

APPLICATION AS NOTIFIED

**Martin Lawn
(RM200240)**

Submissions Close 30 October 2020

FORM 12

File Number RM200240

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:

Martin Lawn

What is proposed:

Application under Section 88 of the Resource Management Act 1991 (RMA) for resource consent to undertake a boundary adjustment subdivision between two Records of Title, and to establish a 1,000m² residential building platform on proposed Lot 33 with associated landscaping.

The proposed lot sizes are as follows:

Lot 33: 1.81ha.

Lot 20: 43.20ha.

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

Eastburn Road, Crown Terrace, Wanaka

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 RM200240 as the reference <https://edocs.qldc.govt.nz/Account/Login>

The Council planner processing this application on behalf of the Council is Jacob Neaves, who may be contacted by phone at 03 450 9105 or email at jacob.neaves@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:

30 October 2020

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 (Martin Lawn, C/- Jake Woodward, jake@southernplanning.co.nz) as soon as reasonably practicable after serving your submission to Council:

C/- Jake Woodward
jake@southernplanning.co.nz
Southern Planning Group
1 The Mall
Cromwell 9310

QUEENSTOWN LAKES DISTRICT COUNCIL



(signed by Erin Stagg pursuant to a delegation given under
Section 34A of the Resource Management Act 1991)

Date of Notification: 1 October 2020

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:

(Name Decision is to be issued in)

All trustee names (if applicable):

*Contact name for company or trust:

*Postal Address:

*Post code:

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

*Email Address:

*Phone Numbers: Day

Mobile:

*The Applicant is:

☐

Owner

☐

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

☐

Occupier

☐

Lessee

Other - Please Specify:



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

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

CORRESPONDENCE DETAILS //

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

*Name & Company:

*Phone Numbers: Day

Mobile:

*Email Address:

*Postal Address:

*Postcode:

INVOICING DETAILS //

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

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

Applicant:

☐

Agent:

☐

Other - Please specify:

Email:

☐

Post:

☐

*Attention:

*Postal Address:

*Post code:

*Please provide an email AND full postal address.

*Email:



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

Owner Name:

Owner Address:

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

Date:

Names:



DEVELOPMENT CONTRIBUTIONS INVOICING DETAILS //

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

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

Details are the same as for invoicing

☐

Applicant:

☐

Landowner:

☐

Other, please specify:

*Attention:

*Email:

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



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

*Address / Location to which this application relates:

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

District Plan Zone(s):



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

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

YES ☐ NO ☐

Is there a dog on the property?

YES ☐ NO ☐

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

YES ☐ NO ☐

If 'yes' please provide information below



PRE-APPLICATION MEETING OR URBAN DESIGN PANEL

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

☐

Yes

☐

No

☐

Copy of minutes attached

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



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

☐

Land use consent

☐

Subdivision consent

☐

Change/cancellation of consent or consent notice conditions

☐

Certificate of compliance

☐

Extension of lapse period of consent (time extension) s125

☐

Existing use certificate



QUALIFIED FAST-TRACK APPLICATION UNDER SECTION 87AAC

☐

Controlled Activity

☐

Deemed Permitted Boundary Activity

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

☐

BRIEF DESCRIPTION OF THE PROPOSAL //

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

*Consent is sought to:



APPLICATION NOTIFICATION

Are you requesting public notification for the application?

☐

Yes

☐

No

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



OTHER CONSENTS

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

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

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

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

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

☐

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

☐

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

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



OTHER CONSENTS // CONTINUED

☐

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

☐

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

☒ Any other National Environmental Standard

☐

Yes

☐

N/A

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

☒ Otago Regional Council

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

☐

Yes

☐

N/A



INFORMATION REQUIRED TO BE SUBMITTED //

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

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

☐

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

☐

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

☐

A site plan at a convenient scale.

☐

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

☐

An Assessment of Effects (AEE).

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



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



PRIVACY INFORMATION

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



FEES INFORMATION

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

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



FEES INFORMATION // CONTINUED

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

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

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

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

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

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

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

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



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

Please reference your payments as follows:

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

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

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

I confirm payment by:

☐

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

☐

Cheque payable to Queenstown Lakes District Council attached

☐

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

*Reference

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

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

*Date of Payment

Invoices are available on request

APPLICATION & DECLARATION

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

☐

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

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

OR:

☐

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

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

☐

PLEASE TICK

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

APPLICATION FOR RESOURCE CONSENT

TO UNDERTAKE A BOUNDARY ADJUSTMENT AND ESTABLISH A RESIDENTIAL BUILDING PLATFORM

Martin Lawn

Eastburn Road, Arrow Junction

March 2020



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1.0 THE APPLICANT AND PROPERTY DETAILS

Site Address:	Eastburn Road, Arrow Junction
Applicants Name:	Martin Lawn
Address for Service	Martin Lawn C/- Southern Planning Group PO Box 1081 Queenstown, 9348 jake@southernplanning.co.nz Attention: Jake Woodward
Site Legal Description:	Lot 33 Deposited Plan 417527 as held in Record of Title (RT) 469939; Lot 2 Deposited Plan 321835 as held in RT 87260; and Lot 3 DP 321835 held in RT 87261.
Site Area:	107.36 hectares (all parcels combined)
Operative District Plan Zoning:	Rural General Zone
Proposed District Plan Zoning:	Wakatipu Basin Rural Amenity Zone
Brief Description of Proposal:	Resource consent to undertake a boundary adjustment subdivision and to establish a residential building platform.

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991. The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

List of Information Attached:

Appendix [A]	Record of Title
Appendix [B]	Plan of existing land uses
Appendix [C]	Landscape Assessment Report and Landscape Graphics Supplement
Appendix [D]	Boundary Adjustment and Overall Scheme Plan
Appendix [E]	Landscape Plan
Appendix [F]	Water Pump and Bore Logs
Appendix [G]	Water Quality Test Results
Appendix [H]	Wastewater Report
Appendix [I]	Confirmation of Power Connection
Appendix [J]	Historical Aerial Photo (for NESCS purposes)
Appendix [K]	Affected Persons Approval



.....

Jake Woodward

Resource Management Planner

17 March 2020

2.0 SITE DESCRIPTION AND RECEIVING ENVIRONMENT

2.1 Site Description

The sites subject to this application are located along Eastburn Road on the Crown Terrace and consist of several land parcels legally described as follows and illustrated in Figure 1 below:

- Lot 33 Deposited Plan 417527 as held in Record of Title (RT) 469939;
- Lot 2 Deposited Plan 321835 as held in RT 87260; and
- Lot 3 DP 321835 held in RT 87261.

A copy of the RT for the above sites are attached in **Appendix [A]**.

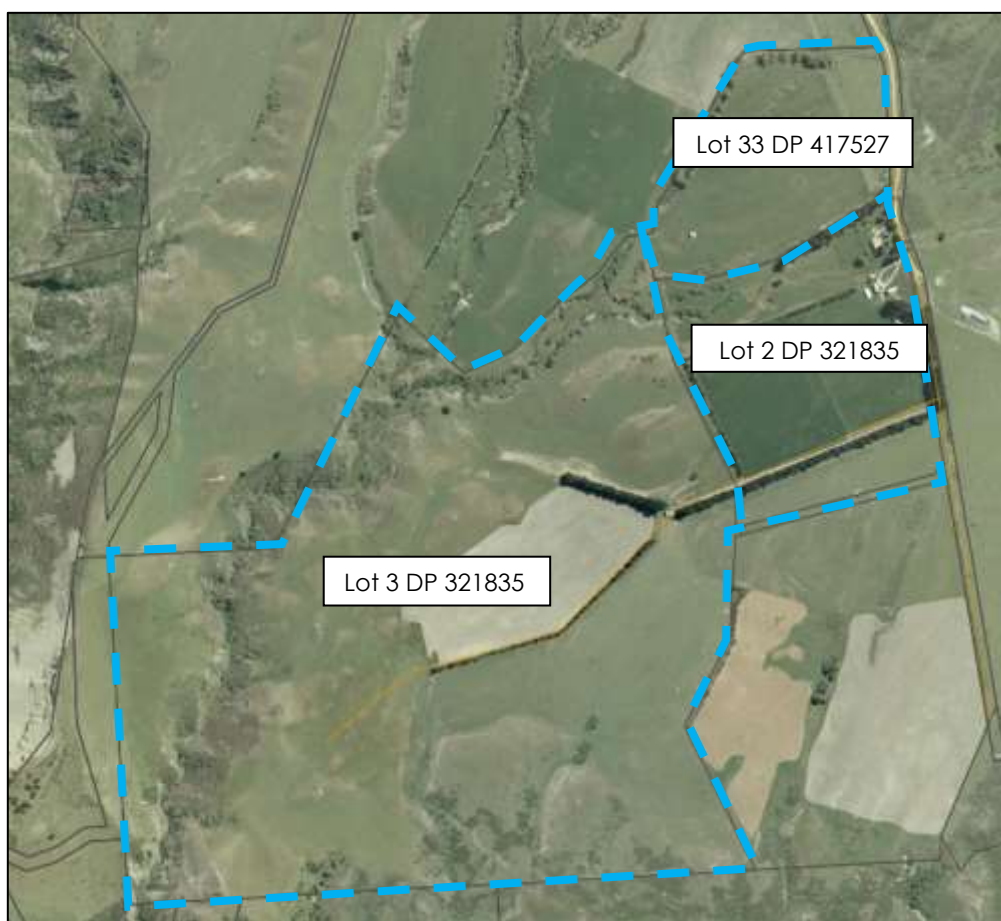


Figure 1: Aerial of subject sites and surrounding environment noting that the boundaries identified reflect the legal land parcel as it exists today and does not show approved boundaries of previously consented subdivisions (Source: QLDC GIS).

The sites are located approximately 850 metres to the south of the Crown Range-Eastburn Road intersection and are predominantly rural in character, dominated by open paddocks, fence lines, shelterbelts and pasture. In particular, the applicant advises that the following crops have been implemented (in reference to **Appendix [B]**):

- Area A consisting of approximately 10 hectares of red clover, plantain and Lucerne – planted in 2019 with an 18 year outlook;
- Area B consisting of approximately 14 hectares of broome, cocksfoot, browntop, timothy and fog (non-rye horse pasture mix planted in 2019 for a period of 18 years)
- Area C consisting of 12 hectares planted in Moata (rye grass) and turnips for short-term winter crop; and
- Area D consisting of approximately 8 hectares of Lucerne crop, again planted in 2018 with an expected period of 18 years.

The site accommodates horses and up to 58 grazing cattle, of which this number is expected to increase to around 100 grazing stock by 2021.

In terms of built form, Lot 33 at present only contains an existing semi-circular galvanised hay barn, located in the westernmost portion of the site. On Lot 2 DP 321835, this site contains an existing cottage and a number of associated sheds, and ancillary buildings located in more or less a curtilage less than 1 hectare. There are currently no buildings located on Lot 3 DP 321835.

The sites topography varies across the landscape from flat to rolling with extensive gullies and creeks.

Lot 33, being a primary focus for this application, is described as a 10.9 hectare allotment with an irregular shape. The site itself is predominantly that of an open paddock with a shed located in the western most portion of the site. The northern boundary is bordered by an existing shelterbelt. Similarly, the southern boundary contains an extensive shelterbelt system that separates the subject site from the domesticating elements on Lot 2 which contains the primary residence for the applicant.

For the purposes of this report, Lot 33 DP 417527 will continue to be referred to as Lot 33. However, Lots 2 and 3 DP 321835 will be collectively referred to as Lot 20 given these sites are currently subject to RM180960 which approved the realignment of the boundaries as illustrated in Figure 2 below.

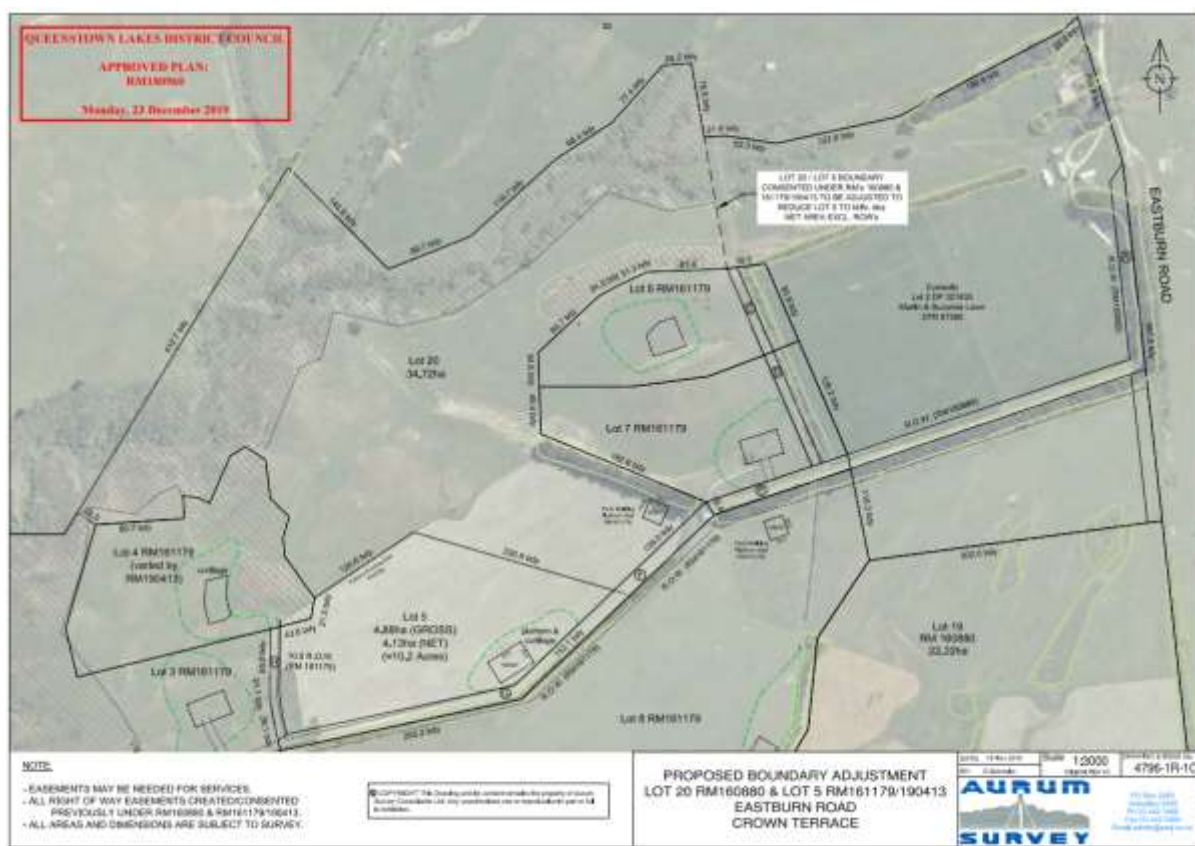


Figure 2: Approved scheme plan, RM180960, noting the extent of Lot 20.

2.2 Receiving Environment

The receiving environment has been described in detail in Section 2.0 of the Landscape Assessment, prepared by Mr Steve Skelton of PATCH Landscape Architects Limited, which is attached in **Appendix [C]**.

In brief, Mr Skelton notes that to the north of the site are two approved residential building platforms (located to the west and below Eastburn Road). To the south of the subject site is a collection of buildings on both sides of the road with the existing dwelling of the applicant located approximately 250 metres to the immediate south of the proposed RBP.

Mr Skelton also notes that there are an additional eight RBP's located further to the south of the subject site and access at the end of Eastburn Road.

Mr Skelton describes the wider Crown Terrace as being a pastoral landscape¹ dominated by pasture with swathes of willow trees and mature shelterbelts providing some vegetative structure across the terrace². Mr Skelton also observes that parts of the terrace, with particular regard to gully and stream systems, are cloaked in a mix of shrubs including exotic weeds and indigenous grey shrubland species.

¹ Paragraph 2.3 of the Landscape Assessment.

² Paragraph 2.2 of the Landscape Assessment.

In amongst the pastoral landscape, Mr Skelton notes that rural living type development has occurred in parts of this landscape but the spaciousness between buildings and wider areas of open lands maintains an open character³. Fences, pastoral units, shelterbelts, roads, farm tracks, stream channels, gullies and slopes all break the landscape up into smaller units, each with distinct character elements.

³ Paragraph 2.3 of the Landscape Assessment.

