulted in two lots of 2-2.3ha each, with the two dwellings close together so the amount of open pastoral space adjoining Shortcut Road is maintained. The Slab Trust subdivision resulted in three lots, two small lots of 1.72ha (around the existing residential unit) and 2.02 ha and one larger lot of 18.22ha. The 2.02 ha lot is located at the top of the main dividing scarp, close to the lower level Halliday residential node and close to the northeast corner of the Site; the new dwelling for the 18.22ha lot is abutted to the existing house close to SH6 and to the southeast corner of the Site, forming another node. This pattern also maximises the extent of open pastoral/arable land and space and takes advantage of existing mature trees for screening and a setting for the buildings. The consented landscape plans for these two subdivisions are attached for reference.

The dominant landscape character of the upper surface is large, simple, open spaces of pasture or fodder crop, with occasional residential units expressed by small groups of domestic buildings and curtilage with a diverse cluster of mainly exotic tree planting (three groups on the periphery including an unbuilt consented one, and one in the middle). Belts of eucalypts and conifers line part of the road boundary and one internal boundary.

The lower terrace is more complex, more enclosed and has a less coherent character with a diversity of elements and smaller spaces between a greater incidence of buildings and tree/shrub

¹ Halliday RM161080 July 2017

² Slab Trust Ltd RM170388 December 2017

plantings, including a large plantation of Lombardy poplars. There are small stands of kanuka mostly at the northeast point.

Overall the landscape of the Triangle is highly modified with predominantly exotic vegetation mostly in cultural patterns (hedges, belts and blocks). The degree of natural character is low. Open character is high on the upper terrace and low on the lower terrace where there is more tree planting and built form. Openness is moderate on the lower terrace with 7 building activity nodes (all but one along the SH8A side); and is moderate-high on the upper terrace, with four building nodes on a slightly larger area (including the unbuilt consented building platform on Lot 3 of the Slab Trust subdivision). The overall character is one of rural living albeit three of the properties still have large open paddocks (including the Site). All dwellings are set back from the road and/or well screened by evergreen vegetation.

The wider landscape to the north and west/southwest of the Site, on the other side of SH8A and SH6, comprises expansive and open agricultural landscape including Lake McKay Station, a large pastoral property that also extends to the south up onto the Pisa Range (**refer Fig. 2B**). The farmland to the north of the Site has been developed for pivot irrigated pasture and fodder crop and is farmed intensively. Land adjoining this to the east on lower terraces (Pittaway land) is also cultivated for crop. To the west and southwest of the Site the large scarp which Airport Hill is on, is covered in a mature pine plantation. Openness is very high in these areas, and natural character is low. Open character is variable. Visual coherence is high overall but there are discordant elements such as tracking and fence lines.

To the northeast of the Site straddling the Clutha River there is public conservation land incorporating the popular Clutha River trails in the Rekos Point and Rekos Bluff conservation areas. A native planting project has been implemented close to the public carpark on Shortcut Road by the Central Otago Lakes branch of Forest and Bird, in an effort to improve the biodiversity of the area. A narrow sliver of land that is part of the Pittaway land to the northeast lies between the Rekos Point Conservation Area and river trail and SH8A, and the Site. It comprises a weed-ridden disused gravel pit and a small remnant area of undeveloped short tussock land. This area has variable natural character – low on private farmland; high to within the conservation areas. Closer to the Red Bridge there are three small residential properties down by the river. The dwelling areas are not visible from SH8A but residential use is still indicated by driveways, mailboxes, and visible domestic curtilage elements such as a greenhouse.

As a whole, the context landscape is moderately complex with a variety of land uses on the valley floor including urban, peri-urban and rural living on small properties, industrial, agri-industrial (with accompanying strong odours occasionally) and conservation/recreation; surrounded by more extensive pastoral farming and forestry on the higher visible surrounding land (as well as the Wanaka airport infrastructure complex nearby on the upper basin floor surface).

An unformed public road opposite the Site running along the large scarp north of the Site provides an easy vehicular and walking/biking access link between Shortcut Road and the Clutha River corridor 1.8km to the north. My observation is that it receives a low-to-moderate level of use.

SH8A and SH6 bound the Site to the north and west-southwest. These are very busy highways carrying much local, visitor and tourist traffic. From some sections of these roads there are views across the open expansive terrace lands to the surrounding highly legible scarps and river terraces, the rocky hills behind Luggate, and the surrounding backdrop mountain ranges. There are no views of the Clutha River however.

Church Road bounds the east side. It is a narrow sealed minor road connecting Luggate and SH6 to SH8A and the Red Bridge area. The Site is not viewed from this road to any meaningful degree.

The township of Luggate lies between .6-2km away to the southeast. This includes rural residential zoned areas along SH6 and Church Road adjoining the south point of the Triangle. Immediately

behind and above Luggate there are low rocky hills, clad in pines and kanuka/sweet brier/pest broom cover.

Industrial land uses, a closed landfill site and mature pine tree woodlots occupy most of the land between Church Road and the Clutha River marginal strip. Luggate Creek is a more natural corridor between Luggate and the Clutha River.

3.1. Landscape Values of the Site

The Site itself does not have any features or qualities that are of particular interest or aesthetic value. The broad scarp is the most notable feature and has some value in expressing the natural structure of the landscape. It is highly legible under the homogenous grassland cover and continues beyond the Site to the south and to the northeast.

The Site is typical of the open pastoral/arable character of farmed areas of the basin floor, generally appreciated for their simple, visually coherent grassland/herbage character and as open space, and for their open character as foreground enabling expansive views of surrounding basin floor and range land landscape. The Site provides a simple expansive foreground viewed from SH6 and SH8A (see photo below) over which the surrounding rangelands, rugged ice-scoured rocky hills above Luggate and larger river terraces and scarps can be viewed without impediment (apart from looking through the boundary deer fence). The areas viewed are mostly Outstanding Natural Landscape (ONL).



View north to northwest from SH6 across the upper terrace of the Site

Views from SH8A southwest across the Site to the pine plantation on the “Airport Hill” scarp of Lake McKay Station are of less interest and appeal.



View west from Shortcut Road (SH8A) across the northeast corner and lower terrace of the Site

Together with the pivot irrigated paddocks to the north of SH8A, the Site is the open pastoral foreground to elevated views from “Airport Hill” looking across the basin floor to surrounding hills including the rugged rocky foothills immediately behind Luggate, and the more distant Dunstan Range to the south. The simple open pastoral character of the Site and two adjoining properties to the south contributes to the pleasant nature of this view. Towards the bottom of the hill the view becomes cluttered with fencing, road signs, road layout marking, lighting columns, etc.



View west from edge of road reserve on SH8A on Airport Hill across the Site looking south and east. This is the view that would be enjoyed from the road if the pine trees were removed from Airport Hill.

4. LANDSCAPE CLASSIFICATION

The zoning of the Site is Rural General with a Visual Amenity Landscape (VAL) (operative plan) or Rural Landscape Classification (RLC) (proposed Plan) overlay.

The Site is close to the ONL of the Clutha River corridor and the Airport scarp (**refer Fig. 2B**). There are views of the spectacular true left river terraces and the scarp across the Site from SH6, i.e. it provides visual access to these parts of the landscape. A good view of the terraces opens up from the section of SH6 bounding the southwest side of the Site, close to the intersection with Shortcut Road.

There is also a view across the Site from the northwest of the dramatic rugged rocky hills behind Luggate, which are classified as ONL in the PDP maps (Decisions Version).

The Site contributes positively to the landscape values of the VAL/RLC with its simple open pastoral character. It is important as the foreground to views from SH8A and SH6 of surrounding ONL.

5. EXISTING ENVIRONMENT AND PERMITTED BASELINE

The Site and context landscape have been described in Parts 2 and 3. Changes that will occur to the Site and its immediate environs relevant to this assessment are limited to the new planting associated with the Slab Trust subdivision. Most relevant is the evergreen planting to minimum 5m mature height along the boundary of the Cameron property and the fact most of the existing trees on the northeast (Cameron) boundary of the Site and around the Fairmaid dwelling are to be retained. These provide a backdrop for elements on the Site. It is noted that the eucalypt trees on the Slab Trust property southeast of the Site (on the Fairmaid property) were in error identified as being on the Site in the consent application documents and this was not corrected in the Commissioners' decision. Had they been correctly located, these may have been also required to be retained for visual screening.

A band of mixed native species is to be planted along the SH6 frontage on the Timely Giving Ltd property to reach a height of at least 4m (at which point the existing pine trees are to be removed) and 20 Western Red Cedars are also to be planted. The existing and new planting will continue to enclose a 200m section of SH6 and establish a landscape character of mixed exotic trees (mostly evergreen coniferous and broadleaf, a few deciduous such as oak, beech, poplar) and native species (including kanuka, ribbonwood, pittosporum, broadleaf).

Planting of any kind (excluding wilding spread species) is a permitted activity on the Site. It is an activity that would be reasonably expected to occur such as shelter tree planting and some amenity planting, or possibly tree crops. Shelter planting would be most likely along the north boundary for wind shelter. There were clumps of mature pines along the north boundary until some 20 years ago, evidenced by the remaining stumps (these can be seen in the Photo on p. 3). Planting on the Site could interfere with views across the Site of surrounding landscape and would reduce open character.

There are currently no buildings or a building platform on the Site and no buildings could be erected as permitted activity. A single dwelling on the Site with associated sheds, garden, and a work area (such as stock yards) would be a reasonable and anticipated element in my opinion, enabling the owner to occupy and use the land.

The Lot 3 dwelling of the Slab Trust subdivision is the only unbuilt building platform in the close vicinity at the time of writing.

6. THE PROPOSALS

The Site is proposed to be subdivided into 5 lots as follows: Lot 1 6.78ha; Lot 2 4.37ha; Lot 3 1.03ha; Lot 4 1.0ha; Lot 5 1.0ha. This is shown in **Fig. 3**.

Lots 1-4 each have a 900m² Building Platform and a defined curtilage, within which all buildings, structures and domestic elements must be located. The BP on Lot 5 is 1000m². The maximum height of any buildings would be 5.5m above ground for Lots 2, 3 and 4; and 4.8m for Lots 1 and 5. Materials and colours would be limited to natural moderate to dark colours, and a limit on gable slope is also proposed recognising the strongly horizontal terrain setting (refer proposed consent notice conditions). There is also a proposed building footprint restriction to 500m² within the building platform.

Access to Lots 1, 3 and 4 would be at the southeast corner of the Site where there is an existing gate located on the boundary (note, the existing paddock fence is not on the boundary but several meters into the road reserve). The access to Lots 2 and 5 would be through the existing entrance in the northeast corner on the lower terrace. This road access is also used by the neighbouring Cameron property.

The Lots and building platforms are located closer to the east boundary and away from the two road boundaries as much as possible to maintain a reasonably large area of open space fronting the roads. The creation of three small lots and two larger lots also optimises the retention of open space. In this layout, future residential development would appear in most views to be co-located with existing residential development with the foreground in public views remaining in open space.

A framework of planting of tree and shrub planting is proposed to provide a setting for the development; create landscape character; provide public visual amenity; and to mitigate the visual effect by reducing visibility of built form and curtilage to (mostly) low to (some) moderate levels.

Planting would be mostly evergreen exotic trees of similar character to existing trees in the area combined with areas of native tree and shrub planting of local native species. A broad band of native vegetation is proposed across the top of the curving scarp which would emphasize its form as well as providing screening. This may also provide seed source and may serve to prompt extension of native planting along the scarp outside the Site.

7. VISIBILITY OF PROPOSED BUILDING PLATFORMS

The visibility of the building platforms (BPs) was analysed and recorded with respect to views from SH6 (Wanaka-Luggate Highway) and SH8A (Shortcut Road), and from the Clutha River Trail within Rekos Point Conservation Area. Views 1 to 22 in the Attachments show the visibility of the BPs from various points along the roads and from the trail. These are presented as panoramas based on 50mm images stitched together to show the BPs in context and the development as a whole, and a subset of these views is also presented as single A3 50mm focal length images to simulate the actual view. The imagery shows the BPs as a whole. Any future building(s) could be anywhere within the BPs but note that there is a building footprint restriction to a maximum of 500m². No planting mitigation is shown.

In the following sections, the “raw” visibility of the BPs is described. This is followed by a description of likely future visibility due to the maturation of the planting and other mitigation proposed as well as noting any other changes that are likely, such as any elements that are required to be protected or will come to exist as a result of compliance with consent notice conditions on adjoining land.

Visibility is ranked as follows:

Negligible - Low - Moderate - High - Prominent - Dominant.

An explanation of these increments is in the Appendix.

7.1. Visibility From Airport Hill On SH6 (Wanaka-Luggate Highway, Between Southeast End Of Wanaka Airport And SH8a Turnoff)

Upper Views

The Site comes into view travelling towards Luggate on SH6 at the top of Airport Hill, the local name given to the section of highway crossing the large scarp just east of Wanaka Airport. At present a number of mature conifers allow only intermittent views along much of this section of highway and at highway speed views tend to be fleeting. V1 and V1A shows a view from the top. This is from the grass verge within the road reserve rather than from the road itself. It gives an idea of the view if and when the conifers are removed. The upper terrace of the Site appears as a simple open triangle of fallow pasture grass filling the space between the two diverging highways towards the front of the view. A line of clumpy evergreen eucalypts intermixed with built forms of the neighbouring houses and sheds and (because of the obliqueness of the view) also the small sheds and water tanks on the Site appears to run across the rear (southeast) boundary of the Site. The lower terrace is a narrow sliver of land extending to the left of the upper terrace.

Lot 1, 3, 4, and 5 BPs are all highly visible. The BP on Lot 2 is partially obscured by the BP on Lot 1 and also by the scarp. The existing trees on the southeast boundary (outside the Site) provide a discontinuous backdrop to the BPs. The lot boundaries, roading and planting would appear close to the BPs. Most of the upper terrace would remain visible as open space. The development would appear low down in the landscape and would have no effect on views of the rocky hills beyond Luggate or the surrounding and backdrop mountain ranges. All parts of the development would appear to be part of and augment the existing horizontal band of intermittent trees, buildings and domestic elements crossing the rear of the Site. In a broader sense they would appear part of the middle-ground band of trees belts and clumps and groups of buildings sandwiched between open foreground farm paddocks and the backdrop hills and ranges, including the urban areas of Luggate township (which are not fully built on yet).

Towards the bottom of Airport Hill (V2 and V2A) the view opens out. The structure of the view is accentuated as it becomes more oblique. Lot 1 BP remains highly visible and is approaching visual prominence. Lot 3 BP is partially visible and the visible part is approaching prominence. Lot 4 BP is obscured by intervening pine trees. Lot 2 BP is of low visibility as most of the form is obscured by the terrace scarp as well as by the BP on Lot 1. The BP on Lot 5 remains highly visible but is starting to disappear below the scarp. An apparently greater proportion of the upper terrace would remain as open space. This is because the BPs, and Lots 3 and 4 as a whole (with associated boundary fencing and access) are located on the higher flatter part of the Site which forms the crest of the land rolling gently towards the viewer. The future development would appear tighter and more closely co-located with the existing development on the neighbouring properties to the south and east. The future development would not interfere with any views of the background hills and ranges. It would visually remain within the broad band of development across the middle ground. This would appear narrower or compressed due to the increasingly lower angle of view; there is more of the foreground and background visible and they dominate the view.

Likely Changes to Visibility

It is possible but by no means certain that the mature pine trees on the private land below and above the highway will be felled in the near future. This would greatly open up and sustain views to the east over the Site. The nature of the Site and its development in this view would not change as a result however.

The background eucalypt trees on the east Site boundary with the Fairmaid property are not required to be retained and could be felled although this is considered unlikely. There will be infill Pittosporum planting to 5m high along the Cameron boundary which will largely block out any view of the built form and curtilage on that property.

The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then low to negligible. The planting would remain highly visible. The development would blend with the existing tree vegetation through which there are glimpses of built form. As described earlier, the development would appear to be an integral part of the midground layer of diverse tree vegetation and buildings.

This assumes the boundaries of the Site remain open. As noted earlier, shelter tree planting within or along the boundaries of the Site to improve production is a permitted and reasonable activity.

Lower Views

Approaching the intersection (V3, V3A, V4, V4A) the road drops slightly below the Site. The view becomes very oblique and only a part of the upper terrace is visible (the rolling slope facing the viewer). The BP on Lot 2 and Lot 5 disappear from view beneath the scarp running through the middle of the Site. The BPs on Lots 1, 3 and 4 (and all lot boundary fencing and access) appear to be set out along a ridgeline, which is the crest of the rolling slope. Because of the view angle the development would intrude slightly upon the views of the rocky hills beyond Luggate and the lower

backdrop range slopes. The band of existing development on the basin floor becomes thin and intermittent and is a minor component. The existing trees along the southeast boundary no longer provide a visual backdrop as the BPs appear higher than them. The new development would appear as a definite new mid-ground horizontal band of development. However this visual effect is a briefly experienced effect associated with the intersection, where there is a clutter of road markings, guide posts, marker posts, street lamps, fences, stock underpass, and signs in the foreground with a power line visible to the right. It is a part of the highway where the clutter of infrastructure and the need to pay attention to the intersection itself distracts from contemplating the landscape.

Likely Changes to Visibility

There are not likely to be any changes to the visibility of the BPs in these views in the near future due to factors other than the proposed mitigation planting. The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then low to negligible. The planting would remain highly visible.

The development would blend with the existing tree vegetation through which there are glimpses of built form. As described earlier, the development would appear to be an integral part of the midground layer of diverse tree vegetation and buildings.

7.2. Visibility From western half of SH8 (Shortcut Road, on upper terrace)

From the section of SH8 between the intersection and the upper terrace scarp, the Site forms an immediate low foreground of open fallow pasture/cropland seen through a deer fence, with a backdrop of pine plantation above other pastoral land; the low rocky hills with variable conifer cover above and beyond Luggate township with range slopes above in the background; and to the east, a background of range slopes. As the road rises slightly up towards the scarp crest running through the Site and northward toward the Clutha River, parts of Luggate township also come into view in the background as well as the existing development on the neighbouring properties to the south. The lower terrace is not visible.