3.0 RESOURCE MANAGEMENT BACKGROUND

The sites subject to this application has been the subject of a number of previous resource consent applications for various activities including the provision of subdivisions, boundary adjustments and residential building platforms. The most relevant applications are noted below:

- RM160880: Resource consent RM160880 was granted on 2 November 2016 for a boundary adjustment subdivision between three Records of Title, being Lot 2 DP 321835, Lot 3 DP 321835 and Lot 19 DP 20799. An extract of the approved plan is attached in the following figure:

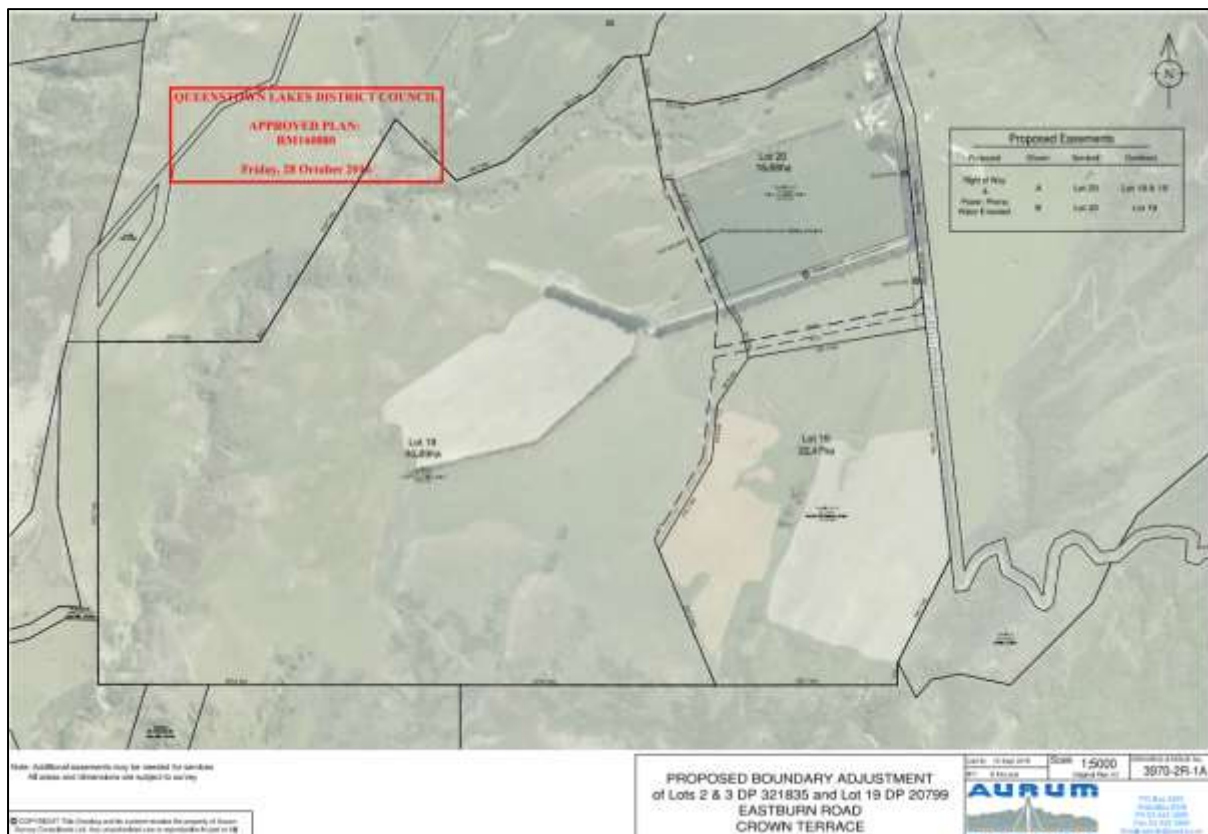


Figure 3: Approved scheme plan of RM160880.

- RM171236: Resource consent RM171236 was granted on 13 December 2017 for a variation to RM160880 to provide for an amended subdivision design by slightly adjusting the proposed boundary locations.
- RM161179: Resource consent RM161179 was granted on 16 February 2018 by Consent Order of the Environment Court (ENV-2017-CHC-85) approving the subdivision of the subject site into 8 allotments, each with a residential building platform and a farm building platforms on Lots 5 and 8. Resource consent RM161179 also granted consent to relocate a farm building and to undertake earthworks on a HAIL site. This application included the imposition of consent

[illegible]

- RM190413: Resource consent RM190413 was granted on 10 June 2019 for a variation to RM161179 to provide for an amended subdivision design by slightly adjusting the proposed boundary locations, building platform design and landscaping.
- RM180960: Resource consent RM180960 was granted on 23 December 2019 approved a boundary adjustment subdivision between proposed Lot 5 and proposed Lot 20 of LT 532665 which will result from SD160880. As a result of this subdivision, Lot 20 would have a total area of 34.75 hectares and would consist of the original dwelling and other ancillary structures at 108 Eastburn Road and an approved farm building platform.

10

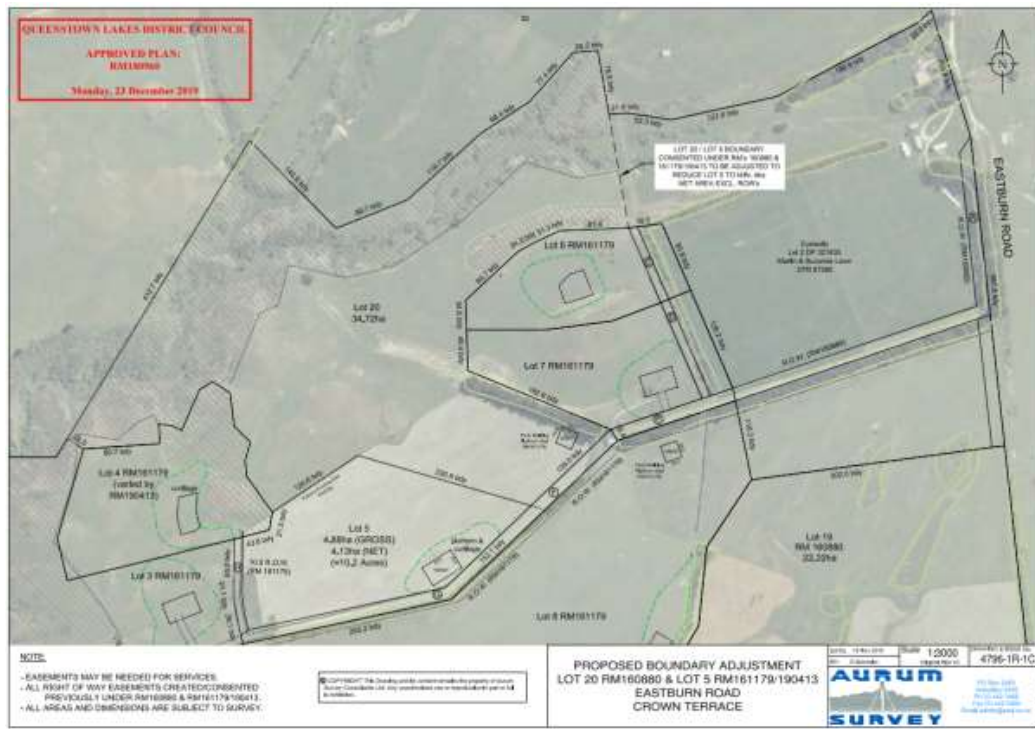


Figure 5: Approved scheme plan of RM180960.

4.0 DESCRIPTION OF THE PROPOSED ACTIVITY

4.1 Overview

Resource consent is sought by Martin Lawn to now adjust the boundary between approved Lot 20 (of RM180960)⁴ and Lot 33 DP 417527 and to establish a residential building platform on Lot 33.

This consent forms part of a wider reaching project of various boundary adjustments and consents (detailed in Section 3.0 of this report) to establish a more holistic, integrated and profitable farm that will enable the continued farming of areas of the site most appropriately suited for such activities and development of areas where it is considered the ability to absorb development is afforded.

4.2 Boundary Adjustment

The proposed boundary adjustment would involve realigning the contiguous boundary between Lot 20 (as approved under RM180960) and Lot 33 DP 417527 such that Lot 20 would increase in size from what is currently 34.72 hectares, to 43.29 hectares, and Lot 33 would reduce in size from 10.9 hectares down to 1.81 hectares.

The overall outcome sought by the proposed boundary adjustment is as detailed in the Proposed Boundary Adjustment Plan prepared by Aurum Survey Ltd and attached in **Appendix [D]**.

The new boundary between Lot 33 and Lot 20 will be as per an existing fence line.

4.3 Residential Building Platform

It is proposed to establish a 1,000m² residential building platform (RBP) on the newly adjusted Lot 33, noting that Lot 33 would effectively become a 1.81 hectare fee simple allotment. The location of the proposed RBP is as shown in **Appendix [D]**.

The proposed RBP, measuring 40 metres by 25 metres, will be located in the northern portion of Lot 33 and will be subject to a 5.5 metre height limit as measured from the lowest point of the proposed RBP being 648.5masl.

Access to the proposed RBP will be achieved via a new internal access which will enter the site at the southernmost boundary (over Lot 20 to which an easement is afforded) and will run more or less along the subject site's westernmost boundary, terminating at the RBP.

It is proposed to impose design controls on any future development within the RBP of which these are detailed in the Landscape Assessment attached in **Appendix [C]**. In brief, the design controls proposed includes:

⁴ Lot 20 is effectively the product of the subdivision of Lot 3 DP 321835 (RM180960).

- Restricting the height of all future buildings within the RBP to 5.5 metres as measured from RL 648.5. In effect this will mean that the dwelling will be sitting below the elevation of Eastburn Road due to the excavations that will be necessary to achieve a suitable platform that accords to this height limit;
- Maximum building coverage of 500m²;
- External cladding colours to be limited to natural hues of greens, browns or greys with a Light Reflectivity Value (LRV) of between 7% and 22%;
- Roofing materials to be similarly recessive with an LRV of 6% to 20%;
- All ancillary buildings to match the principal dwelling on the site.

All of the design controls detailed in **Appendix [C]** and summarised above are proposed to form part of a consent notice to be registered on the updated RT for Lot 33.

For the avoidance of doubt, no RBP or any additional activities are proposed on Lot 20.

4.4 Landscaping

As part of the overall boundary adjustment and registration of a proposed RBP on Lot 33, a comprehensive landscaping regime is proposed. All landscaping will be implemented by the consent holder prior to the issue (or re-issue) of the RT for Lot 33.

The landscaping has been detailed in the Landscape Plan prepared by PATCH Landscape Architects Ltd and attached in **Appendix [E]**. In brief, the landscaping will consist of the following:

- A row of Leyland Cypress Trees located along the northern boundary of (adjusted) Lot 33, effectively extending an existing shelterbelt;
- Indigenous planting located to the east and south of the proposed RBP, consisting of Mingimingi, Kanuka, Corokia, Flax and Tree Daisy with 1.2 metre centres.
- Existing vegetation to be retained (noting the proposed RBP is located in an area of pasture and therefore no trees will need to be removed);
- A 4,700m² domestic curtilage to be located around the perimeter of the proposed RBP. All domesticating elements associated with the development of the RBP will be required to be restricted to the confines of the curtilage.

All of the landscaping design controls detailed in **Appendix [C]** and summarised above are proposed to form part of a consent notice to be registered on the updated RT for Lot 33.

4.5 Servicing

4.5.1 Water

The preferred source of water take will be via an onsite bore that will service the proposed RBP only. This bore is yet to be drilled with the intention for this source of water to be confirmed prior to the issue of any updated Title.

Should the drilling of the preferred bore fail to produce an appropriate potable water supply, water can be provided via an existing 150mm bore located within the curtilage of the dwellings located on Lot 20 as shown in the location on the plan attached in **Appendix [D]**.

The applicant commissioned Southdrill Limited to undertake a pump test of the bore on Lot 20 of which the results and correspondence relating to the test results are included in **Appendix [F]**. The result of the pump test confirms that 1.5 litres of water per second can be drawn from the bore of which Southdrill confirms this extraction rate is sustainable.

Water quality test results prepared by Citilab, attached in **Appendix [G]** confirms that chemical levels are low enough and therefore water extracted from the bore is safe for drinking.

Should the water supply for the proposed RBP be taken from the bore on Lot 20, appropriate easements will be afforded as duly required.

It is proposed to volunteer the following condition as part of this proposal:

"Prior to submission of the Scheme Plan pursuant to s223, the consent holder shall provide confirmation to Queenstown Lakes District Council of an approved onsite bore detailing the rate of take and quality of the water for potable use. The bore and subsequent water take from this bore shall be supported by all necessary consents/permits as required from Otago Regional Council.

In the event that an onsite bore is not feasible water shall be sourced from the existing bore on Lot 20 and all easements shall be provided over Lot 20 to the existing bore".

4.5.2 Wastewater

Wastewater will be disposed of onsite via an onsite treatment and disposal system. The applicant has commissioned Mr John McCartney of Civilised Ltd to confirm

feasibility of onsite wastewater disposal of which Mr McCartney's assessment is attached in **Appendix [H]**. In brief, Mr McCartney confirms that the underlying soil conditions can accommodate for an individual lot system comprised of a multi-chamber septic tank (or similar filter type tank) combined with a secondary treatment system. From here, treated material would be disposed of onsite via a disposal field with minimum dimensions of 50m² by 50m².

The provision of an onsite wastewater system is proposed to form part of a condition of consent that would in turn be implemented as a consent notice, advising future Lot owners of the requirement to implement these works prior to occupation of a dwelling.

4.5.3 Stormwater

It is proposed to simply dispose stormwater runoff to soak pits onsite to which a consent notice condition is volunteered to advise that design of soak pits will need to be undertaken at the time of construction of a residential dwelling.

4.5.4 Firefighting

It is proposed to store water onsite in plastic holding tanks containing a minimum static reserve of 45,000 Litres to be provided for firefighting. The water tanks will be required to be located within the proposed curtilage area (detailed above) and will be located adjacent to a hardstand area as required.

It is proposed to promote the provision of the firefighting tank(s) and the holding of 45,000l of water in accordance with SNZ PAS 4509:2008⁵ as a consent notice condition on the updated RT for Lot 33.

4.5.5 Power and Telecom

Confirmation has been provided by Aurora confirming that a power supply can be afforded to the proposed RBP. This confirmation is attached in **Appendix [I]**.

It is not intended to install any underground telecommunication facilities as part of this application. A consent notice condition will advise future lot owners that no telecommunication services have been installed and that it is the lot owner's responsibility to implement a suitable wireless / satellite telecommunications service.

4.6 Earthworks

No earthworks will form part of this application. The applicant's preference is to essentially provide a blank canvas for prospective purchasers given that future house designs can dictate the level of earthworks necessary within the RBP.

⁵ By being in accordance with SNZ PAS 4509:2008, will mean that the location of the tanks will conform to all appropriate separation distances etc.

For the avoidance of doubt, no resource consent is sought for earthworks as part of this application.

5.0 DESCRIPTION OF PERMITTED ACTIVITIES

The consent authority may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect.

In this environment, the establishment of a RBP and associated buildings requires resource consent and therefore the permitted baseline as it relates to future built form is not applicable.

However, it is noted that earthworks of up to 400m³ in the Wakatipu Basin Rural Amenity Zone and 1,000m³ in the Rural Zone are permitted.

In addition to the above, it is relevant to acknowledge that landscaping and the planting of shelterbelts is not controlled under the District Plan and therefore can be undertaken as a permitted activity.

6.0 STATUTORY CONSIDERATIONS

6.1 Queenstown Lakes District Plan

The subject sites are contained within the Rural General Zone under the Operative Queenstown Lakes District Plan.

The following resource consents are sought to authorise the proposed development:

- A **discretionary activity** pursuant to Rule 5.3.3.3(i)(b) for the identification of any building platform of not less than 70m² in area and not greater than 1000m² in area.

In this case, the proposal involves establishing a 1000m² building platform on Lot 33.

- A **non-complying activity** pursuant to Rule 15.2.3.4 (i) for any subdivision which does not comply with any one or more of the Zone Subdivision Standards shall be a Non-Complying Subdivision Activity. In this instance, the proposal breaches the Zone Standard listed in Rule 15.2.6.3 (i) (bb) in relation to the standards for lot sizes for allotments created by boundary adjustment in the Rural General Zone which are:
 - (i) Each of the lots must have a separate Certificate of Title; and
 - (ii) Any approved residential building platform must be retained in its approved location; and
 - (iii) No new residential building platforms shall be identified and approved as part of the boundary adjustment; and

- (iv) There must be no change in the number of residential building platforms or residential buildings per lot; and
- (v) There must be no change in the number of non-residential buildings per lot; and
- (vi) The adjusted boundaries must not create non-compliance with any Part 5 Rural General Zone site and zone standards;
- (vii) No additional saleable lots shall be created.

In this case, the proposal fails to comply with the provision set out in both (iii) and (v) above in that a RBP is proposed on Lot 33 and the shed located within Lot 33 will be transferred to Lot 20 upon completion of the boundary adjustment.

6.2 Proposed District Plan

Under the Proposed District Plan ("PDP"), the subject sites are located within both the Wakatipu Basin Rural Amenity Zone and Rural Zone (although the proposed RBP will be located wholly within the Wakatipu Basin Rural Amenity Zone).

Under the PDP, the proposal requires the following resource consents:

- A **non-complying activity** pursuant to Rule 27.5.19 for subdivision that does not comply with the minimum lot areas specified in Part 27.6 of the Proposed District Plan. Part 27.6 states the minimum lot area for sites within the Wakatipu Basin Rural Amenity Zone is 80ha. The proposal fails to meet this standard.