The Lot 1, 3 and 4 BPs are highly visible to visually prominent (Lot 1 BP) (see V5 to V8). The Lot 1 BP would be at closest around 100m away from the road. The three BPs would appear on top of a distinct landform horizon. This is because the road is slightly below the Site looking east across the crest of the scarp and southeast across the slight high point in the upper tread surface. This effect is accentuated by the homogenous bleached grassland cover on the Site sharply contrasting with the darker evergreen vegetation and darker green pasture of the neighbouring properties and background hills. The BP on Lot 1 also comes close to breaching the skyline as it appears to “slide across” a low point in the background ranges as the viewer moves through the middle part of this stretch of highway. This effect is very brief at normal highway speed and of would be of short duration at cycling speed. From viewpoints near to the crest of the scarp, the BPs are set against the dark backdrop of the conifer-clad hills behind Luggate and the paddocks and plantation to the south of SH6 on Pittaway land and Lake McKay Station. The visible areas of the Site facing the viewer would largely remain in open pasture, with only the Lot 1 boundary and proposed planting taking up some of the visible open space. As for the previously described views, the Lot 3 and 4 BPs and associated development would visually appear to be located within the existing band of tree planting and buildings forming the middle ground of the view. The Lot 1 BP would visually intrude upon the existing views of open hill faces (albeit with kanuka and conifer cover) seen immediately beyond the crest of the scarp. However from the viewpoints closer to the scarp it too largely sits within the existing band of evergreen exotic trees and buildings in the background.

Likely Changes to Visibility

There are not likely to be any changes to the visibility of the BPs in these views due to factors other than the proposed mitigation planting. The trees on the neighbouring properties are required to be

retained as a condition of their consent, aside from any wilding risk species such as the pines, as well as the gums on the southeast boundary. These will continue to provide a backdrop.

The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would greatly reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then to low or negligible. The planting would remain highly visible to prominent or dominant depending on proximity. The north boundary planting would momentarily block views into and across the Site once it has achieved a height of around 1.5-2m (ie, the height of the deer fence). It would not block views of the backdrop hills apart from the lower parts of the rocky hills immediately behind Luggate (which are already partly hidden by the eucalypts along the southeast boundary).

The development would blend with the existing tree vegetation through which there are glimpses of built form. As described earlier, the development would appear to be an integral part of the midground layer of diverse tree vegetation and buildings.

This analysis assumes the boundaries of the Site remain open. As noted earlier, shelter tree planting within or along the boundaries of the Site to improve production is a permitted and reasonable activity.

7.3. Visibility From eastern half of SH8 (Shortcut Road, on lower terrace)

Travelling eastward through the cutting, the lower terrace comes into view (V9). The Lot 5 BP becomes highly visible to visually prominent once past the scarp. It is set against the backdrop of mature eucalyptus trees along the Site boundary (on the Cameron property). The Lot 2 BP on the lower terrace is highly visible but is set as far away from the road as possible (150-200m from the road at the closest) and as it is behind the viewer travelling east it is effectively out of view, as are the other BPs up on the top terrace. The Lot 5 BP becomes dominant approaching and passing the northeast corner of the site (V12, V13). It is as close as 40-50m away from the viewer at this point.

Travelling west along this section of road, the Lot 5 BP is initially close to the road as just described. It also initially blocks views of the Lot 2, 3 and 4 BPs (see V13). Once past it, the Lot 1-4 BPs become visible to varying degrees and are further away (V11, V12). The Lot 1 and Lot 2 BPs are highly visible but not prominent due to a solid background of dark trees and landform. The Lot 2 BP is set against the scarp, and both Lot 1 and 2 BPs are also set against the backdrop of conifers and eucalypts surrounding the Site. The Lot 3 BP is partially obscured by the Lot 2 BP and by the scarp. It emerges from behind the Lot 2 BP travelling further west but at the same time sinks down below the crest of the scarp so that its visibility is moderate to low. The Lot 4 BP is mostly obscured by the Lot 2 and 3 BPs and by the scarp and is of low visibility. The highly visible Lot 1 BP appears to sit on top of the scarp but also becomes increasingly obscured by the scarp moving west along the road.

The development would blend with the existing tree vegetation through which there are glimpses of built form. As described earlier, the development would appear to be an integral part of the midground layer of diverse tree vegetation and buildings.

The BPs do not block any views of the surrounding mountains. They are visually part of the mid-ground band of mainly evergreen trees and glimpses of buildings. The Lot 5 BP blocks a view of lower Luggate Creek gorge from a very short section of road.

Likely Changes to Visibility

There are not likely to be any changes to the visibility of the BPs in these views due to factors other than the proposed mitigation planting. The eucalypt trees along the northeast boundary and other trees on the neighbouring properties are required to be retained as a condition of their consent, aside from any wilding risk species such as the pines and the gums on the southeast boundary. The boundary on the Cameron property is also to be planted in evergreen *Pittosporum* trees to a mature

height of at least 5m with closed canopy as a condition of consent. This will provide a denser and more complete backdrop to a future residential unit on Lot 5.

The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then to low or negligible. The planting would remain highly visible to prominent or dominant depending on proximity. The north boundary planting on Lot 5 would momentarily block views into and across the Site once it has achieved a height of around 1.5-2m (ie, the height of the deer fence). It would not block views of the backdrop hills apart from the lower parts of the rocky hills immediately behind Luggate (which are already partly hidden by the eucalypts along the southeast boundary). This effect would be of brief duration.

This analysis assumes the boundaries of the Site remain open (including the neighbouring side of the boundary). As noted earlier, shelter tree planting within or along the boundaries of the Site to improve production is a permitted and reasonable activity.

7.4. Visibility From the Unformed Legal Road

V10 shows the nature of the visibility of the BPs from the southern end of the unformed legal road to the north of the Site. Lot 5 and 2 BPs are highly visible on the lower terrace but have a solid backdrop of dark trees and appear in the mid-ground band of trees and buildings. The BPs on Lot 1 and 3 are mostly visible, being partially obscured by the scarp and are of moderate visibility.

Moving closer to the highway the scarp obscures the Lot 3 and 5 BP more and visibility is low. Moving further away with distance the BPs reduce in visibility as well. In these views they all appear within the low mid-ground band of evergreen trees and glimpses of buildings.

In these views the proposed development would not block any views of the backdrop hills until very close to SH8.

Likely Changes to Visibility

There are not likely to be any changes to the visibility of the BPs in these views due to factors other than the proposed mitigation planting. The eucalypt trees along the southeast boundary and other trees on the neighbouring properties are required to be retained as a condition of their consent, aside from any wilding risk species such as the pines. The boundary on the Cameron property is to be planted in evergreen trees to a mature height of at least 5m with closed canopy as a condition of consent. This will provide a denser and more complete backdrop to a future residential unit on Lot 5 and prevent visibility of the Cameron residential activity.

The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then to low or negligible. The planting would remain highly visible.

The development would blend with the existing tree vegetation through which there are glimpses of built form. As described earlier, the development would appear to be an integral part of the midground layer of diverse tree vegetation and buildings.

This analysis assumes the boundaries of the Site and the intervening Pittaway farmland remains open. As noted earlier, shelter tree planting within or along the boundaries of the Site to improve production is a permitted and reasonable activity.

7.5. Visibility From River Trail and Conservation Area

There are views towards the Site from a short section of the river trail along the Clutha River within the Rekos Point Conservation Area, between a point about 250m upriver of the carpark and a point another 200m or so further up the trail. Beyond this a river terrace scarp blocks views to the Site (see V14 and V15).

In these views, which look past the Halliday property, the Lot 5 and Lot 1 BPs are visible, to a moderate degree at most. They are partially obscured by the scarp below the Site and by some intervening vegetation.

The two BPs have a solid backdrop of the pine plantation on the large Lake McKay Station scarp and appear within the mid-ground band of trees and glimpses of buildings.

There is no effect on views of surrounding hills.

The Lot 2, 3 and 4 BPs are not visible due to intervening landform and the blocking effect of the Lot 5 BP.

Likely Changes to Visibility

There are not likely to be any changes to the visibility of the BPs in these views in the near future due to factors other than the proposed mitigation planting. It is possible in the longer term that kanuka planting and/or regeneration in areas cleared of pest broom could form a visual barrier between the track and the Site.

The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then to low or negligible. The planting would remain moderately visible.

7.6. Visibility From SH6 (Wanaka-Luggate Highway)

Travelling west from Luggate there is a partial view of the Lot 5 BP at some distance, across the neighbouring properties to the southeast of the Site and through the gaps in the eucalyptus trees on the boundary (see V22). These trees are required to be retained as a condition of consent. The BP is of moderate to low visibility.

Passing the Site there are close and full views of the Lot 3, 4 and 1 BPs. The BPs appear to sit on a strong clear landform horizon, silhouetted against the distant Grandview and east Hawea ranges. The Lot 3 BP is very close on passing by the southeast corner of the Site and is visually dominant. It substantially breaks the sky line. This effect is short-lived however at highway speed and is closely associated with the existing enclosing effect of mature evergreen vegetation on the neighbouring property to the southeast (i.e., it is a short extension of it).

The Lot 3 and Lot 1 BPs are of high to prominent visibility but are not dominating, being further away and with a mountain range backdrop. Lot 1 BP is partially below the landform horizon.

As the BPs are located towards the southeast end of the Site, once past them, there would remain a sustained view north of the distant ranges across the open paddock of the Site (see V17). There would also remain a good view of the Airport Hill scarp. The view improves towards the northwest end of the Site as the land drops in height, opening up the view. It must be noted however that this view relies on the land remaining open and free of shelter tree planting, including the Lake McKay Station land. It has been noted that there was previously shelter tree planting on both the Site and the Lake McKay Station land that prevented these views.

V21, V20 and V19 show the view across the Site looking eastward, as if travelling to Luggate. In these views the BPs appear initially in the mid-ground as they are set well away from the road. They are highly visible and appear to be located along the crest of a long and low rise in the land, accentuated by the contrast of the expanse of bleached grassland with dark mid-ground trees and darker shrub-patched rangelands behind/above. This is because the highway is located in a broad shallow swale to the west of the Site. The land of the Site rolls towards the highway so that the view from it is slightly upward.

The Lot 3 and 4 BPs are part of the mid-ground of low, darker tree-clad hills behind Luggate with a closer backdrop of the mature evergreen trees along the southeast Site boundary with glimpses of the existing buildings on the neighbouring property. Travelling on towards Luggate these BPs start

to “slide out” to the left, away from the dark treed midground to become silhouetted against the paler backdrop of mountain ranges to the north. The Lot 3 and Lot 4 BP becoming prominent with decreasing distance, then Lot 4 becomes dominant approaching and passing it. The mid-ground becomes quite “thin” looking east towards the distant Dunstan Range, with the hills on the right also slanting downward. The Lot 4 BP touches on the skyline at this low point in the background (see V19). The Lot 3 BP is also quite close but does not break it.

The Lot 1 BP is highly visible and appears at all times to sit on the crest of the grassy slope and is actually slightly behind it. It is silhouetted against the Grandview range backdrop.

The Lot 2 and 5 BPs are not visible in these views. The Lot 2 BP is not visible from any part of SH6 along the west side of the Triangle.

Likely Changes to Visibility

There are not likely to be any changes to the visibility of the BPs in almost all these views due to factors other than the proposed mitigation planting. The trees on the neighbouring property (excluding the boundary eucalypts) which provide a useful backdrop, are required to be retained as a condition of their consent aside from any wilding risk species such as the pines.

The proposed planting on the Site on all Lots once reasonably mature (within 7-10 years) would reduce the visibility of all future buildings and curtilage. Visibility is expected to reduce to moderate then low to negligible. The planting would remain highly visible.

In views from the west travelling towards Luggate, the development would blend with the existing tree vegetation through which there are glimpses of built form. As described earlier, the development would appear to be an integral part of the midground layer of diverse tree vegetation and buildings.

The boundary planting on Lot 4 would completely block views into and across the Site once it has achieved a height of around 2-4m (i.e., the height of the deer fence, and higher). This would be a continuation of the existing effect on the Fairmaid and Timely Giving properties for a further 120m or so and extending the length of enclosed road from around 220m to 340m.

The development would block views of the backdrop hills and river scarps looking north across the Site from SH6 over a distance of around 150m. However, the best and more open views are from the 200-250m section closest to the intersection, well past the point where mitigation planting and the BPs block the views.

This analysis assumes the boundaries of the Site remain open. As noted earlier, shelter tree planting within or along the boundaries of the Site (and on other land in the views) to improve production is a permitted and reasonable activity.

8. LANDSCAPE AND VISUAL ASSESSMENT

The relevant assessment matters are those that relate to Rural Character Landscape (RCL) in Part 21.21.2 of the Proposed District Plan³, and the other assessment matters in section 21.21.3.

The relevant objectives and policies are addressed by the planner.

The continuum of extent of adverse effect set out in the Quality Planning Website⁴ is used in this assessment:

Nil Effects - No effects at all.

³ Consolidated Decisions Version accessed July 2020

⁴ <https://www.qualityplanning.org.nz/>

Less than Minor Adverse Effects - Adverse effects that are discernible day-to-day effects, but too small to adversely affect other persons.

Minor Adverse Effects - Adverse effects that are noticeable but will not cause any significant adverse impacts.

More than Minor Adverse Effects - Adverse effects that are noticeable that may cause an adverse impact but could be potentially mitigated or remedied.

Significant Adverse Effects that could be remedied or mitigated. - An effect that is noticeable and will have a serious adverse impact on the environment but could potentially be mitigated or remedied.

Unacceptable Adverse Effects - Extensive adverse effects that cannot be avoided, remedied or mitigated.

The continuum can also be adopted for positive effects:

Nil – no effect at all

Less than Minor – discernible but too small to be meaningful

Minor – discernible with a small meaningful effect

More than Minor – a noticeably positive effect but tends to be limited in scale or specific

Significant – a noticeably positive effect that is more substantial, tending to change landscape character and quality

8.1. Proposed District Plan Assessment Matters

8.1.1. Preliminary Matter regarding existing Vegetation:

To preface assessment, there is a matter around existing vegetation to be addressed. There is no tree/shrub vegetation on the Site apart from a handful of matagouri and porcupine shrubs on the scarp which have been present since before 2002. The base line environment is open pasture.

It has been noted there were mature pines along the Shortcut Road boundary as recently as 2003 as well as other trees on adjoining land to the north all of which interfered with views across the landscape, particularly the views of the true left Clutha River terrace scarp ONL which have become available as a result of removal of all these trees. These were plantings as a permitted activity providing shelter for agricultural land use.

8.2. 21.21.2.3 Effects on landscape quality and character:

The following shall be taken into account:

a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;

b. whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Character Landscape;

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

- a. The Site is not immediately adjacent to ONL or an ONF. The Clutha River ONL/ONF is located to the north of the Site, and separated from it by Shortcut Road/SH8A, intervening highly modified RCL farmland and a weed-infested disused gravel pit (Pittaway and Lake McKay Station land). The proposed development would not have any effect on the quality and character of the ONL/ONF. Degree of adverse effect is nil.
- b. The character of the surrounding RCL has been described in the context section of this report. In summary, there are two contexts to consider. The immediate context is the “Luggate Triangle”. This is an area with a rural living character. Relative to the lower terrace, the upper

terrace area has an open character with respect to “openness” (presence of buildings structures and domestic clutter and activity) and “open character” (spatial openness related to presence of vertical elements such as trees, shrubs and buildings). It has a pastoral/arable character with large simple cultivated paddocks but it is not working farmland as such, as the properties are too small to be viable on their own. They are all rural lifestyle properties. There is limited tree planting, around the three building nodes and along two boundaries including the SH6 boundary. The trees are predominantly eucalypts and conifers (some of the pines will be removed, a new block of planting is Western Red Cedar). Two of the nodes of residential activity are located on the periphery, the third in a central position on its property.

The lower terrace as described is more complex with lower degrees of openness and open character, a greater diversity of land uses and planting and a more strongly expressed rural lifestyle character on the SH8A side.

The Triangle as a whole has a low degree of natural character.

The scale and nature of the proposed development would broadly consistent with the existing landscape character of the Triangle as a whole, being rural living on both small and larger rural lots. There would be subtle differences however.

Lots 3, 4 and 5 are slightly smaller than any of the other smaller lots in the Triangle. The spacing of the proposed building platforms (BPs) is largely consistent with existing spacings. The Lot 3 and 4 BPs are slightly closer together at 40-50m apart, rather than around 50-55m, or more.

There would continue to be a nodal effect with retention of large areas of open space between nodes. Lots 1-4 BPs are co-located with the existing two residential units on the neighbouring property to the southeast (Fairview and Timely Giving Ltd). This would create a larger node of 6 residential units, compared to the 2-3 units per node at present. The proposed Lot 5 BP is co-located with the existing Cameron and the two Halliday residential units on the lower terrace. The open spaces between (on the Site) would not be as large as other the open spaces on the upper terrace. The effect of increased density however is most apparent in birds eye views. In reality, in the views from most of the adjacent road sections, the effect is less apparent due to the location of Lots 1-4 at the “rear” of the Site. The development would appear as part of the same mid-ground band of existing development, effectively superimposed over it rather than filling up the foreground, which would largely remain as open space. There would also be a layering or stacking effect of the BPs, reducing visibility.

The proposed mainly evergreen planting is intended to screen much of the built form and curtilage areas, so that the outward expression would primarily be a larger area of tree and shrub planting. The areas of open space that would remain alongside the roads would not be perceived as expansive as the existing areas on the neighbouring two properties to the southeast. They would still be relatively large however compared to the lower terrace.

The parameters of the proposed development are similar (900-1000m² BPs, 4.8-5.5m height limit and colour controls on buildings, defined curtilages).

The proposed planting is of similar character, using eucalyptus and cedar species and belts of native planting. The pattern of planting along SH6 is proposed to be extended (i.e., a belt of native planting mixed with eucalypts and cedar). There would be more native planting than on other properties, to provide evergreen screening planting of lower height (to maintain views of surrounding ONL from the roads) and to build local indigenous biodiversity and habitat. As this is expressive of the natural indigenous character this is not considered inconsistent and is more ecologically correct.

In terms of natural character, which is low, this would stay as low with no incremental change. The increase in vegetation diversity and introduction of native vegetation to the Site is slightly positive with respect to natural character but is not enough to raise it an increment.

Openness would be reduced as a result of the proposed development. There are currently 11 instances of buildings in the Triangle (including separate large sheds). This proposal introduces the potential for another 5 dwellings (and potential for closely associated utility buildings within the curtilage). With respect to the upper terrace, which currently has a moderate-high degree of openness (with only 4 of the existing buildings over the larger upper part of the Triangle), the proposed development would reduce openness to moderate. As the lower terrace has a lower (moderate) existing degree of openness (with the other 7 buildings over a smaller area), the overall effect of the proposed development would be to reduce openness to moderate, i.e., the Triangle would become more consistent in character rather than have difference between upper and lower terraces.