6.3 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("NESC")

An aerial photograph of the site and surrounds, dated 23 February 1968 is attached in **Appendix [J]** and details that the area in which the proposed building platform to be located as an open paddock. This land use remains the case today and the applicant is not aware of any activities occurring on this piece of land other than as a paddock since at least 1968.

In addition, a search of Council's records does not result in any information that would suggest HAIL⁶ activities have occurred on the parcel of land in which the activity relates.

Accordingly, the NESC is not considered applicable in this instance.

6.4 Overall Activity Status

Overall, the proposal is assessed as a **Non-Complying Activity**.

⁶ Hazardous Activities and Industries List.

7.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The matters that must be addressed pursuant to Clauses 6 and 7 of the Schedule 4 of the Resource Management Act 1991 are detailed below.

7.1 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:

The proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

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

Introduction

Subject to Part 2 of the Resource Management Act 1991, the Council in considering this application pursuant to Section 104(B) of the Act, shall have regard to any actual or potential effects on the environment of allowing the proposed development to proceed.

In assessing any actual or potential effects on the environment of allowing the proposal to proceed, Schedule 4, Clause 7(1) of the Resource Management Act 1991 states that the following matters must be addressed.

- (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.*

When considering the nature of the proposal, it is considered that the potential adverse effects of the proposed activities can be broadly categorised into the following:

- Landscape character and visual amenity;
- Location and access;

- Servicing; and
- Positive Effects.

Landscape character and visual amenity

The proposal was assessed by Mr Skelton to understand the actual and potential adverse effects on landscape character and visual amenity values. Mr Skelton's assessment is attached in **Appendix [C]**.

For completeness, Mr Skelton confirms the landscape classification of the site under both the Operative and Proposed District Plan framework and has assessed the proposal in relation to the relevant assessment criteria pertaining to each. In brief, Mr Skelton confirms the site is located in the Visual Amenity Landscape under the Operative District Plan and sits within the Wakatipu Basin Rural Amenity Zone and Landscape Character Unit 20 under the Proposed District Plan⁷.

Mr Skelton has identified that the site sits outside of the adjacent Crown Range Outstanding Natural Landscape (ONL) noting that the relevant planning maps⁸ illustrate the ONL as running along the eastern side of Eastburn Road. Mr Skelton notes that Lot 33 and the location of the proposed RBP sits entirely outside of the ONL. This assessment is accepted.

Visibility

In terms of visibility, Mr Skelton has undertaken a site visit to ascertain the potential visibility of a future building within the proposed RBP.

In brief, Mr Skelton notes that any building on the site (within the RBP) will not be visible from the (public sections) Crown Range Road with the exception of a small section of winding road where fleeting views may result. These viewpoints relate to Images 2 and 3 as per Mr Skelton's assessment.

It is important to note that Image 2 was taken while Mr Skelton was walking along the Crown Range road and observed a break in the vegetation and leaning over a guardrail. In reality, this image/view would only be experienced for a very short period by a passenger in a vehicle heading north (away and downhill) from the site. This view would not be seen by a driver, nor would anyone travelling south (and uphill) along this specific section of the Crown Range experience this view by virtue of the obstructions attributed by the road/contours itself.

Image 3 is taken from a chain bay located on the southern-side of the road with the photograph taken at the very edge of the chain bay itself (standing over the guardrail).

Image 1 is taken from an existing lookout that is located within the confines of a private property but which is used informally and frequently by the public. The southernmost profile pole is only just visible noting that the balance of the proposed RBP is screened by the slope of the Crown Range itself.

⁷ Clause 6.3.3A of the PDP states that the ONL, ONF and RCL categories and associated policies are not applicable to the Wakatipu Basin Rural Amenity Zone. This zone has its own regulatory regime.

⁸ Planning Map 13D of the Proposed District Plan.

From Eastburn Road, the site will be visible but only once a driver has driven down Eastburn Road and rounds a bend in the road, approximately 180 metres north of the subject site. A future building within the RBP will be visible from Eastburn Road directly adjacent to the site however the provision of the building height restrictions and associated indigenous planting will assist with integrating the dwelling into the immediate landscape.

Mr Skelton notes that the RBP may potentially be visible from a distance over 5km near Frankton flats and even more distant viewpoints such as the Remarkables Ski Area access road.

The RBP will be substantially screened from neighbouring sites (as viewed from building platforms or existing dwellings on neighbouring sites) due to the intervening topography and vegetation (both existing and proposed). It is acknowledged that from within the paddocks of some of the neighbouring properties, particularly as it relates to the property to the north and immediately to the east, it is likely that future buildings would be visible.

Mr Skelton's assessment of the visibility of the RBP is accepted.

In paragraphs 4.19 to 4.23 of Mr Skelton's report, Mr Skelton assesses the effects of this visibility. In brief, and as already alluded to above, the visibility of the proposed RBP will be very limited and fleeting with views largely limited to a passenger in a vehicle travelling downhill on the Crown Range Road. With this in mind, it is considered that effects of the RBP will be no more than minor noting that these views will be very short (in terms of duration) and only experienced for a few seconds should a passenger happen to be looking in the direction of the RBP. Should this view be experienced, the RBP sits at the toe of the slope with the wider pastoral landscape of Lot 20 and surrounds maintaining dominance in this view.

In terms of the potential views of the RBP from the chain bay, it is expected most people would enjoy the more expansive views offered by some of the more prominent lookout points on the Crown Range Road and therefore the use of the chain bay for scenic viewing purposes would be limited. Nonetheless, people can still use this location to appreciate views (if they are not focussing on tending to their vehicles/fitting chains). From the chain bay, views of the proposed RBP are only visible from the guard rail and therefore from within the chain bay itself, the guard rail provides a visual barrier to the RBP. Nonetheless, Mr Skelton considers that the location of the site (and associated RBP) is appropriately located at the toe of the slope and maintains the wider pastoral landscape of the terrace, slotting into a consistent pattern of development that characterises Eastburn Road (when viewed from the chain bay).

Similarly, when viewed from Eastburn Road itself, views of the site from the north (when travelling down Eastburn Road) will be (in time) screened by an extension of an existing shelterbelt that Mr Skelton considers to be characteristic of an arcadian landscape. Once directly to the east of the site, a future dwelling would be visible below and in the immediate foreground of the view (from Eastburn Road) but with the view extending across the balance of Lot 20 which is that of an open, pastoral landscape noting the proposed maximum height that will be imposed on future

development. From the south, a future dwelling would be partially screened by the undulating topography of the site itself noting that a dwelling would need to be excavated into the site in order to conform to the proposed height restrictions.

From the Crown Range lookout (that is located on private land), a future dwelling may possibly be just visible depending on where within the proposed RBP this dwelling is constructed, noting that only a small portion of the southern section of the RBP is visible. Despite this, Mr Skelton considers that any visibility of a future dwelling would be seen in the foreground context of the existing buildings located at the end of Eastburn Road. In this regard, the RBP will not detract from views. Despite this assessment however, it is noted that this assessment is taken from what is essentially a private parcel of land.

Acknowledging the above, while there may be instances where the RBP and future development may be visible, such visibility is considered to be appropriate without detracting from landscape values as described by Mr Skelton.

Effects on Natural and Pastoral Character

With respect to effects on natural and pastoral character, Mr Skelton has already described the surrounding environment (particularly in terms of the terrace itself) as one that is characterised by mostly a pastoral landscape attributed to the wide-open spaces, pastoral units and shelterbelts. However, Mr Skelton also notes that rural living type development is also a feature in this landscape but would appear as a subservient element to the predominant open space.

Mr Skelton considers that the location of proposed RBP and associated domestication effects will be seen in the context of the existing nearby buildings, particularly when viewed from the Crown Range Road. Similarly, the pattern of development along Eastburn Road, attributed to the existing building platforms that are evenly spaced (along the road) and more or less adjacent to the road itself, provides an opportunity for the proposed RBP to slot into this pattern while the location of the RBP near the road maintains the open pastoral landscape that will remain within Lot 20.

In considering the above, Mr Skelton concludes that the location of the RBP along with the visual relief and integration afforded by the landscaping will result in low effects on the natural and open character of the landscape and will not appear as over-domestication. This assessment is considered logical and is accepted noting that the adjustment of the boundaries, and overall positioning of the proposed RBP provides an improved opportunity to continue to utilise Lot 20 for rural practices, contributing to the natural and open character on the immediate area.

Overall, adverse effects of the proposed development on the identified natural and pastoral character of the surrounding environment is considered to be no more than minor.

Form and Density of Development

As already alluded to earlier, Mr Skelton considers that the existing natural topography of the slope (of the Crown Range) enables the development to sit in a part of the landscape that retains the more open, pastoral landscape attributed to the paddocks within Lot 20.

Mr Skelton concludes that the location of the RBP is an area that enables development to be absorbed, due to its proximity to the toe of the slope and nearby an existing enclave of development all the while ensuring development does not introduce a density that is akin to urban.

While the development is within 500 metres of existing development, it is understood that it is the pattern of the prevailing development that allows an opportunity to integrate the proposed RBP into the receiving environment without detracting from the open/pastoral landscape of the VAL.

Relying on Mr Skelton's assessment, it is considered that the form and density of development will be appropriate in this context.

Cumulative Effects of Development on the Landscape

Mr Skelton considers that the proposed development can be appropriately absorbed into the existing enclave of development that characterises the eastern portion of the Crown Terrace (near the toe of the slope) whilst retaining the pastoral, open space attributed to Lot 20.

While it is acknowledged that the proposal introduces an additional residential activity into the wider landscape, Mr Skelton's assessment is accepted in that it is recognised that there is an existing pattern of development that enables a logical insertion of an additional dwelling while maintaining open space of the existing (and currently farmed) paddocks within Lot 20.

Acknowledging Mr Skelton's assessment, it is considered that the proposal will not lead to adverse cumulative effects on the landscape.

Rural Amenities

Mr Skelton considers rural amenities are maintained through the retention of open paddocks, maintenance of fence lines and boundaries along with a RBP that will sit beneath the road allowing views across the pastoral landscape to be maintained.

It is considered that the realignment of (legal) boundaries contributes to rural amenities through the establishment of a coherent and consolidated landholding which maintains Lot 20 to be holistically farmed.

The provision of a RBP (and associated domestication) is not inappropriate in a rural setting and in particular, Mr Skelton recognises that the Crown Terrace has pockets of residential living activities located in amongst the open pastoral landscape, to which this proposal is considered to reflect.

While Lot 33 will be more akin to rural-lifestyle living given the allotment size, this density is considered reflective of the surrounding character while recognising that the boundary adjustment results in an enlargement of Lot 20 that will continue to contribute to the rural amenity values of the area.

In considering the above, it is considered that the proposal will not detract from rural amenity values of the surrounding area.

Location and access

The site will be accessed via a new driveway that will connect to an existing vehicle crossing located along the site's southern boundary. A right of way will safeguard access to Lot 33 over Lot 20 as detailed within the attached Scheme Plan.

The access will be constructed in accordance to Council's standards with a minimum formation of 150mm compacted AP40 with a minimum carriageway width of 3.5 metres. Adhering to these design standards, it is considered the access will provide appropriate vehicular access.

Mr Skelton has considered the location of the access as being logical and appropriate in that the alignment responds to the contours and existing boundary (fence line), resulting in an outcome that will not detract from visual amenity values.

Acknowledging the above, it is considered that the proposed RBP will have suitable vehicular access.

Servicing

Water supply to the site will be achieved via one of two probable means; the preferred source of water will be source from a new bore to be drilled onsite. If this bore fails to produce the required water take, the applicant has an existing bore located within the curtilage of the existing dwelling which can provide the appropriate supply of water via an easement. It is considered that the provision of a condition that requires either option will appropriately ensure a suitable water supply can be provided prior to the approval of the survey plan pursuant to s223 of the RMA.

As generally the case with rural type developments, it is proposed to provide onsite storage tanks to provide for appropriate water storage for firefighting purposes. The provision of a Consent Notice requiring future owners to provide for a water tank that accords to the appropriate firefighting standards will suitably provide for firefighting supply.

Stormwater will be disposed of via an onsite soak pit. Such an approach is considered appropriate in this environment where all stormwater runoff can be suitably captured and disposed of onsite.

With respect to wastewater disposal, the applicant has engaged Mr John McCartney of Civilised Ltd to confirm the suitability of the site for onsite wastewater treatment and disposal. Mr McCartney's findings are contained within his assessment attached in

Appendix [H]. In brief, Mr McCartney confirms that the subsurface conditions are considered to be appropriate to accommodate a future residential activity with the provision of an individual lot system, secondary treatment and associated disposal field. It is proposed that a Consent Notice be imposed on the updated RT such that future prospective owners are aware of their obligation to install a suitable onsite wastewater system that accords to the applicable standards. Relying on Mr McCartney's assessment, it is considered that future development within the proposed RBP will result in no more than minor adverse environmental effects.

Confirmation has been provided by Aurora confirming the feasibility to provide power to the proposed RBP which is not unexpected noting the level of development in the vicinity of the area already. As such, it is considered that a future residential dwelling can be appropriately serviced for power.

Positive Effects

With respect to positive effects, these effects stems from recognition of the proposal providing for additional residential accommodation without compromising the overall visual and landscape values of the surrounding environment as assessed by Mr Skelton.

In addition, the proposal realigns (legal) boundaries such that Lot 20 results in an allotment of over 40 hectares that will continue to provide opportunities for productive pastoral use while locating additional residential activity close to an existing road network and consistent with an existing pattern of built development while minimising loss of land otherwise suited for farming.

The indigenous vegetation planting will contribute to ecological values more so than that of pasture.

Conclusion

Overall, it is considered that the proposal can be appropriately provided for in this landscape without resulting in an unacceptable level of adverse effects.

7.3 If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use

N/A

7.4 If the activity includes the discharge of any contaminant, a description of:

- 1. The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and**

2. Any possible alternative methods of discharge, including discharge into any other receiving environment.

N/A

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

The appropriateness of the proposed RBP in the receiving environment is attributed to the design controls which are recommended in the application including a restriction on the maximum height limit for future dwellings and the use of recessive colours and materials (for the dwelling and other structures such as water tanks). With these controls to be implemented via a Consent Notice condition, future development will be undertaken in a manner anticipated through the assessment of this application.

Inherent to the application is the provision of landscape planting both in the form of indigenous context planting around the proposed RBP and an extension to the shelterbelt along the northern boundary of the subject site. The context planting will contribute to the integration of future dwelling into the landscape whereas the shelterbelt planting will provide visual relief to future development when travelling south along Eastburn Road.

Mr McCartney has recommended conditions of consent that will be imposed as a Consent Notice condition to ensure an appropriate onsite wastewater system is established prior to occupation of a residential dwelling to ensure adverse effects on the environment (associated with wastewater disposal) are adequately mitigated.

7.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

7.6.1 Written Approvals

Written approval has been obtained from the following persons, of which a copy of the written approval is attached in **Appendix [K]**. In accordance with s95E(3)(a) of the RMA, a person who has provided written approval is not an affected person in relation to an application for a resource consent.

Written Approval Received by:	Property:
Crown Range Holdings Limited	Current owners of Lot 3 DP 321835 (Lot 20 of RM180960)

7.6.2 Effects on persons

Adverse effects of the proposed development on person(s) are considered to be less than minor for the for the following reasons:

- The property to the immediate north of the subject site (Lot 27 DP 417527) is characterised by a generally rolling pastoral landscape consisting of gullies, and creeks, along with human influences such as maintained paddocks and

fence lines. The existing shelterbelt located on the subject site's northern boundary provides a physical demarcation of the boundary along with a degree of visual screening.

There are no dwellings visible on the adjoining site although it is noted that there is a standalone land parcel located approximately 200 metres directly to the north of the subject site being Lot 3 DP 336049 and contains a consented RBP. This site is currently subject to a resource application (RM200017) to construct a residential dwelling within the consented RBP. However, due to the rolling nature of the underlying topography, this dwelling and the proposed RBP are unlikely to be visible from each other with the exception of the roof (of the dwelling proposed under RM200017).

Overall, it is considered that the provision of a RBP and associated domestication of Lot 33 will not result in any adverse effects on residential amenities for the properties to the north by virtue of the separation distances afforded, and the screening provided by the undulating landform itself and subsequent proposed shelterbelt landscaping.

In terms of the boundary adjustment, this is not considered to result in any material effects over and above what is already experienced by the neighbouring properties given Lot 20 will continue to be farmed as existing.

The provision of the proposed RBP is not considered to result in reverse sensitivity effects on the ability for Lot 27 DP 417527 to be utilised for farming purposes noting that (clusters) residential activities are commonplace on the Crown Terrace scattered in among working rural allotments with the inherent rural amenity contributing to the appeal of the proposed residential activities.

The proposal would introduce one additional set of vehicle movements associated with the proposed RBP and subsequent residential domestication. It is considered that the scale of such activity will not result in any discernible traffic effects over and above what would be presently experienced.

- To the south-east of the subject site are a number of buildings and dwellings on what is a 1,385 hectare allotment that extends up to the east towards the Crown Range Lookout. The nearest dwelling on this site will be over 300 metres away noting that the dwelling on this property sits within a reasonably defined enclave of existing buildings on both the applicant's property but also adjacent properties.