Overall it is my opinion that the development would alter the existing character of the upper terrace with a greater density of residential units and smaller areas of open space remaining. The adverse effect in my opinion would be more than minor, only because of the reduced openness (discussed further below). In other respects the effect is neutral to positive to a minor degree. The character of the upper terrace would be more similar to the lower terrace being of smaller scale and greater complexity. With respect to the Triangle as a whole, my opinion is the existing character of rural living interspersed with pastoral/arable spaces would be maintained but there would no longer be a consistent difference between upper and lower terraces.

With regards to landscape quality, the nature of the proposed land use and its visible expression (in the vegetation and types and scale of buildings) would have a nil or neutral effect on quality (as land use would be similar to existing) or even positive to a less than minor degree in my opinion (due to the addition of tree and shrub planting particularly more native planting). This would also serve to screen existing development.

The change in the particular attributes of landscape character of openness and open space, and open character (which would be reduced) could be regarded as an adverse effect of more than minor degree (as long as these are regarded as key values to maintain)⁵. The proposal has aimed to maximise the area of open space adjacent to roads by keeping development set back as far as practicable. In particular on viewing the Site when descending Airport Hill and approaching the intersection with SH8A, the open rolling slope would continue to be seen largely as open space. The development on Lots 1, 3 and 4 would appear along the horizon at the rear of the Site, superimposed over the tree vegetation and buildings behind. There is in reality little change to the nature of this view. The layout also enables the views across the Site of the distant Clutha River terraces from SH6 to be retained, and, from most sections of adjoining road and from the other public viewpoints, the views of the surrounding mountains are not affected. The value of the Site as an open foreground enabling views beyond of the surrounding (mostly outstanding) landscape would be largely retained, and in particular the most important views would be maintained. It is noted however that some of these views rely on an absence of tree planting on other properties. This is an unrealistic expectation in the longer term.

The proposed development has negligible effect on the character and quality of the wider context landscape, surrounding the Triangle. This is enabled by the tight and obvious containment of the Triangle by the two state highways, from which the majority of landscape experiences are obtained. Once the proposed vegetation has matured to a height of 3-5m and closed canopy, there would be a slight improvement to the quality of the landscape in my opinion, from certain viewpoints. For example, there would be a more interesting and attractive view of vegetation travelling west along Shortcut Road, which at present has a view of open pasture, bare ground and pine plantation only. In lower level views from the northwest, the proposed planting would help screen out the built form in the background of Luggate

⁵ This principle is inconsistent with the principle of enhancing natural character which predominantly involves restoring native woody vegetation which inherently reduces open character.

township, the industrial uses along Church Road and the nearer buildings on the Fairview property.

- c. The design of the layout, future buildings and proposed planting would be compatible with the existing character in the ways described above. The planting would contribute positively to the landscape character of the Site and the wider Triangle context. It would have little effect on the quality and character of the broader context. There would be some change to views across the Site to surrounding landscape, with additional vegetation in the view. This would either block the view (for a short time), and provide a different foreground of visually appealing vegetation, or provide a low mid-ground layer over which hills and mountains are viewed.

8.3. 21.21.2.3 Effects on visual amenity:

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

- a. *the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Character Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;*

The visibility of the proposed development is described in section 6 of this report. The proposed development would be highly visible to prominently visible from most parts of SH6 and SH8A. There would be visual dominance from the short sections of road immediately adjacent to the BPs on Lots 4 and 5. As the proposed planting matures, it would become the dominant landscape element. Visibility of built form and other elements of a domestic nature would reduce to moderate then low to negligible. It is noted that in the Slab Trust decision⁶, the retention of existing trees and the planting of new native and exotic evergreen trees to screen a potential strong skyline effect of the new Lot 3 dwelling (which had a 7m maximum height above datum) was considered appropriate mitigation.

In the first few years, until vegetation starts to mature the visual prominence of the 5 residential developments would most likely result in a significant adverse visual effect, particularly due to the proximity of Lot 4 and 5 development. This is inevitable with new development on open flat land with no existing framework of trees and shrubs. However, within 7-10 years as the mitigation planting starts to grow and close canopy, the visual prominence of the built forms and curtilage areas would start to reduce so that the visual impact reduces. As stated above, the vegetation would become the dominant outward expression of the development. For reasons stated in earlier sections, the vegetation itself is not considered to have adverse visual effects but rather neutral to slightly positive effects on visual amenity.

The development is partially visible from the unformed legal road to the north. This road is thought to receive a low-moderate level of use, as it provides an easy vehicle access to the Clutha River corridor. The effect on the amenity of the users of this road is considered to be less than minor, to negligible as the planting matures. The Site is part of a view of pine plantation and existing rural living development, and rank pasture. The visible addition of two more rural living developments with associated native planting would not alter the character and quality of the view from this perspective in my opinion. The native planting in time may in fact improve the view. The section of road from which the Site is viewed is bounded by highly modified agri-industrial landscape, which often emits malodours from mob stocking, silage feeding, etc. The views of more natural river landscape are away from the Site to the east and north.

⁶ Paragraph 81 Decision of the QLDC, Slab Trust Ltd, RM170388 D Whitney and J Sinclair December 2017

b. the proposed development is likely to be visually prominent such that it detracts from private views;

The proposed development may have some adverse effect on the northerly outlook from the Fairmaid property. This is likely to be less than minor to negligible however and limited to the effects of activities that are permitted, i.e. agricultural land uses, nature conservation or tree planting. The Lot 3 BP and curtilage is set back behind the row of trees on their boundary with open space retained along their viewshaft. The Lot 1 BP and curtilage would appear in the viewshaft at a greater distance (120-200m away). There is however a clump of trees (required to be retained by condition of consent) and other garden planting with obstructs the view north from the dwelling.

The evergreen boundary tree planting on the Timely Giving Property and on the Cameron property would prevent any clear views of the Lot 2 or Lot 5 BPs and curtilage from the future dwelling on that property. Similarly the view out from the Cameron property would be obstructed by the existing eucalypt trees and the boundary pittosporum planting required by condition of consent.

Overall the built forms of the proposed development would not be prominent in any private views. Any adverse effects are likely to be less than minor to negligible.

c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;

New planting is proposed to visually mitigate the proposed development. No earthworks are proposed for mitigation.

The planting proposed along the road boundary for Lot 4 and for Lot 5 - and Lot 1 to some extent – would completely obstruct views into the Site for the short section of highway they adjoin once mature. This would be similar to the existing effect along SH6 and also parts of SH8A. The views at present into and across the Site from these sections of highway, which are mainly of plain rank pasture and pine tree, are not considered appealing or remarkable in any way however, and the loss of the view is not considered to be an adverse effect. Instead, there would be a view of an interesting range of colours and textures of native vegetation, and eucalypt trees on the Lot 4 boundary, which is not considered to be of lesser visual appeal. From SH6, the more impressive views across the Site of the Clutha River terraces and surrounding mountains are further towards Airport Hill and would not be affected by any of the proposed planting. It is observed that these views rely on the Lake McKay Station farmland remaining free of trees. In the past, some 15 years ago, this view was not possible due to farm shelter tree planting.

It is noted that in the Slab Trust decision, the effect of planting along SH6 and along the northwest Cameron site boundary (existing and proposed) was not identified as an issue even though it limited views across the landscape.

The planting would not otherwise obstruct public views of the surrounding mountains and hills. The limited mature height of vegetation proposed (small native tree and shrub species) would maintain these views. The planting would improve some views in my opinion, providing an attractive mid-ground layer to the views and blocking out existing built form in some cases (as well as the proposed built form).

Overall the proposed planting is not considered to detract from any public views. The degree of adverse effect is negligible and, in many views, has a slight (less than minor) positive effect.

Effects on private views has been addressed in b. above. None of the proposed planting would block existing open views from neighbouring private dwelling areas. The effect is nil.

d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;

The Site is not enclosed by any strong confining topographical or vegetative elements. It is completely open to views from immediately adjacent viewpoints. The existing mature eucalypts and other planting along the southeast boundary and along SH6 provide some existing enclosure and screening that reduces visibility of the Site from viewpoints further to the southeast towards Luggate. The tree vegetation on the lower terrace (notably Lombardy poplars) also prevents views into the upper part of the Triangle from the east to northeast, from SH8 and the public conservation area.

- e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;*

The location of the lot boundaries largely “runs with” the topography. The scarp has been used as one boundary location between the two larger lots. The boundaries to Lots 1, 3 and 4 in reality appear parallel to the horizon and close to it, whilst the bulk of the land facing the viewer, the rolling slope, remains within proposed Lot 1. The Lot 2-Lot 5 boundary has no topographical pattern to relate to but as the land is flat it does not appear discordant.

Proposed roading to Lot 2 and 5 follows the existing boundary and will have negligible visibility. The shared roadway serving Lots 1, 3 and 4 follows an existing boundary and appears to run parallel to the land horizon and will also have very little visual significance.

No earthworks or lighting are proposed.

The planting is designed to follow topography as much as possible, or existing boundaries. Planting along the Lot 2-5 boundary and around the Lot 2 curtilage is on flat land. The Lot 2 planting, as well as the Lots 1, 3 and 4 planting would in reality appear as an addition to the existing planting on the Fairburn and Timely Giving Ltd properties. The road boundary planting to Lot 4 is an extension of the existing planting on SH6 on these two neighbouring properties. The type of proposed planting is consistent with existing species in the vicinity, with a greater emphasis on native species, chosen partly for their limited height, evergreen nature and natural suitability to the Site.