The provision of a RBP on Lot 33 is not considered to generate adverse effects on the amenity values for this property noting that the development of Lot 33 will appear as a consistent component of the prevailing character of built form along Eastburn Road.

- A number of residential building platforms have been established and authorised further to the south of Preservation Lane and would experience the proposed development insofar as they bypass the site (when heading to or from the Crown Range Road). However, it is considered that future development within the proposed RBP will sit low (and beneath Eastburn Road) in the immediate foreground such that the proposal will maintain views across the pastoral landscape that is retained within Lot 20. Nonetheless, the presence of a future dwelling is considered to be consistent with the pattern of development that users of Eastburn Road will experience noting the existing and consented level of development already present.

Acknowledging the above, it is considered that no person will be unduly adversely affected by the proposal.

7.7 If the scale or 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.

No monitoring is required other than standard conditions of consent.

7.8 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).

The proposed activity will have no effect on any customary rights.

8.0 SECTION 95 NOTIFICATION

8.1 Public Notification

Step 1 – Mandatory public notification

- We are not requesting public notification of the application.
- Provided a request is reasonable, we are unlikely to refuse to provide further information or refuse the commissioning of a report under Section 92(2)(b) of the Act.
- The application does not seek to exchange recreation reserve land under section 15AA of the Reserves Act 1977.

Accordingly, mandatory public notification of the application is not required.

Step 2 – Public notification precluded

- Public notification is not precluded by any rule or national environmental standard.
- The proposal is not a controlled activity, a restricted discretionary/discretionary subdivision or a residential activity, or a boundary activity as defined by section 87AAB.
- The proposal is not a prescribed activity.

Accordingly, public notification of the application is not precluded.

Step 3 – If not precluded by Step 2, public notification is required in certain circumstances

- Public notification of this application is not specifically required under a rule or national environmental standard.

A consent authority must publicly notify an application if it decides under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor. An assessment in this respect is made in Section 7 above.

Step 4 – public notification in special circumstances

- In this case it is considered that no special circumstances exist.

8.2 Limited Notification

Section 95B(1) requires a decision whether there are any affected persons. The following steps set out in this section, in the order given, are used to determine whether the Council should limited notify the application, if the application is not to be publicly notified.

Step 1: certain affected groups and affected persons must be notified

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement.

Step 2: if not required by step 1, limited notification precluded in certain circumstances

- Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or NES that precludes notification.
- Limited notification is not precluded under Step 2 as the proposal is not a controlled activity and is not a prescribed activity.

Step 3: if not precluded by step 2, certain other affected persons must be notified

- Limited notification is not precluded under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity.
- Limited notification is not precluded under Step 3 as the proposal falls into the 'any other activity' category and the effects of the proposal on persons are assessed in section 7.6 above.

9.0 SECTION 104 (1)(b) ASSESSMENT

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. Such documents include:

- A national environmental standard
- Other regulations
- A national policy statement
- A New Zealand coastal policy statement
- A regional policy statement or proposed regional policy statement
- A plan or proposed plan

9.1 Operative District Plan

The relevant objectives and policies of the Operative District Plan are considered the following:

Section 4 – District Wide Issues

Objective:

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

Policies:

1. Future Development

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

As detailed throughout this assessment, the proposal involves realigning boundaries and the proposal of a RBP that takes account of the landscape values of the surrounding environment. In this case, Mr Skelton details the location of the RBP as being appropriately positioned so to maintain the vast open and pastoral landscape that will be retained on Lot 20. In effect, the proposal will not detract from the landscape values of the VAL in which it sits nor compromise the values attributed to the adjacent Crown Range ONL.

Mr Skelton concludes that the location of the RBP provides an appropriate ability to absorb development due to the existing pattern of development along and at the end of Eastburn Road.

The proposal involves the provision of landscaping to reflect the existing pattern of shelterbelts all the while providing for indigenous context planting that contributes to nature conservation values and integration with the adjacent ONL.

Overall, the proposal is considered not contrary to these provisions.

4. Visual Amenity Landscapes

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

Mr Skelton has considered the potential effects of the proposed development on the VAL noting that the positioning of the RBP at the toe of the Crown Range slope and near (adjacent to) Eastburn Road will maintain landscape values across the terrace.

When considering clause (a), the key terms referred to in this policy includes whether a development is "highly visible" from public places frequented by the public. The assessment by Mr Skelton considers visual effects from sections of the Crown Range road although it is recognised that in practice, these views will be either largely fleeting (image 2) or seen in the context of existing development (from the chain bay).

Views from the Crown Range lookout are achieved on private property. Nonetheless, the location of the RBP is predominantly screened by the toe of the Crown Range slope and forms part of an existing enclave of structures in the immediate foreground.

While a degree of landscape mitigation is proposed, this is considered appropriate to the environment in which it sits by virtue of the prevailing character of shelterbelts (as it relates to the proposed Cypress Leylands) and the indigenous context planting that complements the adjacent ONL. As such, linear planting in this context is considered acceptable.

Overall, the proposal is considered not contrary to the above.

8. Avoiding Cumulative Degradation

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

- (a) to ensure that the density of subdivision and development does not increase to a point where the benefits of further planting and building are outweighed by**

the adverse effect on landscape values of over domestication of the landscape.

(b) to encourage comprehensive and sympathetic development of rural areas.

The proposed development is considered to be sympathetic to that of the rural environment in which it sits noting the positioning of the RBP will maintain pastoral landscape values as well as utilising existing boundary alignments.

The proposed RBP represents a logical insertion into an existing pattern of development and therefore the proposal is not considered to result in an adverse level of cumulative effects that would result in the landscape appearing as over-domesticated. In this regard, the proposal is considered not contrary to this provision.

9. Structures

To preserve the visual coherence of:

(a) outstanding natural landscapes and features and visual amenity landscapes by:

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

(b) visual amenity landscapes

- by screening structures from roads and other public places by vegetation whenever possible to maintain and enhance the naturalness of the environment; and***

(c) All rural landscapes by

- providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads.***

Mr Skelton has detailed the appropriateness of the proposed development on the site insofar as the design controls will ensure a development that will sit low and recessively in the landscape without breaching the skyline of the adjacent Crown Range ONL.

The design controls will restrict matters such as height, colours and materials along with minimising building coverage to ensure that the resulting built form does not detract from the landscape values of the surrounding landscape.

Mr Skelton has promoted the provision of landscaping along the northern boundary through extending the existing shelterbelt which in time, will provide visual relief to future dwellings when travelling south along Eastburn Road, maintaining natural character although it is equally acknowledged that Eastburn Road is also characterised by built form attributed to existing residential activities.

Overall, the proposal is considered not contrary to these provisions.

17. Land Use

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

While the proposal involves the establishment of an additional residential dwelling, there will be no increase in saleable allotments. Rather, the boundaries between the two allotments will be realigned enhancing Lot 20 as a larger rural landholding, maintaining existing paddocks and fence lines.

Lot 33, while being reduced in size to an allotment comparable to a smaller rural lifestyle allotment, is considered to be an appropriate insertion into the landscape that affords a level of absorption without compromising the open character or visual coherence of the landscape.

Section 5 – Rural Areas

Objective 1 - Character and Landscape Value

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

Policy 1.1 - Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.

Policy 1.4 - Ensure activities not based on the rural resources of the area occur only where the character of the rural area will not be adversely impacted.

Policy 1.6 - Avoid, remedy or mitigate adverse effects of development on the landscape values of the District.

Policy 1.7 - Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.

Policy 1.8 - Avoid remedy or mitigate the adverse effects of the location of structures and water tanks on skylines, ridges, hills and prominent slopes.

The objective and associated policies relating to Character and Landscape Values primarily centre around maintaining the values of the rural area through controlling adverse effects caused by inappropriate activities.

The primary values associated with the subject site and surrounds includes, among others, the landscape values attributed to the existing rural activities along with the naturalness and openness associated with the existing paddocks and fields.

When considering the assessment undertaken by Mr Skelton, it is considered that the proposed RBP in conjunction with the realignment of the allotment boundaries will not degrade the openness of the landscape to an inappropriate level noting that future dwellings will be incorporated into an existing pattern, sitting low in the landscape beneath (and in close proximity) to Eastburn Road, retaining existing pastoral character.

The retention of the open space attributed to Lot 20 will maintain rural amenity values where farming practices will not be compromised by the proposed activities.

Objective 3 - Rural Amenity

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

Policy 3.1 - Recognise permitted activities in rural areas may result in effects such as noise, dust and traffic generation, which will be noticeable to residents in the rural areas.

Policy 3.2 - Ensure a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values.

Policy 3.3 - To avoid, remedy or mitigate adverse effects of activities located in rural areas.

Policy 3.5 - Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.

Similar to the discussion above, Objective 3 and associated policies are directed towards avoiding, remedying or mitigating adverse effects on rural amenity.

As discussed by Mr Skelton, the retention of the open space and appropriate position of the proposed RBP will maintain landscape values which in turn will maintain rural amenity. The proposed boundary adjustment is considered to be appropriate in that it maintains logical boundaries and fence lines all the while enabling continued use of Lot 20 for farming practices.

The proposal is not considered to compromise the ability for rural land practices to be undertaken in the vicinity noting that the proposed RBP will be inserted in an area that is already subject to a level of domestication. For these reasons, the proposal is considered to maintain rural amenity values.

Overall, the proposal is considered to be not contrary to the relevant provisions of the District Plan.

9.2 Proposed District Plan

The Queenstown Lakes District Council notified the Proposed District Plan on 26 August 2015. In considering the various provisions of the PDP, the following are considered most applicable:

Objective 24.2.1 – Landscape character and visual amenity values in the Wakatipu Basin Rural Amenity Zone are maintained or enhanced.

Policy 24.2.1.1 – Require an 80 hectare minimum net site area be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.

While the sites subject to this application are already established well below 80 hectares, the proposal is considered to go some way in providing for the intent of this policy, being the provision of larger land holdings that contribute to the Rural Amenity zone, both in terms of landscape values but also rural practices.

It is accepted that the proposal results in an allotment of some 1.81 hectares however this density is considered consistent with the prevailing density located along Eastburn Road noting the provision of similar, if not smaller allotments to the immediate north of the subject site.

Nonetheless, the establishment of this Lot will not increase the number of land parcels in the immediate area but rather creates an allotment (Lot 33) that can appropriately accommodate a residential activity (in terms of having minimal effects on landscape values and the ability to service the lots) while consolidating the balance of the landholding with Lot 20 to establish a larger rural landholding.

Overall, while the proposal is not considered to be entirely consistent with Policy 24.2.1.1, the proposal is not considered to be inherently contrary.

Policy 24.2.1.3 – Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 – Landscape Character Units.

Mr Skelton has considered the proposed development in relation to the relevant Landscape Character Unit (LCU) pertaining to the subject sites, being LCU 20. Mr Skelton notes that LCU 20 describes the land use as, '*predominantly in rural production with loose groupings of rural residential development throughout the unit.*'

Mr Skelton, in considering the relevant components on LCU 20 including effects associated with land use, visibility/prominence, enclosure/openness, coherence, naturalness and sense of place generally concludes that the proposal does not detract from these values for the various reasons detailed above.

Acknowledging Mr Skelton's assessment, it is considered the proposal is consistent with LCU 20 and therefore is not contrary to Policy 24.2.1.3.

Objective 27.2.2- Subdivision design achieves benefits for the subdivider, future residents and the community.

The proposed boundary adjustment will enable the applicant to enhance the overall land holding size of Lot 20 for farming purposes while establishing a smaller, manageable allotment that can be utilised for residential purposes for future residents. The proposal is considered to be consistent with Objective 27.2.2.

Objective 27.2.4 - Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.

Policy 27.2.4.1 Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.

With respect to Objective 27.2.4 and associated Policy 27.2.4.1, the proposed subdivision and positioning of the proposed RBP takes account prevailing natural features, landforms and fence lines to utilise a parcel of land that is presently underutilised in the farming sense.

Proposed landscape mitigation has been considered in recognition of the existing shelterbelt to result in a logical and consistent means of visual screening that is characteristic of a pastoral setting.

Indigenous contextual planting is considered to be appropriate in the context of the adjacent ONL and will provide a small degree of positive biodiversity effects.

The proposed access will follow an existing contour/fence line that is considered to be logical in this setting and therefore will not detract from amenity values.

Policy 27.2.5.7 - Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

While it is intended to investigate an onsite water supply option, it has been demonstrated that the existing bore located within the confines of Lot 20 has the appropriate capacity and quality to provide for potable water supply. It is considered that the provision of a condition that requires either an onsite water supply or alternative access (via easement) to the existing water bore will provide sufficient means and access to potable water.

A firefighting tank will be required to provide for the provision of 45,000 Litres of water storage within the proposed curtilage area. It is proposed that a standard condition of consent to be imposed as a consent notice will provide sufficient confidence that appropriate provision for firefighting supply will be implemented at the time of construction of a dwelling.

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

a. the method of sewage treatment and disposal;

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

The applicant has engaged with Mr McCartney to undertake a site and soils assessment to confirm the feasibility of the site for onsite wastewater treatment and disposal.

Mr McCartney confirms that the site has the capacity to accommodate onsite wastewater disposal from a single residential dwelling without resulting in adverse environmental effects. As such, it is considered that the proposal is consistent with Policy 27.2.5.14.

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

All appropriate easements will be provided to ensure vehicular access and (if required) water access over Lot 20 are provided afforded to the proposed RBP. It is anticipated that standard conditions of consent will appropriately capture such requirements.

10.0 AN ASSESSMENT OF THE ACTIVITY AGAINST MATTERS IN PART 2

10.1 Section 5

The purpose of the Act as stated in s5(1) of the RMA is, "to promote the sustainable management of natural and physical resources".

Section 5(2) of 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."*

As detailed throughout this assessment, it is considered that the development represents an appropriate use of the site in that it enables for the establishment of a RBP within an area that can absorb such development while maintaining the landscape values attributed to the open paddocks of Lot 20.

The proposed boundary adjustment will continue to enable Lot 20 to be farmed in a holistic manner.

As detailed throughout this report and supplementary expert assessments, the adverse effects on the environment are considered to be appropriately mitigated.

The proposal is considered to represent sustainable management where adverse effects on the environment have been appropriately mitigated whilst providing for the social, cultural and economic wellbeing of the community.

10.2 Section 6

Section 6 relates to matters of national importance. Of specific relevance to the subject application are the following matters:

- "(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*

All of these matters have been addressed in detail above, however in summary:

- The proposed RBP has been positioned at the toe of the Crown Range hillside and within an existing enclave of built form that maintains the open space characteristics of the Crown Terrace whilst maintaining the landscape values attributed to the ONL. Relying on this assessment, it is considered that the proposal conforms with s6(b) of the RMA.
- While the site does not contain any 'designated' areas of significant indigenous vegetation, the proposal will involve the provision of indigenous vegetation that will contribute to the remnants of indigenous vegetation of the ONL, contributing to positive ecological outcomes that are otherwise not present. Overall, the proposal is considered not contrary to the provisions of s6(c).

10.3 Section 7

Section 7 relates to 'other matters'. The matters of relevance are considered to be as follows:

- (b) the efficient use and development of natural and physical resources*
- (c) the maintenance and enhancement of amenity values*

Again, all of these matters have been addressed in the above assessment in detail, however in summary:

- The proposal utilises a parcel of land that is identified as being able to accommodate residential development without compromising from landscape values or rural amenity. The associated boundary adjustment contains to allow the balance of the land (Lot 20) for productive purpose. Overall, the proposal is considered to be an efficient use of the land resource.
- As assessed by Mr Skelton, the proposed RBP will be positioned near the toe of the Crown Range and on the edge of the prevailing open space of the Crown Terrace such that future domestication will not detract from identified amenity values. Similarly, a future dwelling will be seen in the context of an existing environment of built form, resulting in what is considered to be a logical insertion into the receiving environment. Overall, the proposal is considered consistent with s7(c) of the RMA.

10.4 Section 8

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi.

The proposal is not considered to be at odds with the principles of the Treaty of Waitangi.

10.5 Conclusion

When taking a balanced assessment of the proposal, it is considered that the proposal will not generate an inappropriate degree of adverse effects on the environment all the while generating positive effects in the form of providing for social, cultural and economic wellbeing.

Consequently, the proposal is considered to achieve Part 2 of the Act.

11.0 CONCLUSION

Resource consent is sought to undertake a boundary adjustment subdivision and to establish a residential building platform on the site at Eastburn Road, Arrow Junction, consisting of the following legal land parcels:

- Lot 33 Deposited Plan 417527 as held in RT 469939;
- Lot 2 Deposited Plan 321835 as held in RT 87260; and
- Lot 3 DP 321835 held in RT 87261.

Overall the activity is assessed as a **Non-complying Activity**.

As a non-complying activity, consideration of s104D of the Resource Management Act 1991 is required.

The actual and potential effects on the environment have been outlined in section 7 of this report where it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are more than minor.

The proposal is considered consistent with the relevant objectives and policies of both the District Plan and the Proposed District Plan and meets the purpose and principles of the Resource Management Act 1991.

Noting the above, the application is considered to meet the requirements under s104D.



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Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier **87260**
Land Registration District **Otago**
Date Issued 22 July 2003

Prior References

OT12C/365

Estate	Fee Simple
Area	16.4462 hectares more or less
Legal Description	Lot 2 Deposited Plan 321835

Registered Owners

Martin Walter Lawn and Suzanne Lawn

Interests

436746 Agreement pursuant to Section 30 Soil Conservation and Rivers Control Act 1941 - 24.2.1975 at 10.06 am

Appurtenant hereto is a right to store and convey water created by Deed of Easement 15C/568 - 10.10.1994 at 9:22 am

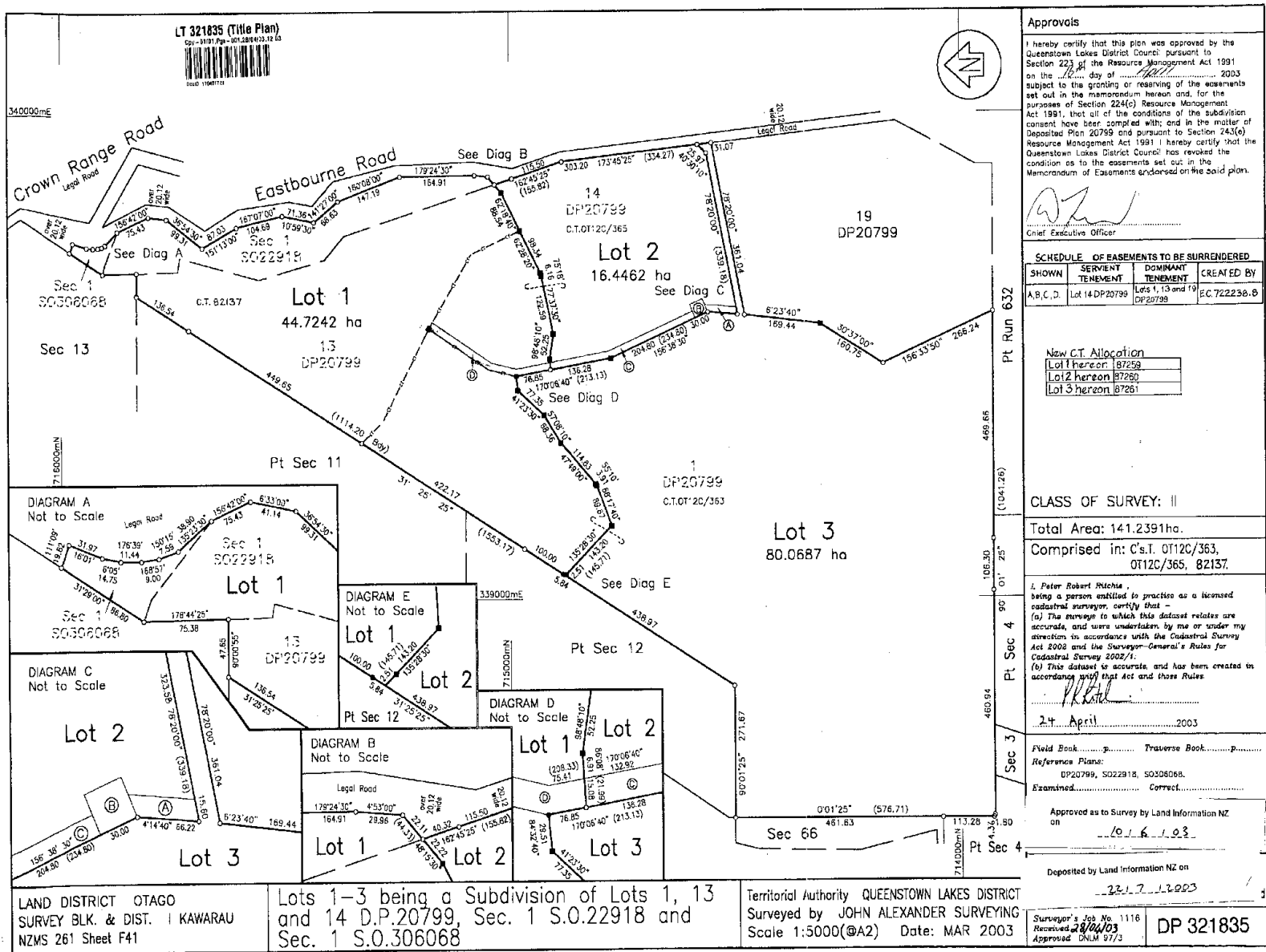
Land Covenant in Easement Instrument 5665130.4 - 22.7.2003 at 9:00 am

10874965.2 Mortgage to Westpac New Zealand Limited - 21.8.2017 at 4:52 pm

11501124.2 CAVEAT BY AURORA ENERGY LIMITED - 19.7.2019 at 3:22 pm

Land Covenant in Covenant Instrument 11599983.4 - 29.11.2019 at 2:25 pm

Land Covenant in Covenant Instrument 11599983.5 - 29.11.2019 at 2:25 pm





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R.W. Muir
Registrar-General
of Land

Identifier 87261
Land Registration District Otago
Date Issued 22 July 2003

Prior References

OT12C/363

Estate	Fee Simple
Area	80.0687 hectares more or less
Legal Description	Lot 3 Deposited Plan 321835

Registered Owners

Crown Range Holdings Limited

Interests

436746 Agreement pursuant to Section 30 Soil Conservation and Rivers Control Act 1941 - 24.2.1975 at 10.06 am

Appurtenant hereto is a right to store and convey water created by Deed of Easement 15C/568 - 10.10.1994 at 9:22 am

Land Covenant in Easement Instrument 5665130.4 - 22.7.2003 at 9:00 am

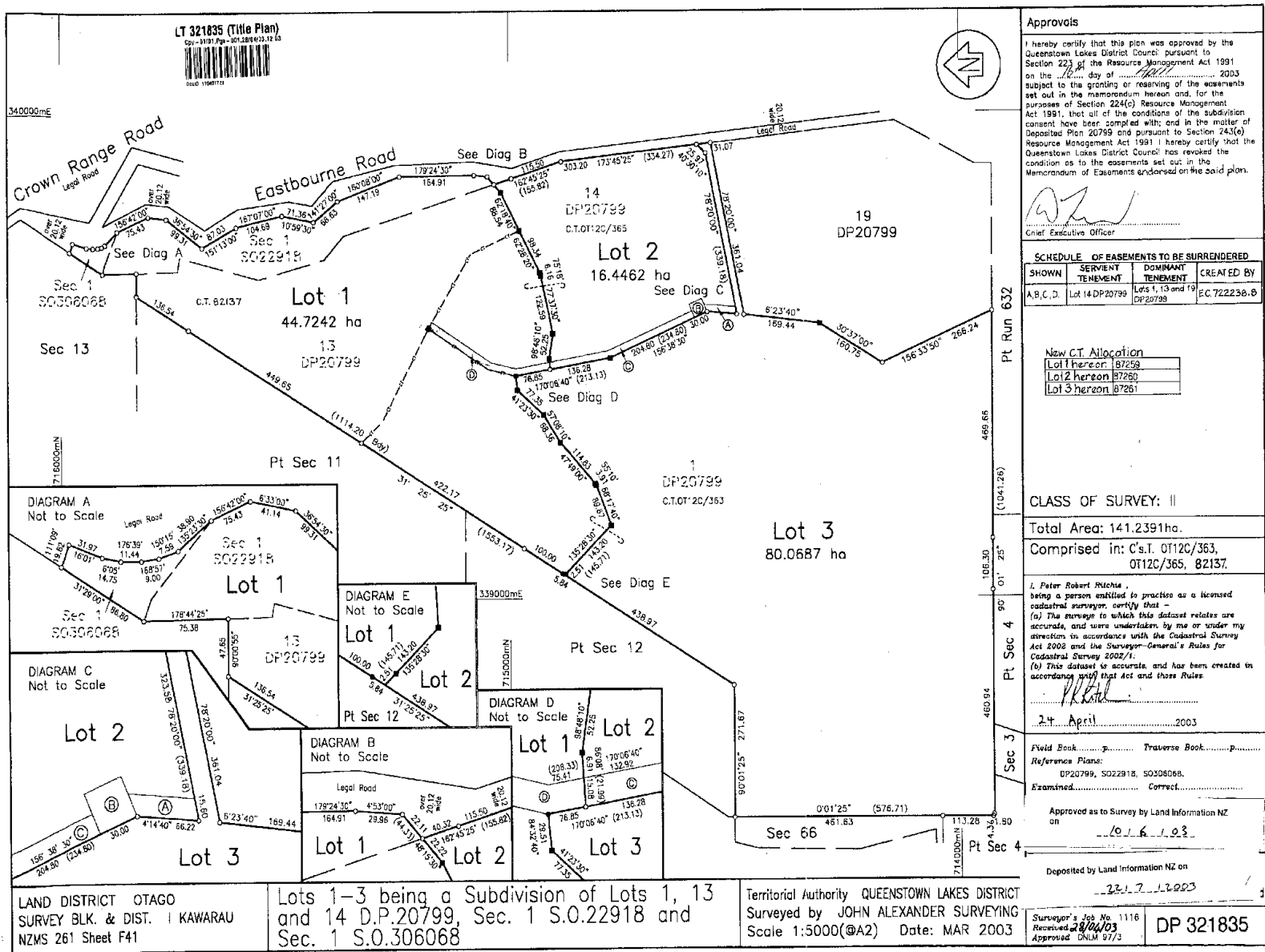
10102461.3 Mortgage to James Michael Grove - 1.7.2015 at 3:51 pm

11501124.1 CAVEAT BY AURORA ENERGY LIMITED - 19.7.2019 at 3:22 pm

11540115.1 CAVEAT BY SATURN HOLDINGS 1957 LIMITED - 2.9.2019 at 11:53 am

11546102.1 CAVEAT BY WNY GROUP LIMITED - 10.9.2019 at 12:24 pm

11582063.1 CAVEAT BY YU RENMIN - 18.10.2019 at 3:09 pm





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UNDER LAND TRANSFER ACT 2017
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**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier 469939
Land Registration District Otago
Date Issued 31 March 2009

Prior References

147870

Estate	Fee Simple
Area	10.9080 hectares more or less
Legal Description	Lot 33 Deposited Plan 417527

Registered Owners

Martin Walter Lawn and Suzanne Lawn

Interests

436746 Agreement pursuant to Section 30 Soil Conservation and Rivers Control Act 1941 - 24.2.1975 at 10.06 am

Appurtenant hereto is a right to store and convey water created by Deed of Easement 15C/568 - 10.10.1994 at 9:22 am