As a whole, the location of the lot boundaries, roading and the pattern and location of planting is not considered to have any adverse effect on visual amenity with regard to visual cohesion and consistency with existing landscape character.

- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.*

See matter e. above.

8.4. 21.21.2.4 Design and density of development:

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

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

d. development, including access, is located in the parts of the site where they will have the least impact on landscape character

- a. The proposed access has been designed to serve multiple lots, so there are two new access drives to all 5 lots. The access utilises existing site access points.
 - b. The design clusters the BPs of Lots 1-4, with themselves but also with the neighbouring Fairmaid and Timely Giving Ltd dwelling/BPs. The Lot 5 BP is more loosely clustered with the Cameron and Halliday dwellings. This approach maximises the open space between and reinforces existing pattern of disposition of buildings. The overall density of residential units is increased significantly compared to the existing landscape (with an increase from four to nine dwellings on the upper terrace). Whether this in itself is an adverse effect, or what the level of adverse effect is, is not easy to assess. The effect on existing valued views of landscape particularly the ONL, the importance of open space across the Site enabling such views, and the visual character of the proposed development as it matures are considered more relevant matters for assessing effect rather than density per se. These have been addressed in previous sections. If importance is placed on maintaining the expanse of open pasture for its inherent qualities, then the landscape cannot absorb the proposed development with less than minor effect. My analysis of the effects is that the open space of the Site is most important as the foreground to views of surrounding mountains and has no particular inherent qualities of merit. The proposed development does not impinge on these views to any meaningful degree. I have also concluded that replacing some elements or parts of the existing views with mainly native vegetation (in the longer term) is not an adverse visual effect. I also concluded that the proposed development would be in keeping with the landscape character, apart from the change in the scale of open space. It is acknowledged that there would be a significant adverse effect in the first 7 years or so due to visual prominence, likely to reduce to more than minor 5 years after planting established given it would be irrigated and protected from pests and then to less than minor to negligible once vegetation is mature.
 - c. As the Site is flat and completely open, it does not have areas that are less visible. Setting development back from the roads as much as possible and maintaining two large lots along most of the road boundaries reduces the apparent prominence in many views. As stated earlier, this has the effect of blending the proposed development with an existing mid-ground landscape layer of existing mature trees, amenity plantings, curtilage and buildings. In respect of private views, there would always be mature trees between neighbouring houses and the proposed new house sites and curtilage. The location of the two access drives along the far boundary of the Site, with respect to public views, means they would be of inconsequential visual effect. They are closer to the neighbouring private dwelling areas but are separated from them by existing mature tree planting and new evergreen planting to 5m required by consent.
- D. A similar situation exists regarding effect on landscape character. In a broader sense, locating the development within the Triangle which is characterised by rural living land use locates it where the effect on landscape character is the least.

8.5. 21.21.2.5 Tangata Whenua, biodiversity and geological values:

- a. *Whether and to what extent the proposed development will degrade Tangata Whenua values including Topuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection of regeneration of these values or features will have.*

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

There are no known tangata whenua values.

There is virtually no indigenous biodiversity on the site. There are no opportunities for protection or regeneration of any existing ecosystems or native plant communities. The proposal includes around 6300 m² of planting of locally occurring native species which would have a positive ecological effect and provide new habitat on the Site.

The scarp between the two outwash surfaces is a large and legible natural feature, that extends well beyond the Site. It is not of any particular significance. The proposed planting and lot boundary design would maintain a high degree of legibility. The planting across the top of the scarp would accentuate its form.

8.6. 21.21.2.6 Cumulative effects of development on the landscape:

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

a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.

b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.

The landscape context and existing land uses have been described in section 3. The context of the Luggate Triangle is well-established (and more recently consented) rural living use and small-scale rural productive activities including horticultural, arable/pastoral (mainly horses) and tree crop, and also industrial use (mechanical repair and agricultural contracting). The more open larger scale pastoral/arable uses and nature conservation are in the wider surrounding landscape context, separated from the Triangle by the highways. This includes agri-industrial land use under pivot irrigation and plantation conifer forest. There are also industrial land uses all along Church Road, and to the southeast, the urban areas of Luggate.

The most recent subdivision of the upper and lower surfaces (Slab Trust Ltd and Halliday subdivisions) created three new residential units. According to the Commissioners' decisions for these two subdivisions⁷, the degree of adverse effect on open and pastoral character is no more than minor; on overall visual amenity by a degree that is minor; and the adverse cumulative effect is minor in degree. I agree that existing development has changed landscape character, quality and visual values; and I agree that there is a degree of adverse effect that is minor to less than minor. Once the mitigation planting is mature however the effect in my opinion would be neutral, as there would be little change to the experience of landscape. In some respects, notwithstanding the additional built form and domestic activity, increased mass and diversity of planting is positive, expressive of a trend towards healthier landscapes compared to open expanses of pasture or crop usually of only one or maybe 2 or 3 species which are relatively poor in terms of landscape health.

There has been no incremental change to natural character and no inconsistency in landscape character per se (i.e., the land uses and characteristics of the development approved are the same, managed by design controls).

The Commissioners in both cases concluded that there would not be an outcome of over-domestication, i.e., a threshold or tipping point had not been reached. I note they also did not say

⁷ Decision of the QLDC, H and G Halliday, RM161080 Wendy Baker, July 2017; Decision of the QLDC, Slab Trust Ltd, RM170388 D Whitney and J Sinclair, December 2017

whether the developments consented (most recently the Slab Trust one) brought the landscape to a threshold with respect to further development.

With particular reference to the Slab Trust development, the following conclusions of the Commissioners were noted:

- The presence of established trees and buildings increased the absorption capacity of the landscape (the existing house and trees on the Slab property enabled the new house next to it without serious adverse effect on landscape values)
- Conversely the strong open character and high visibility of the lower terrace made it more vulnerable to adverse landscape effects due to the obvious change in character (however it was accepted the Cameron residential unit is connected to the lower level Halliday residential node)
- The Commissioners accepted landscape architect Richard Denney's assessment that the proposal would lead to further degradation and domestication of the landscape, but concluded the landscape was not at a threshold and was able to absorb the development⁸
- Retention of maximum open space was critical to enabling further development with no more than minor adverse effect on landscape values (to this end the Cameron property has an open space covenant on the land outside the curtilage and use must be pastoral, and planting along their open paddock boundaries with the Timely Giving property is prohibited)
- The presence of mature trees and evergreen planting to screen development from the road was critical (this included trees right on the road boundary, i.e. the loss of open character and some views across the landscape and was not considered an issue; and the increase in road boundary planting itself was not considered an issue).
- Regarding any future development on the Slab Trust property, the Commissioners said: *"any future development of this area would have to be very carefully considered. The Commission agrees with Mr Denney that residential development of a similar nature may be precluded as the cumulative effects may become unacceptably large, and furthermore additional development on Lot 3 would be difficult to support as adverse cumulative effects would become more than minor."*⁹ They went on to say:
"While each particular proposal has to be considered on its merits, the Commission is of the view that any subsequent subdivision of proposed Lot 3 may have the potential to result in adverse cumulative effects of a more than minor nature and that any further proposal would have to be very carefully considered".¹⁰

Bearing this decision in mind, it is clear that there is potential for the development of the Site as proposed to have adverse cumulative effect caused by additional residential development and associated changes to the strongly open pastoral/arable character. The Commissioner's concerns about further development on the adjoining Timely Giving property and the value of the large area of open space to mitigate the effects of additional residential use and domestication clearly also apply to the Site. However, as stated, each new proposal needs to be considered on its particular merits.

There is no doubt that this proposal would further degrade the landscape in terms of openness. There would be a significant change to the character of the Site. This is inevitable of its extreme

⁸ Paragraph 89 Decision of the QLDC, Slab Trust Ltd, RM170388 D Whitney and J Sinclair December 2017

⁹ Paragraph 86 Decision of the QLDC, Slab Trust Ltd, RM170388 D Whitney and J Sinclair December 2017

¹⁰ Paragraph 91 Decision of the QLDC, Slab Trust Ltd, RM170388 D Whitney and J Sinclair December 2017

open character and visual simplicity and high visibility from the highways. It does not have any existing trees or other vegetation as a setting, or any existing built development.

It is considered that at least one residential unit would be reasonably expected on this property, accepting that it is a fully discretionary activity. The assessment should therefore focus on the effects of the additional lots together with the existing development in the vicinity. My analysis of landscape effect has been covered in preceding sections.