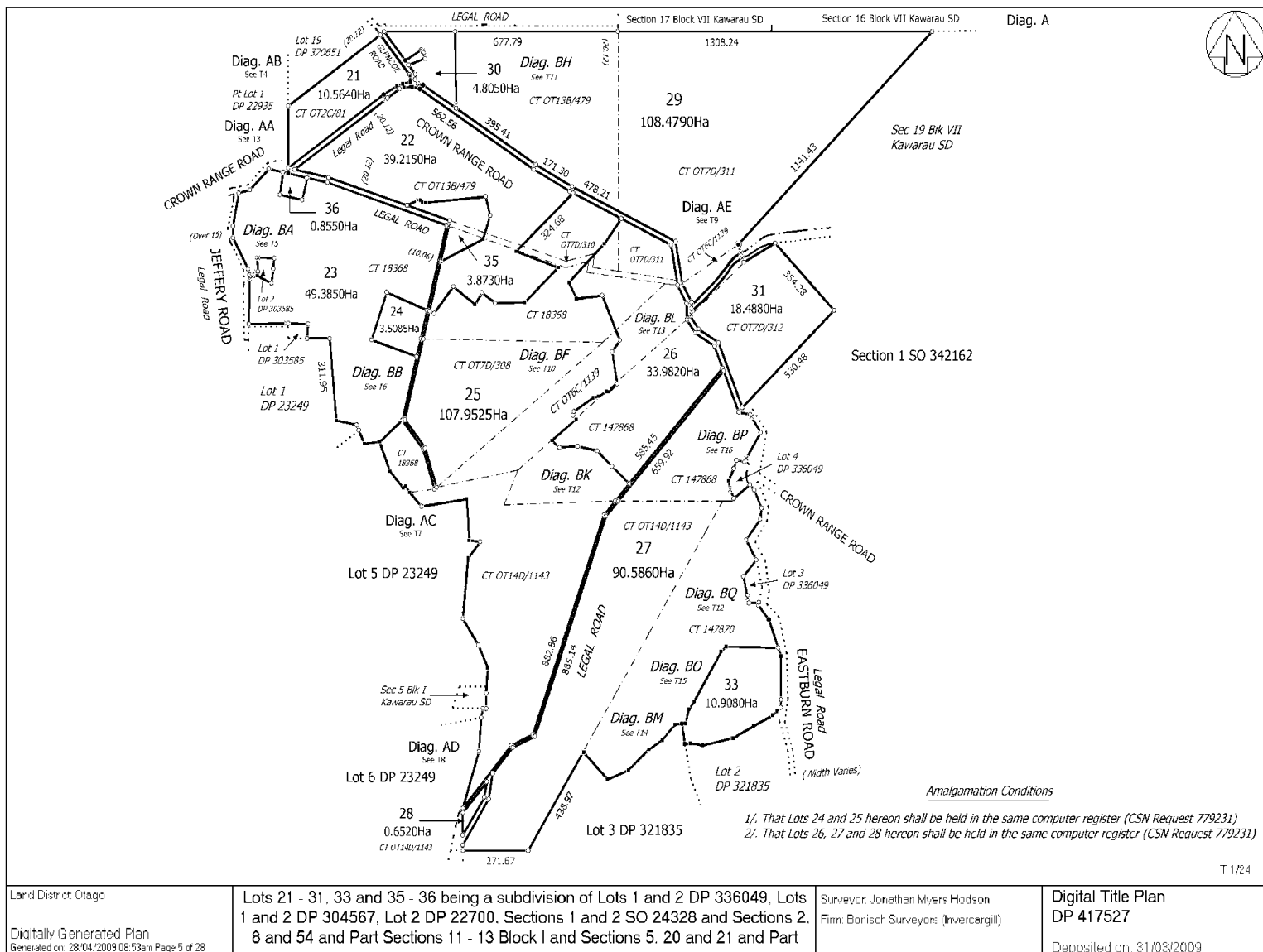
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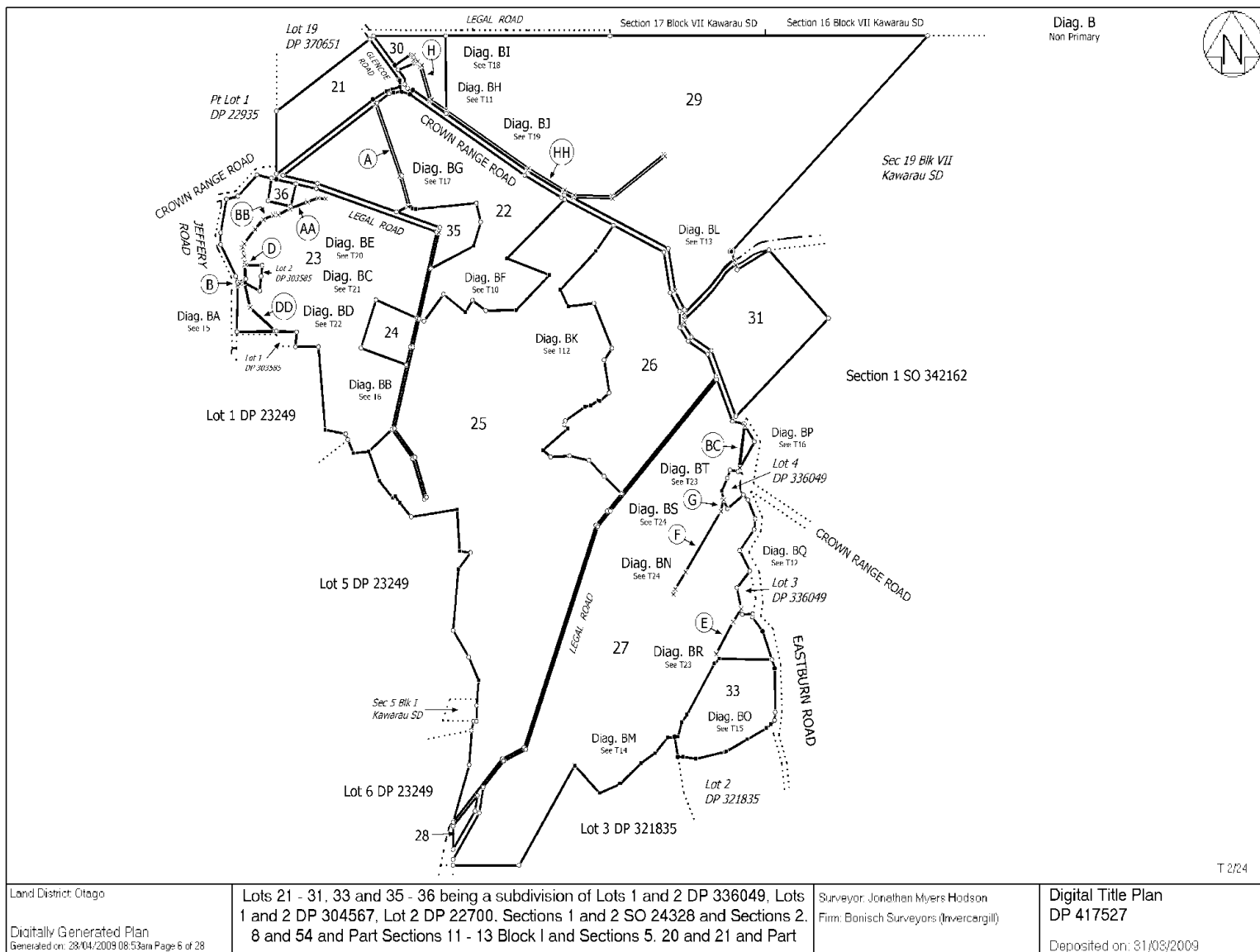
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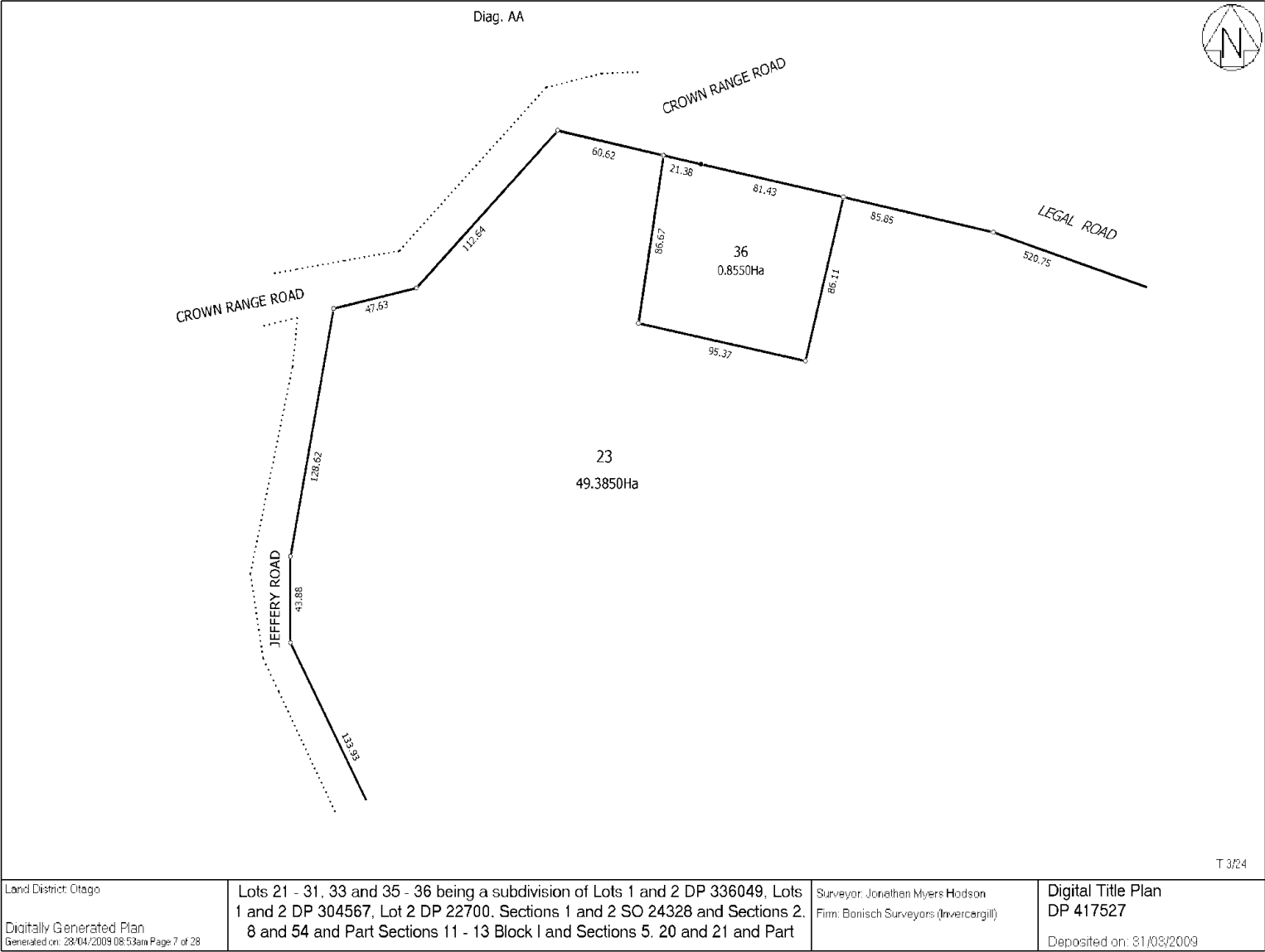
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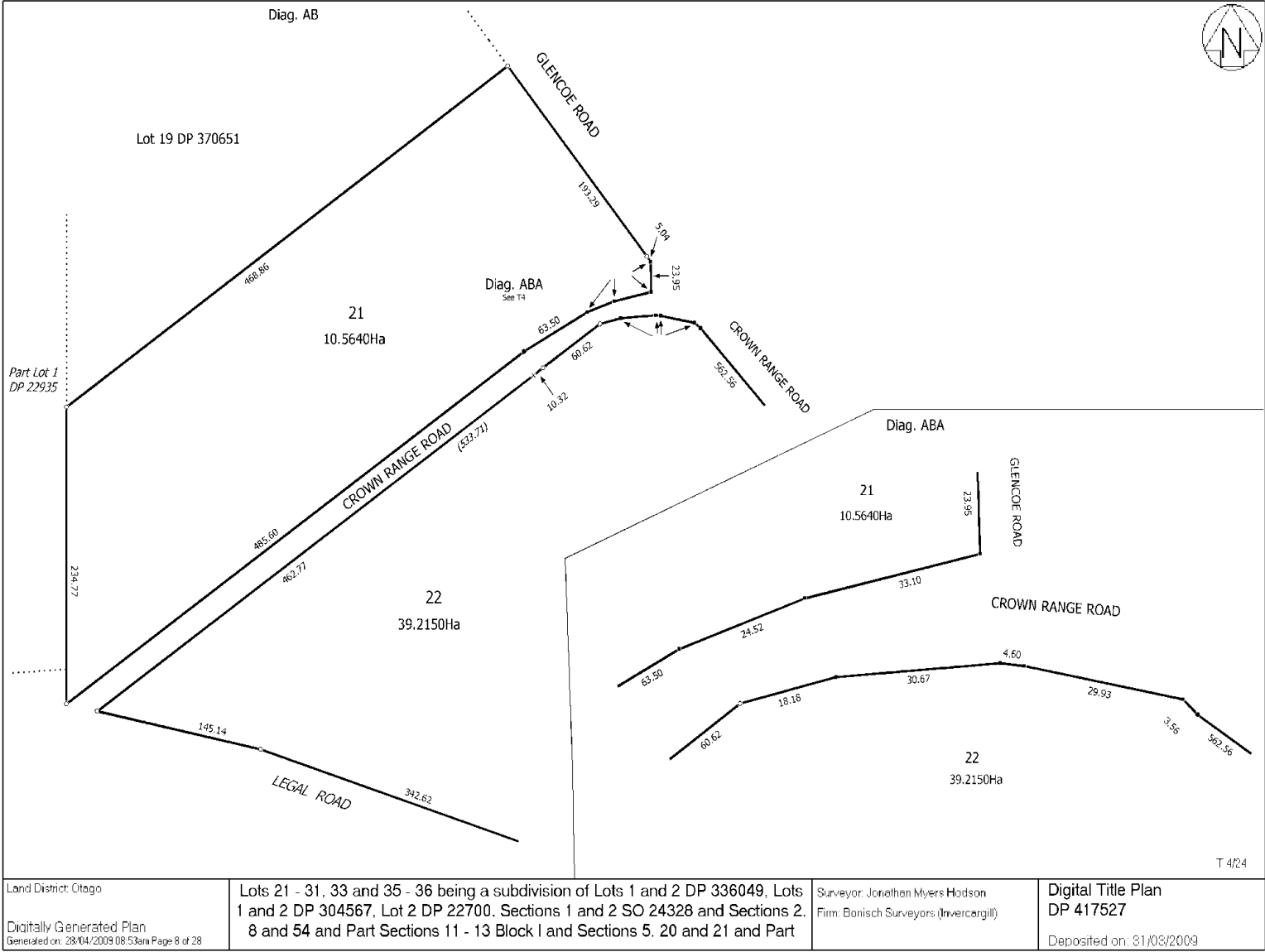
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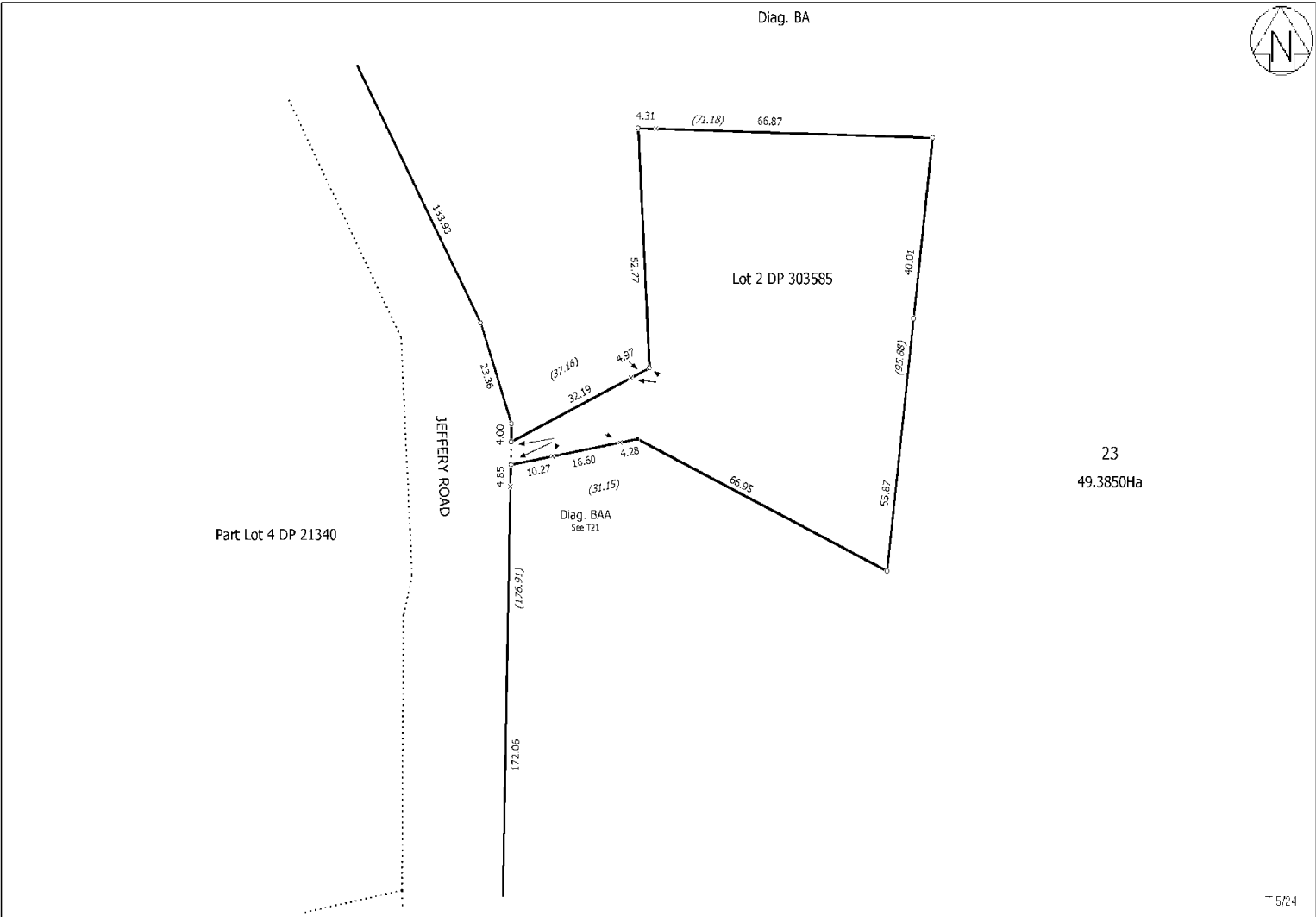
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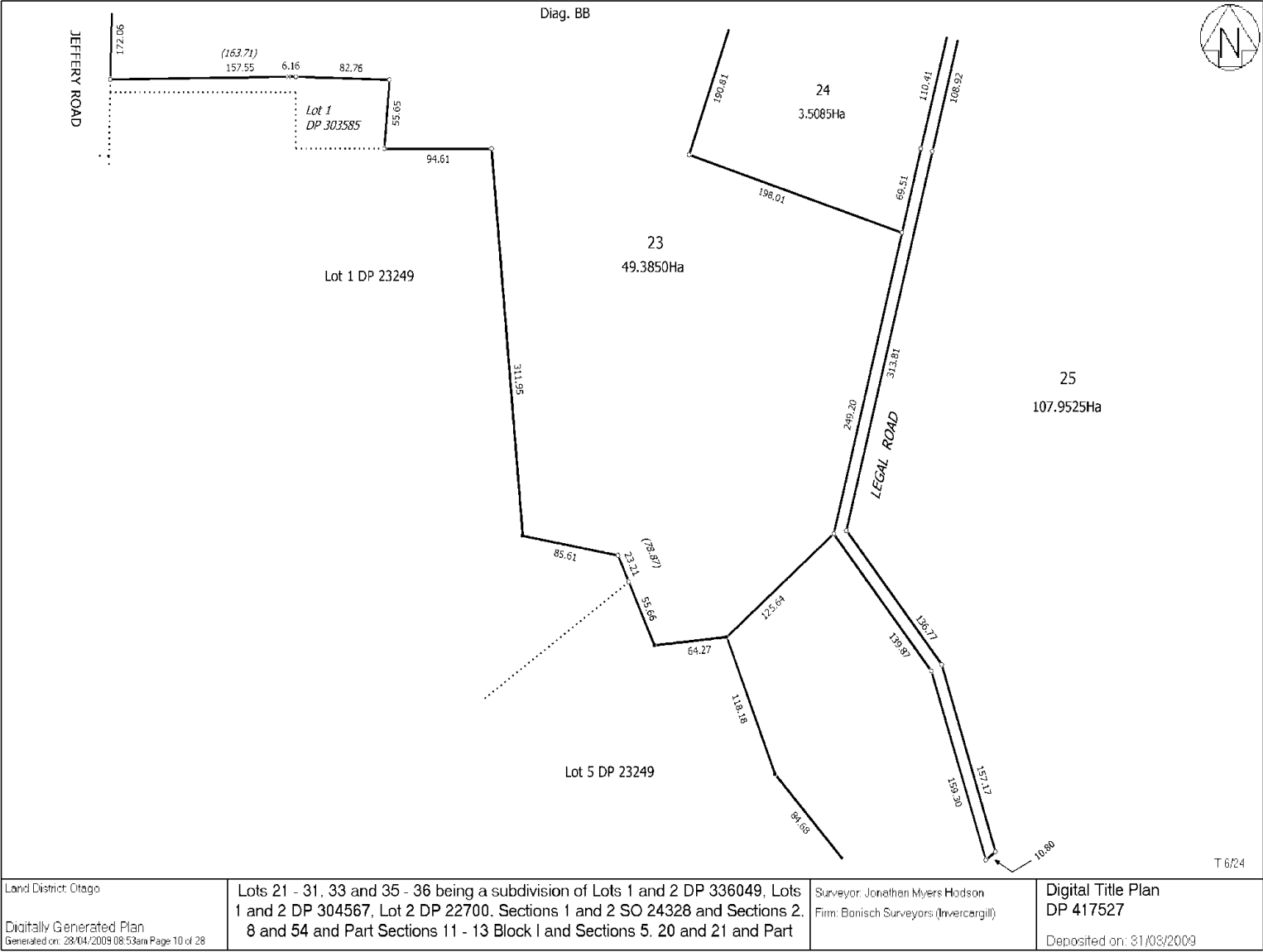


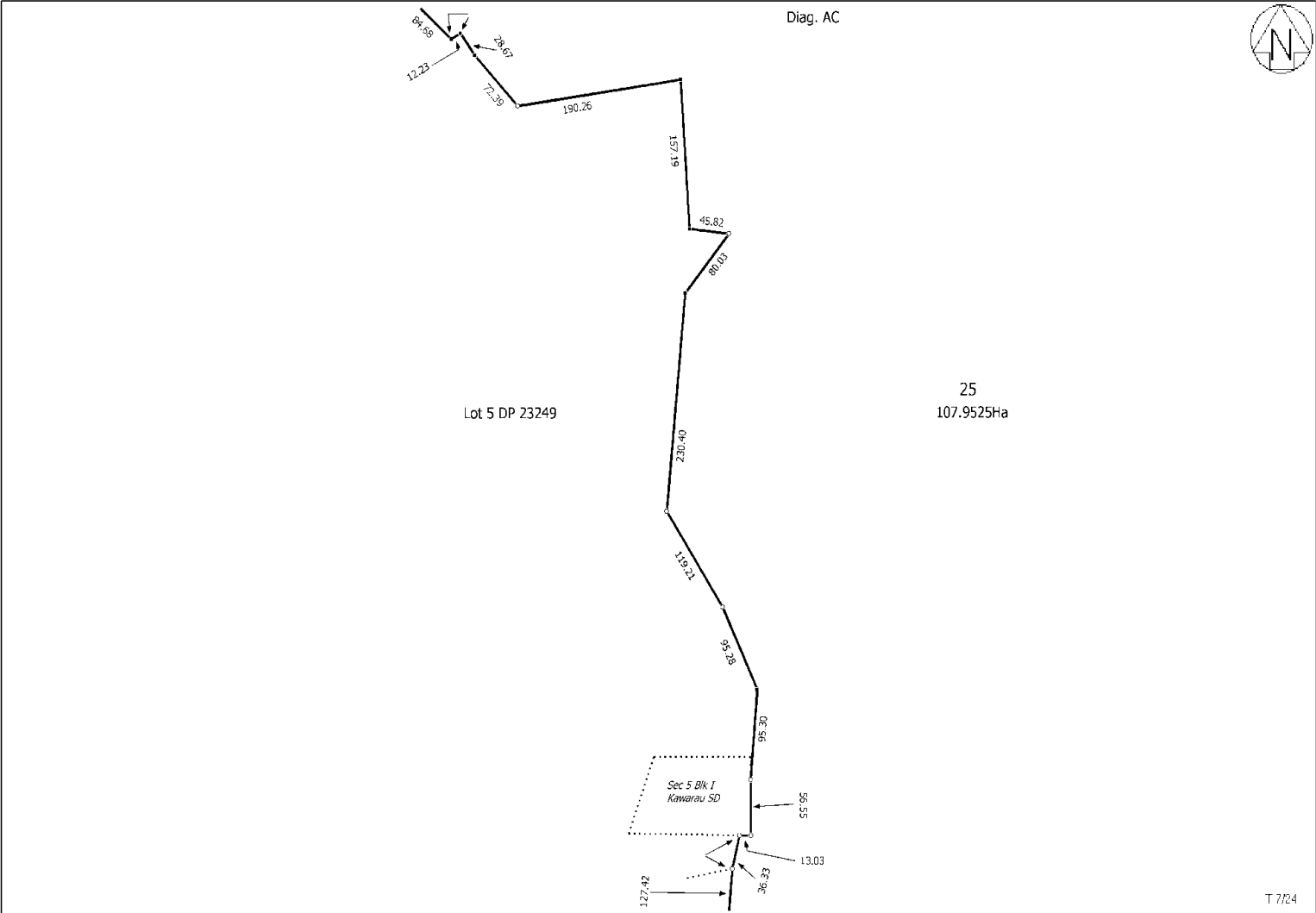






Land District: Otago	Lots 21 - 31, 33 and 35 - 36 being a subdivision of Lots 1 and 2 DP 336049, Lots 1 and 2 DP 304567, Lot 2 DP 22700, Sections 1 and 2 SO 24328 and Sections 2, 8 and 54 and Part Sections 11 - 13 Block I and Sections 5, 20 and 21 and Part	Surveyor: Jonathan Myers Hodson Firm: Bonisch Surveyors (Invercargill)	Digital Title Plan DP 417527 Deposited on: 31/03/2009
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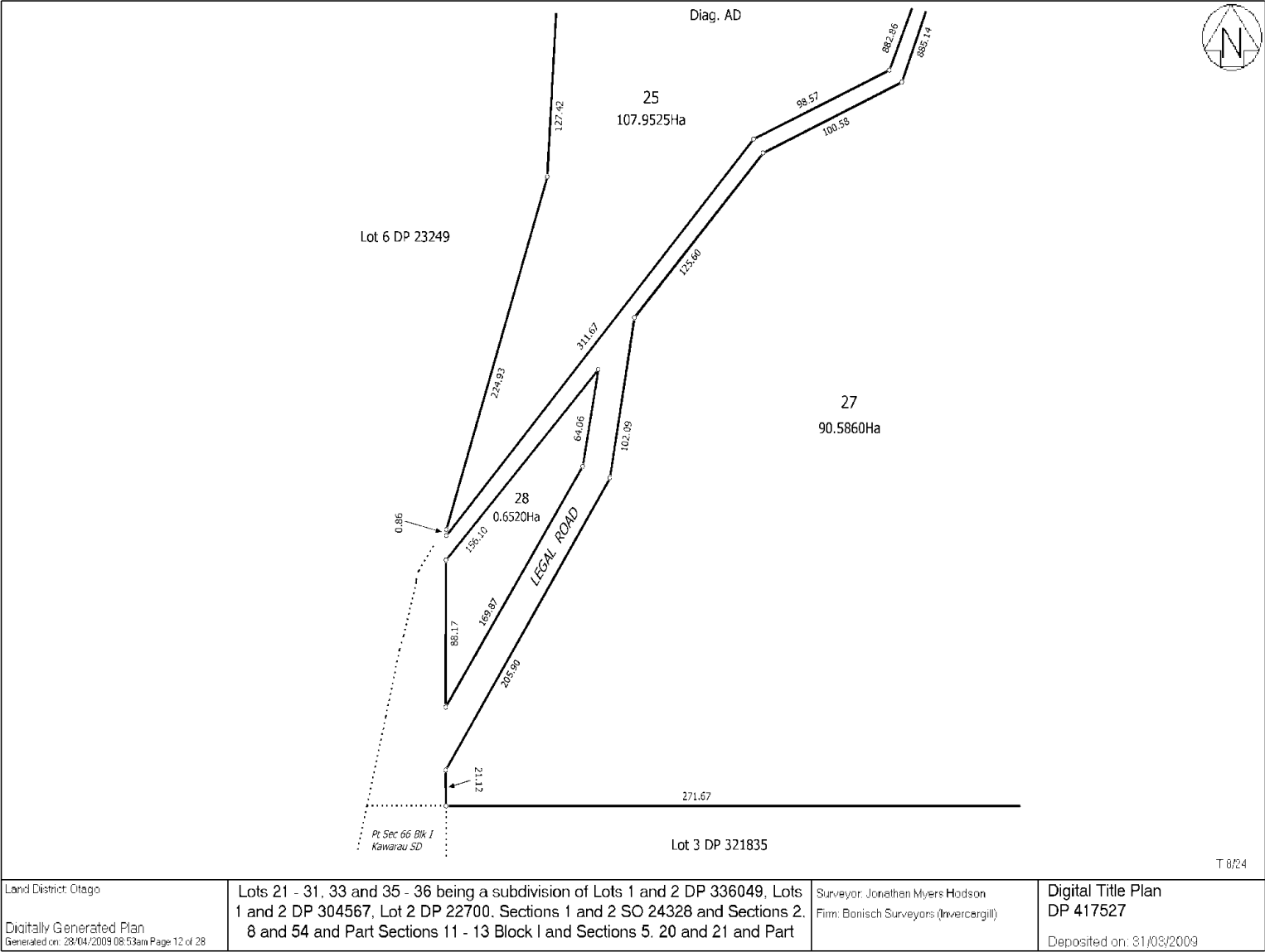


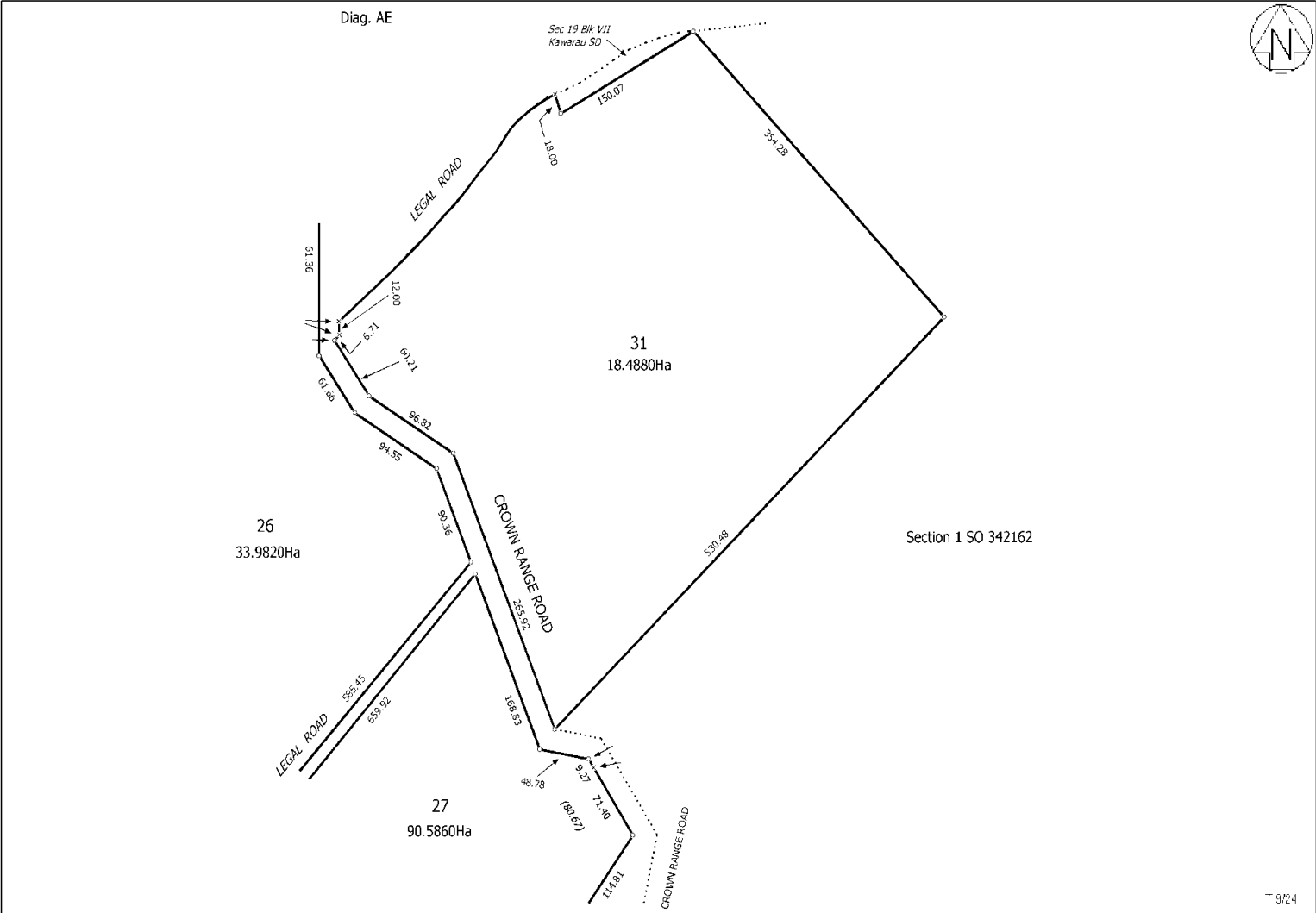


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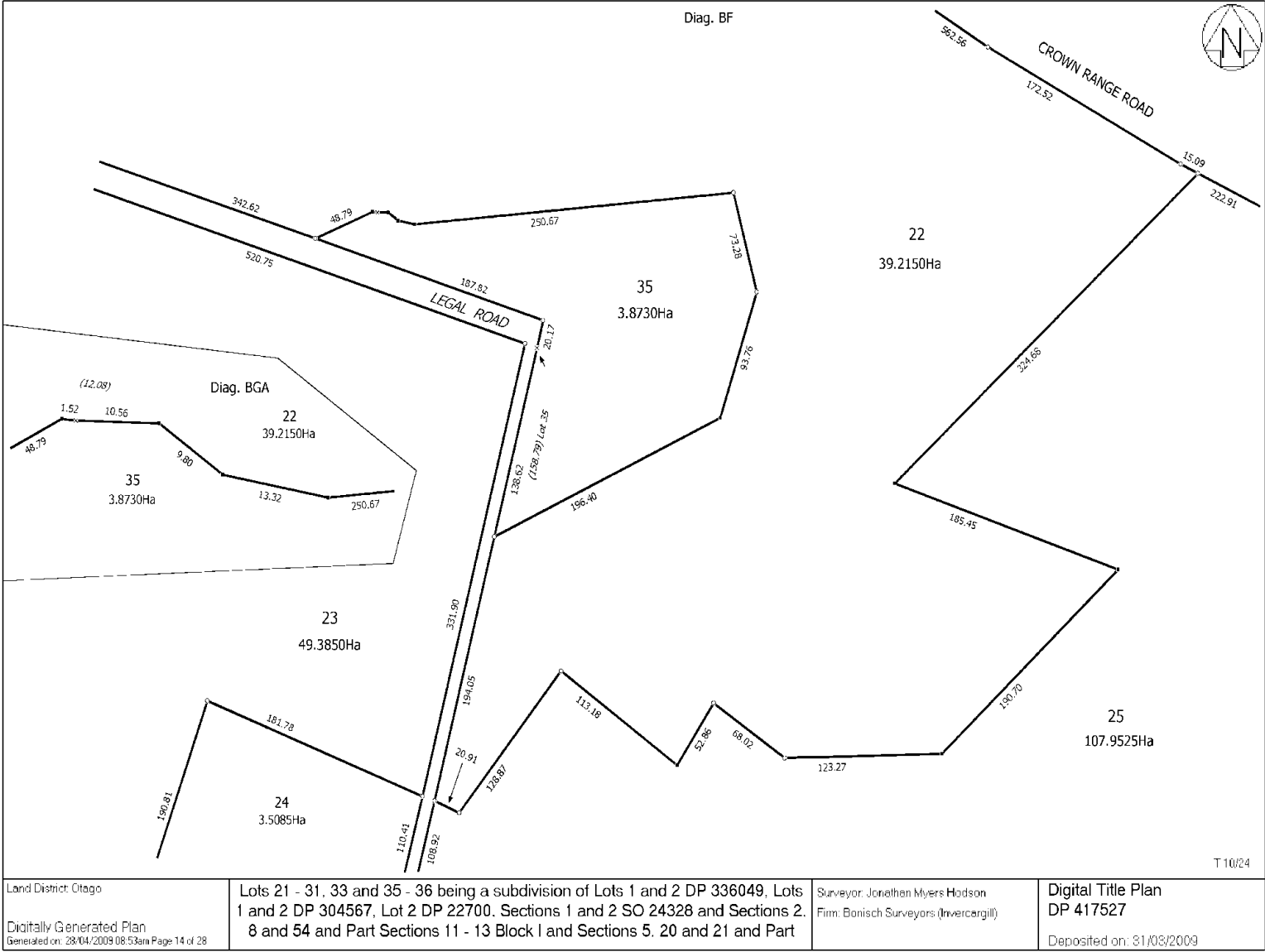