In summary, I conclude that:

- There is a significant increase in density of residential units and in domestic activity in terms of character per se however the way the scheme is designed limits the effect in reality, with the large areas of apparent open space being maintained along the roads. In particular the open space appreciated approaching the Site coming down Airport Hill and travelling west along SH6, with the long views of the Clutha River terraces, is maintained. These are likely to be the most valued views in my opinion. I note however that this open space is reliant on an absence of tree planting for shelter as a legitimate farming activity on the Site and on adjoining land.
- The nodal pattern of disposition of residential development through the landscape would be maintained but would not be as strong with smaller areas of open space between nodes combined with larger nodes.
- The open spaces would be larger than those on the lower terrace but the cumulative effect is that the Triangle would be trending towards having a consistent character as a whole rather than a distinct difference between upper terraces and lower terrace. This is not in itself an adverse effect as there is no basis in landscape for the difference
- There would be an adverse visual effect of significant degree in the first 5-7 years potentially, if all Lots were developed in the same time frame, as built form and curtilage development would be fully to prominently visible. The cumulative effect would be a significantly increased awareness of a greater density of residential use. This effect would diminish as the mitigation planting grew.
- There would be an increase in mass and extent of tree and shrub vegetation including along road boundaries. This will within 10 years be the dominant outward expression of the development. This is not an adverse effect in itself and may have a less than minor positive effect. The visibility of built form in a cumulative sense will become low to negligible with a corresponding decrease in the effect of the density and visibility of residential activity.
- If importance is placed on maintaining the expanse of open pasture or cropland for its inherent qualities rather than primarily as open foreground allowing view of ONL, then the landscape cannot absorb the proposed development. The effect would be significantly adverse in a cumulative sense. If maintaining a view of ONL is the primary value of the openness then the level of adverse effect would be less than minor.
- An increase in vegetation (of the same character and/or of local indigenous species) and a decrease in open pasture/cropland is a positive outcome with respect to landscape health, which has corresponding improved landscape value. It also has positive visual amenity value. It is likely the cumulative positive effect would be minor, perhaps more than minor compared to the current situation. The proposed planting would not block any valued views. I have noted that maintaining open character based on open pasture or cropland low in biodiversity value is inconsistent with policies to enhance natural character and does not support improving the health of the landscape.
- With regards nature and scale of development there would not be an adverse effect as it is more of the same kind of land use. The proposed new vegetation would be of the same character as existing.

- With regard to natural character there would be no incremental change. It would remain as low although in a cumulative sense woody vegetation is increasing in extent and diversity including more indigenous planting. This may have a slight naturalising effect.

In summary, the proposed development in addition to the recent subdivision would change the character of the upper terrace landscape, in respect of open space/openness. This would potentially have a degrading effect on quality and visual amenity values. The change is consistent in nature however, being rural residential living and small-scale productive land use. Overall the landscape of the Triangle would maintain its character. The development has the potential to be of significant adverse effect for a short period of 5-7 years due to high visibility and absence of vegetative or topographical setting; thereafter the adverse effect would diminish to less than minor in my opinion as the vegetation became the dominant element. The effect may reduce to nil (neutral) as a whole, and even start to be positive to a less than minor degree depending on the value assigned to the vegetation.

The residual potentially adverse effect in the medium to longer term would be the reduction in open character affecting access to landscape and in itself as open space compared to enclosed space. Whether this is in fact an adverse effect is arguable, as it is inconsistent with improving natural character, ecological diversity and landscape health.

The proposed development has sought to maintain those parts of the Site important for open character in open space. My view is that the adverse effect of loss of open character is minor at the most.

8.7. 21.21.3 Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)

21.21.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.

Specific buildings designs would not be of any meaningful further assistance in determining level and type of effect in my opinion.

21.21.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.

n/a

21.21.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

- whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;*

This proposal does not include any open space protection mechanisms.

- whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;*

Effects on landscape character and indigenous biodiversity have already been addressed. It can be noted that inland outwash plains are a naturally rare ecosystem and typically support threatened

and at-risk species. The planting contains such species, such as Kanuka and Coprosma intertexta. Olearia species are particularly valuable as insect habitat, and Coprosma and Porcupine Shrub for lizards. This positive effect is less than minor.

- c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;*

n/a

- d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;*

This proposal retires some farmland, which could be considered marginal, for native planting. This is on a small scale.

- e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;*

n/a

- f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.*

The proposal retains large areas of open space that can continue to be used for agricultural or horticultural activities or other permitted rural activities.

9. CONCLUSIONS

This assessment is for a 5 lot subdivision of a 14.21ha rural property for rural living purposes within the Luggate Triangle, a distinctive area of rural lifestyle properties bounded by three roads, two of which are state highways. The Site is currently in open pasture/cropland with a very simple open character. There are two residential nodes immediately on one boundary, the other two being highway boundaries with open large-scale working farmland beyond.

The immediate context landscape of the Triangle has a low degree of natural character; high to low degrees of open character; and moderate-high to moderate degrees of openness (upper and lower terraces respectively). The overall character of the Triangle is rural living use with some pastoral/arable/horticultural land use with a contrast between upper and lower surfaces. The wider landscape of working farmland has high openness and moderate to high open character (with large areas in pine and kanuka cover interspersed with open pasture), and both low natural character on farmland and high natural character around the Clutha River. Industrial, urban and agri-industrial land uses are also present in the context landscape so that overall it has varied character and visual expression with varying levels of visual complexity and coherence.

The Site is part of Rural Landscape Character overlay. The main landscape value the Site has is as open foreground enabling expansive views of surrounding and background landscape. The scarp running through the Site is a major landform that is highly legible. The simple, very open character pastoral/arable character is typical of the upper Terrace within the Triangle and the wider rural landscape (to the west and north of the Triangle).

The Clutha River corridor and the rocky hills behind Luggate are the nearest areas of Outstanding Natural Landscape but are not adjacent to the Site.

Key public viewpoints are the two state highways bounding the Site, an unformed legal road to the north of the Site, and nearby public conservation land. In many of these views, dwellings and curtilage on the five lots would be highly visible to prominent, and visually dominant from viewpoints immediately adjacent to the boundaries for the first 5-7 years. Within 7-10 years the

proposed mitigation planting would grow to reduce visibility to moderate and in time it would be low to negligible. The vegetation would become the dominant expression of the development. Planting adjacent to SH6 and SH8A would block views into the Site from a short section of road. The planting would not block any important views. This is consistent with other similar development in the Triangle.

The scheme is designed so that the future dwellings and curtilage in many views would appear to be superimposed over the trees and building glimpses behind the Site, effectively replacing them. They would appear part of the mid-ground layer of trees and buildings. Large areas of open space would be maintained adjacent to the roads for most of the length. Only close to Lots 4 and 5 would the development be obvious close to the road such that future dwellings would be visually dominant.

Considering future changes to visibility, extra planting will appear along the Cameron boundary as backdrop. A number of the trees on the Slab Trust property are required to be retained. It is noted that the omission of the eucalypts as retained trees along the Fairmaid boundary is likely to have been in error as they were shown as being on the Applicant's site. It is likely that the mature pines on Airport Hill will also be felled at some stage in the medium term which would open up the view. It is noted that the current open character enjoyed from SH6 and SH8A depends on an absence of farm tree planting, which is considered to be a permitted activity that could reasonably occur on both the Site and on nearby farmland. In the past, such planting prevented the expansive views currently available.

Assessment

There would be no effect on nearby ONL /ONF.

The changes to landscape character and associated visual amenity are limited to the Triangle itself. The existing character of the upper terrace of the Triangle would be altered with more built form and vegetative elements, with smaller areas of open space and more visually complex. It would be more consistent in character with the lower terrace. The nature of land use would remain the same although some lot sizes would be slightly smaller with some buildings slightly closer together. There would continue to be a nodal disposition of built form, but with larger nodes and correspondingly smaller areas of open space between. The design of the scheme however maximising the retention of important open space and "visibly locating" the development within an existing landscape layer of trees and buildings reduces the effect of increased density.

The character of the land use itself (future building design parameters, the proposed planting) would be similar to that existing and thus be neutral or slightly positive in effect.

With respect to landscape attributes, natural character would remain low but with a slight increase due to the increase in extent, mass and diversity of planting and greater presence of local indigenous species. The effect is neutral to slightly positive.

Openness would inevitably be reduced (to moderate), as would open character. If this attribute is highly valued in itself, then there is likely to be a more than minor adverse effect. This is especially likely in the first few years of development as there is no existing vegetation as a setting. If value is placed on "woodiness" with more diverse and particularly native vegetation compared to low stature exotic pasture/fodder crop of low biodiversity the outcome of a less open (more enclosed) landscape would not necessarily be considered adverse. As the proposed vegetation would become the dominant visual expression, this is the main consideration. If open character is valued mainly because it allows views across the Site of other landscape, the effect is considered to be less than minor as the most important views would not be affected.

The effect on visual amenity in public views has the potential to be significantly adverse in the first 5-7 years due to the absence of any vegetation on the Site to provide a setting. As the proposed planting matures however and comes to be the dominant visual expression the adverse effect will

reduce, supplanted by the positive visual effects of the vegetation. No important views would be blocked by the vegetation.

Adverse effects on private views are likely to less than minor to negligible.

The Site is not contained by any landform or vegetation. Vegetation on neighbouring properties limits visibility in views from the southeast east and northeast.

No elements of the proposal would be inconsistent with existing topographical and vegetation patterns. The scarp is the only landform on Site. It would be accentuated by the proposed planting.

The scheme adopts a clustering approach to maximise the retention of open space and maintain the nodal pattern. If value is placed on maintaining open character and space per se, the Site does not have the ability to absorb the change. If the value is on maintaining the best views and a reasonable sense of open space, as well as on improving natural character then the landscape has capacity to absorb the change.

The Site does not have any areas where the development could be located where it would be less visible and have less effect on natural character to a significant level from the outset. Effects can be reduced however by locating development set well back from the roads and so that it appears in most views as part of the mid-ground layer of existing trees and built form and so large areas of open space can be retained alongside the roads. In a broader sense the location within the Triangle means there is least impact on landscape character.

There would be no adverse effects on indigenous biodiversity or landforms. There would be a slight positive effect on both.

There is potential for adverse cumulative effect. There would inevitably be a reduction in openness and open character (in particular). This would be most dramatic at Site level and of more than minor adverse effect in the context of the upper terrace, but in the context of the Triangle as a whole the effect would be a more consistent character which is not in itself considered an adverse effect. In the wider context the degree of adverse effect would be less than minor to nil, depending on viewpoint.

Whether a reduction in open character per se is an adverse effect is arguable. Planting improves natural character especially where it reintroduces local indigenous species where there is the added benefit of improved biodiversity. Vegetation also usually has visual amenity value in itself.

As the important values of open space/open character provided by the Site are recognised and provided for and there is planting added to the landscape to improve natural character, biodiversity and visual amenity, the degree of adverse effect of the proposed subdivision as a whole is considered to be more than minor initially reducing to less than minor as vegetation matures. In the long term, when the vegetation is the dominant visual element determining landscape character, the degree of adverse effect may be nil and the effect may start to be positive to a less than minor degree.

Anne Steven
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October 2020

APPENDICES

PROPOSED SUBDIVISION BUTSON PROPERTY, WANAKA-LUGGATE HIGHWAY AND SHORTCUT ROAD



**Anne Steven
Registered Landscape Architect**

October 2020

APPENDIX A

VISIBILITY ASSESSMENT SCALE

Visibility Rating Method

The degree of visibility of the proposed development from various viewpoints has been rated as follows:

Visually dominant – the element being assessed is fully visible, stands out and attracts the most visual attention rendering all other elements subordinate and less influential

Visually prominent – the element is fully to mostly visible and is very noticeable and may be a visual focus but is co-dominant with other elements

Highly visible (but not prominent) – the element is easy to see and most or all of its form is visible but there are other elements that are a visual focus

Moderately Visible – the element is partially visible and is less easily discernible as an entity, it is not a visual focus

Low visibility – very little of the element is visible and it is of little visual consequence

Negligible - technically some part of the subject element is visible but to the naked eye, the element is not visible

APPENDIX B

NATURAL CHARACTER RANKING

Scale of Degrees of Natural Character (7 point)

Very High (Pristine)	High	Moderately High	Moderate	Moderately Low	Low	Very Low
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Scale of Application: can be applied at any scale but for purposes of ONL assessment needs to be at a broad scale where landscape character areas are measured in kms rather than hundreds of metres. Typically applied to broad landform and ecosystem types. “Landscape” scale.

Definition of “Natural”:

Broadly it is where humans have had no role in physically creating, locating or maintaining a landscape element or pattern - “of nature” not culture.



Natural Element – a landscape element that is entirely produced by nature (can be exotic or indigenous recognising that even in our wildest areas there are exotic species such as possums, stoats, skylarks, thar, hieracium, grasses all of which are natural elements)

Natural Pattern – where the arrangement and disposition of elements in the landscape is determined entirely by nature. Can include human-created patterns that mimic nature such as restoration plantings.



Natural Process – a process that is entirely of and initiated in nature (ecological, meteorological, geologic, geomorphological and biological processes)


Broadly the greater the ratio of man-made elements to natural ones, the more patterns are non-natural rather than natural, and the more humans control the way landscapes function the lower the degree of natural character.

Definition of Degrees of Natural Character with reference to the landscape of the Upper Clutha Basin

<p>Very High</p>	<p><i>Elements</i> - overwhelmingly natural and are predominantly indigenous (there is the odd hut or DOC sign, or maybe a sealed road passing through, some exotic flora and fauna are present eg stoats, thar, skylarks, hieracium).</p> <p><i>Patterns</i> - almost completely natural – there may be very isolated and diminutive man-made patterns (such as a track or clearing)</p> <p><i>Processes</i> - overwhelmingly natural (there may be very isolated and localised man-made processes such as maintaining a clear track, weed spraying).</p> <p>Example: <u>Mt Aspiring National Park where the Haast highway passes through; head of the Hunter Valley</u></p>	
<p>High</p>	<p><i>Elements</i> - overwhelmingly natural and are predominantly indigenous (there are occasional man-made elements such as stock fences, 4WD tracks, ski area elements; some exotic flora patchily prevalent such as pasture grasses, clover; non-native animals reside such as chamois, deer, hares, possums). Occasional low intensity presence of domestic stock such as summer grazing.</p> <p><i>Patterns</i> - predominantly natural but there occasional man-made patterns (such as a sheep camp, weed spraying, ski area runs)</p> <p><i>Processes</i> - mostly natural but there are some initiated and managed by humans resulting in altered patterns (such as topdressing, pastoralism, spraying of bracken, earthworks in ski areas). Elements such as vehicle tracks and old fences are present</p> <p>Example: <u>The Peninsula, Treble Cone/End Peak Range</u></p>	

<p>Moderately High</p>	<p><i>Elements</i> - are predominantly natural but there are also regularly occurring man-made elements such as stock fences, tracks. Indigenous species generally retain visual and structural dominance but much of the understorey and ground cover is exotic mainly pasture species including associated weeds reflecting human use, domestic stock more obviously present but somewhat transient and low intensity.</p> <p><i>Patterns</i> - predominantly natural. Some man-made patterns are obvious caused by fencing (eg, sheep camp effects), tracking, topdressing and oversowing, heavier grazing and burning/spraying affecting vegetation composition.</p> <p><i>Processes</i> - human initiated and managed processes are obvious in a number of areas such as heavier grazing, weed spraying/burning, or topdressing and fertiliser natural processes are dominant.</p> <p>Example: <u>Grandview Range</u> above Glenfoyle, Butterfields Reserve</p>	
<p>Moderate</p>	<p><i>Elements</i> - are predominantly natural and a mix of exotic/indigenous origin eg kanuka patches, exotic pasture, conifers. Regularly occurring man-made elements including houses and gardens, roads, fences.</p> <p><i>Patterns</i> - are a mix of natural and man-made forming a broad mosaic eg, naturally established kanuka patches and rougher grassland, pest broom in gullies, alongside cultivated geometric paddocks and linear shelterbelts.</p> <p><i>Processes</i> – human initiated and managed processes are frequently obvious such as cultivation, weed spraying, tree planting but there are numerous areas where natural processes have the dominant expression.</p> <p>Example: <u>West side of Maungawera valley; Glenfoyle terraces</u> (see lower part of photo above)</p>	

<p>Moderately Low</p>	<p><i>Elements</i> - are mostly natural and mostly exotic; some relict indigenous. Man-made elements are obvious and frequent (fences, farm buildings, houses, power lines). <i>Patterns</i> - are largely man-made (patchwork of paddocks, shelter belts, large gardens). Some relict areas of naturally established vegetation interspersed often on scarps, knolls etc. <i>Processes</i> - are largely controlled by humans such as cultivation and type of plants growing; relies mostly on natural rainfall rather than irrigation. Some small areas with natural processes operating.</p> <p>Example: Basin floor developed but mostly non-irrigated farmland with some “rough” areas such as <u>along Hawea Back Road</u> ; or developed lifestyle block areas on lower Queensberry Terraces (Willowbank Road-Totara Terrace area)</p>	
<p>Low</p>	<p><i>Elements</i> - are predominantly natural and exotic. Man-made elements are obvious and frequent (fences, pivot irrigator, farm buildings, houses and civic buildings). <i>Patterns</i> - are entirely man-made (such as farm paddocks under pivot irrigation or for cropping, or plantations) <i>Processes</i> - are almost completely initiated and managed by humans (cultivation, sown monocultures of vegetation, irrigation, tree planting, gravel quarrying). Natural surface processes still occur with subtle long term effects such as soil build up, climate effects, etc but are largely masked by short term repeated human-led processes.</p> <p>Example: Devon Dairy Farm, <u>Hawea basin flats</u> and rural lifestyle areas</p>	

<p>Very Low (tend to be small localised areas)</p>	<p><i>Elements</i> – overwhelmingly man-made dominated by domestic and utility elements, but can be interspersed with natural elements which tend to be exotic or non-local native (eg street trees, gardens and reserves)</p> <p><i>Patterns</i> – overwhelmingly man-made, areas of natural patterns are very small and confined (such as a natural stream passing through a town)</p> <p><i>Processes</i> - overwhelmingly man-made. Few very small areas governed by natural processes.</p> <p>Examples: Wanaka Airport Area, <u>Wanaka township</u></p>	
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APPENDIX C

Ch. 21 Assessment Matters

OPERATIVE SECTION OF Proposed District Plan October 2020

21.21.2 Rural Character Landscape (RCL)

The assessment matters below have been derived from Policies 3.3.32, 6.3.10 and 6.3.19 to 6.3.29 inclusive. Applications shall be considered with regard to the following assessment matters because in the Rural Character Landscapes the applicable activities are unsuitable in many locations.

21.21.2.1 Existing vegetation that:

- a. was either planted after, or, self seeded and less than 1 metre in height at 28 September 2002; and,
- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
 - i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
 - ii. as part of the permitted baseline

21.21.2.2 Effects on landscape quality and character:

The following shall be taken into account:

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

21.21.2.3 Effects on visual amenity:

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

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

- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units..

21.21.2.4 Design and density of development:

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

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

21.21.2.5 Tangata Whenua, biodiversity and geological values:

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

21.21.2.6 Cumulative effects of development on the landscape:

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

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

21.21.3 Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)

21.21.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.

21.21.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.

21.21.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account

- a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;
- c. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;
- d. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
- e. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
- f. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;
- g. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character