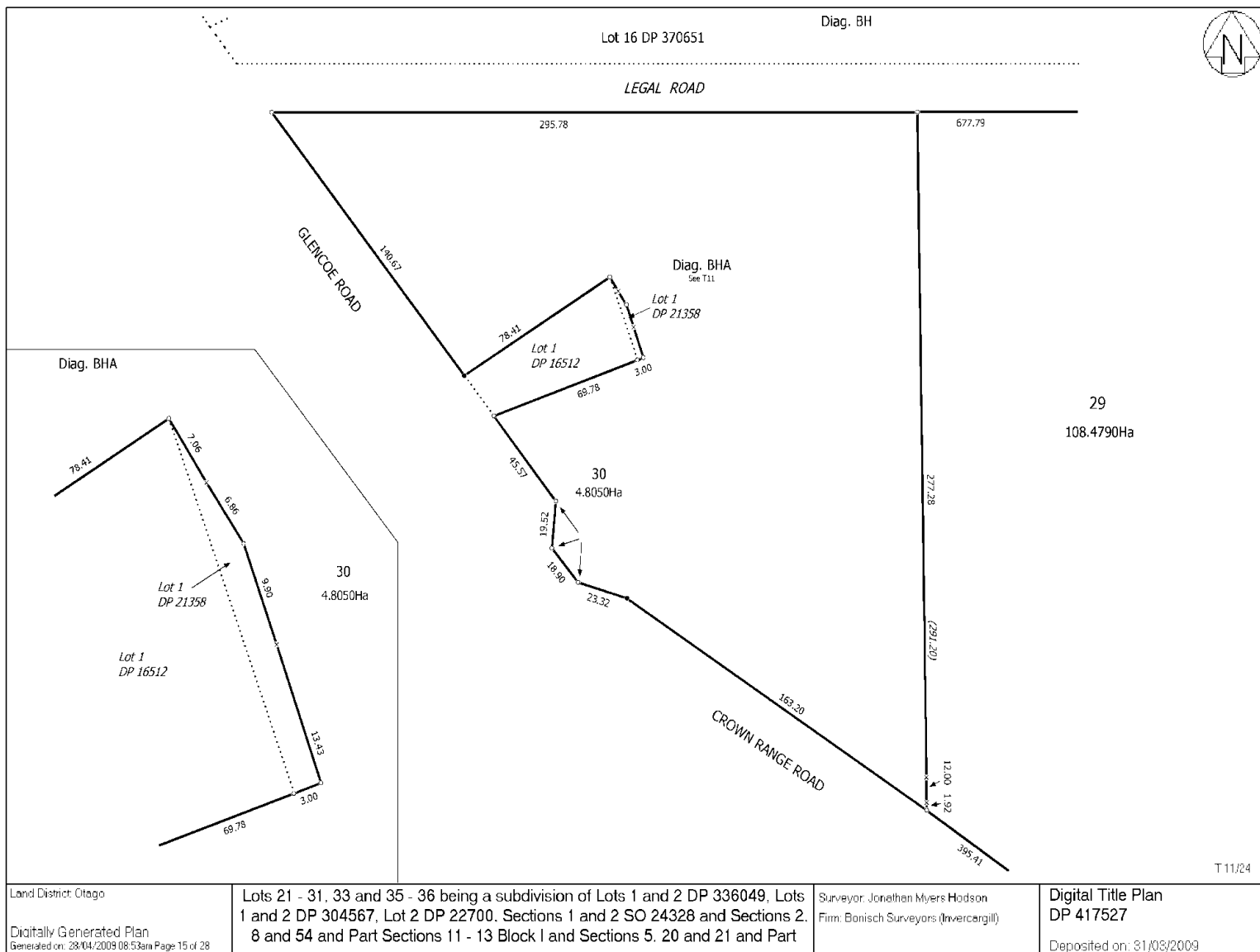


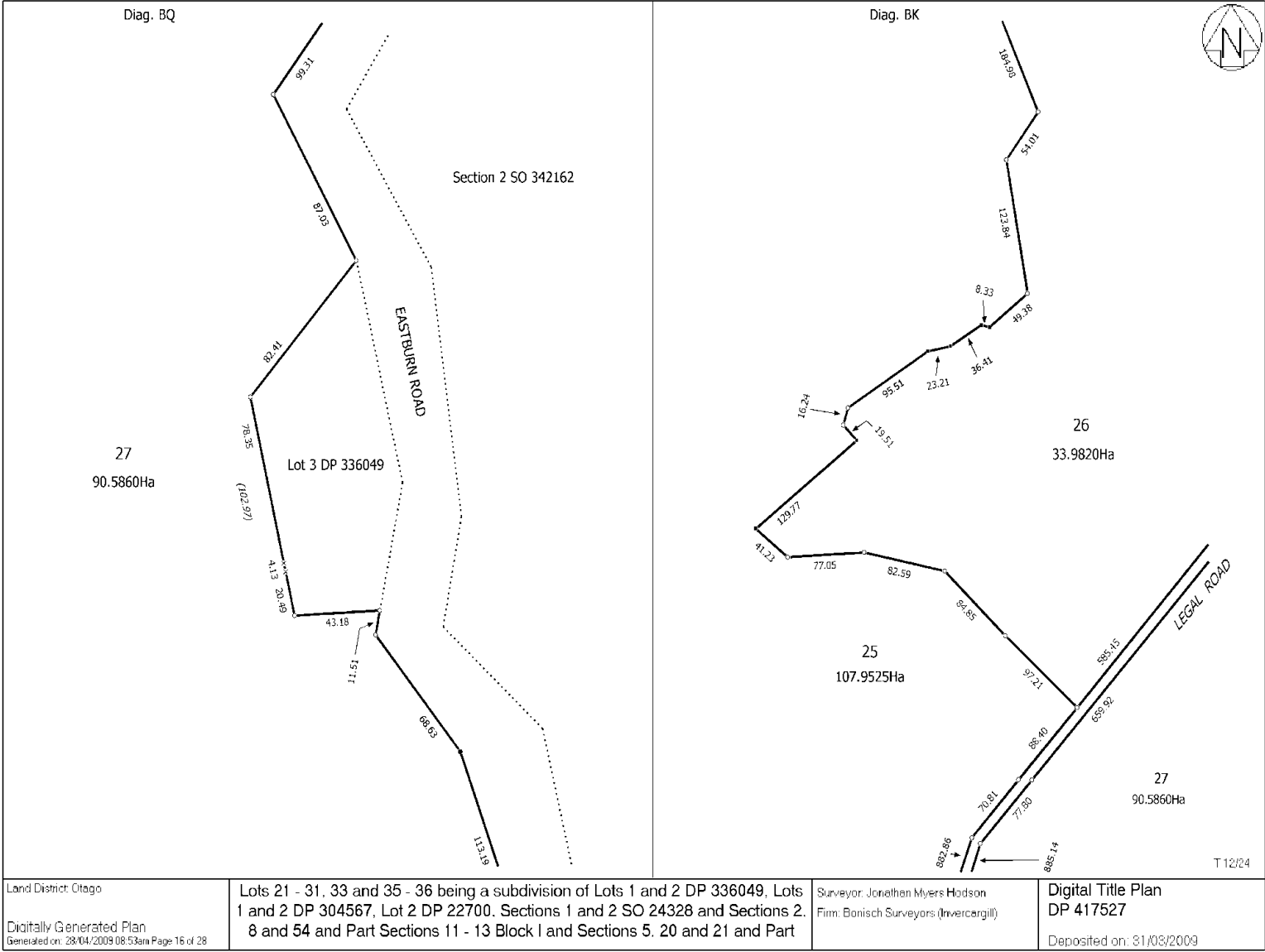
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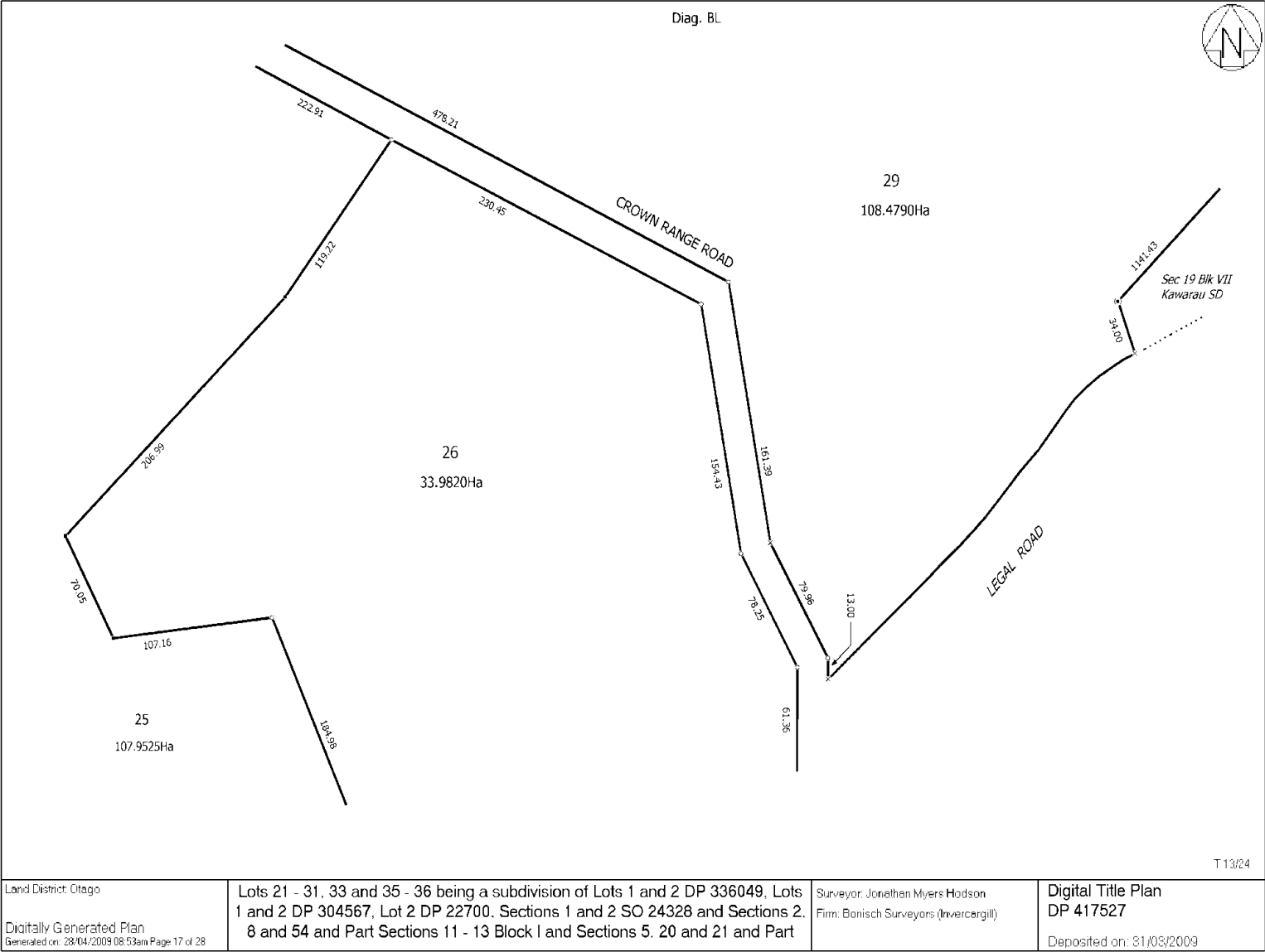
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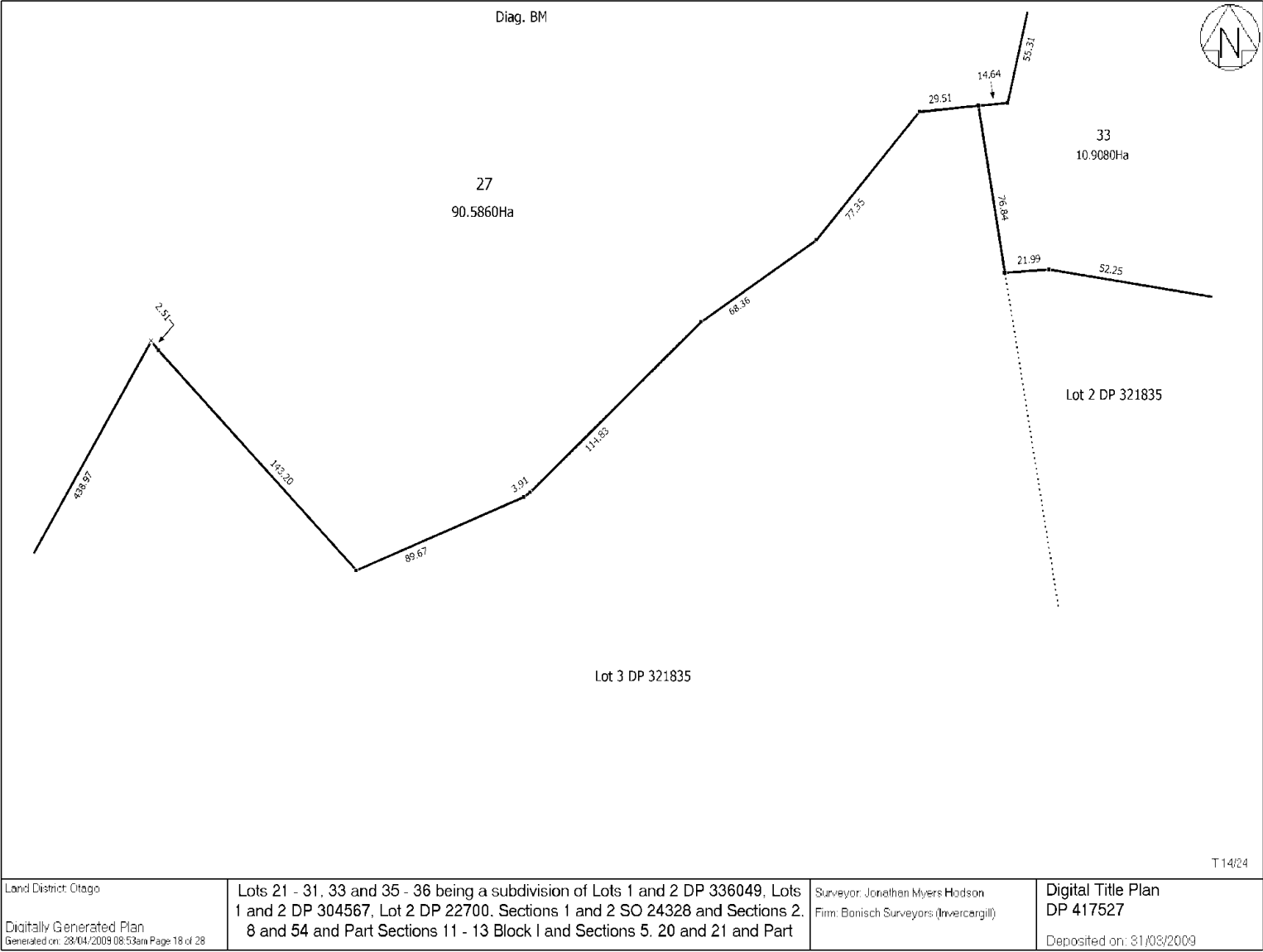
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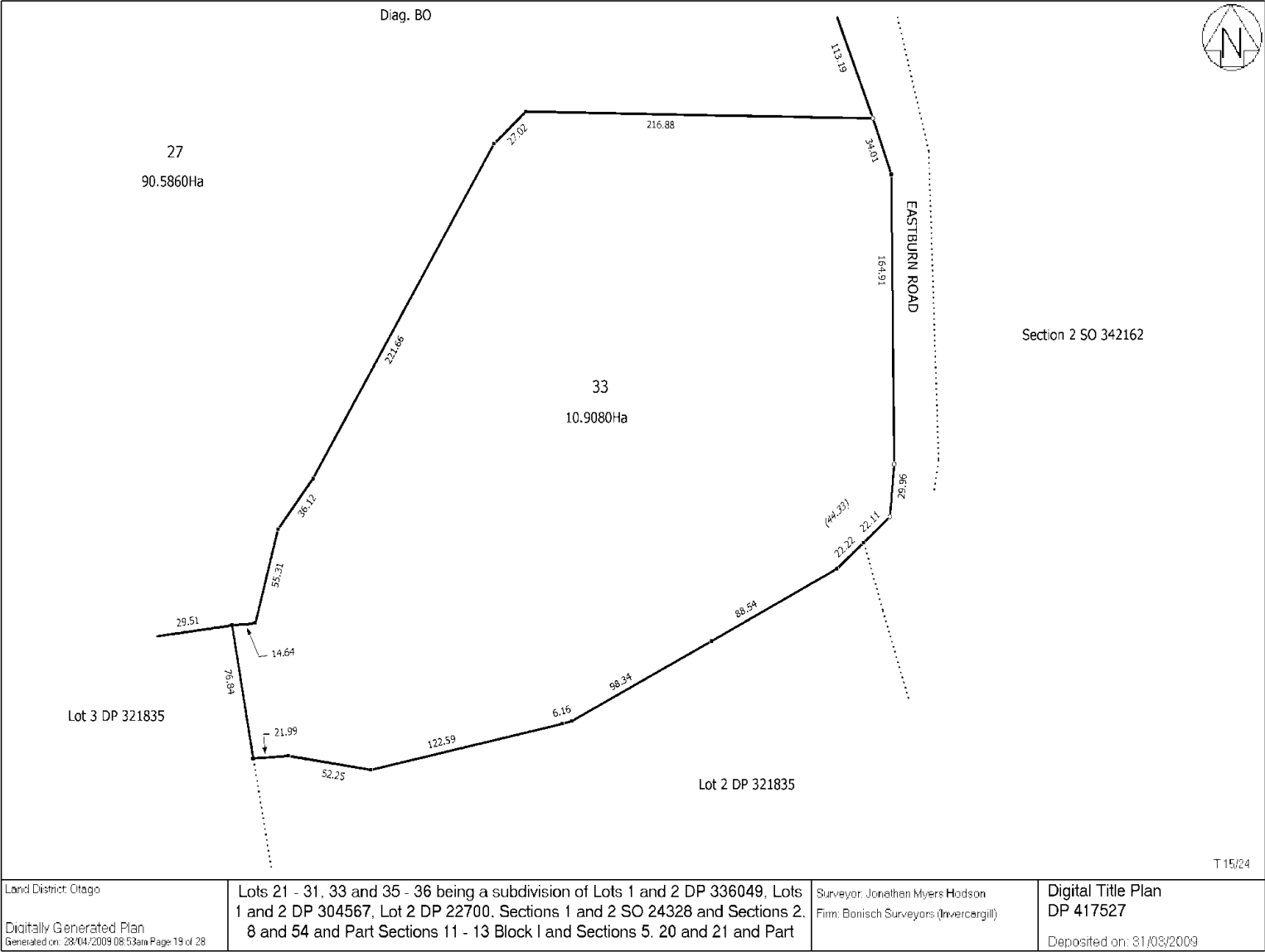


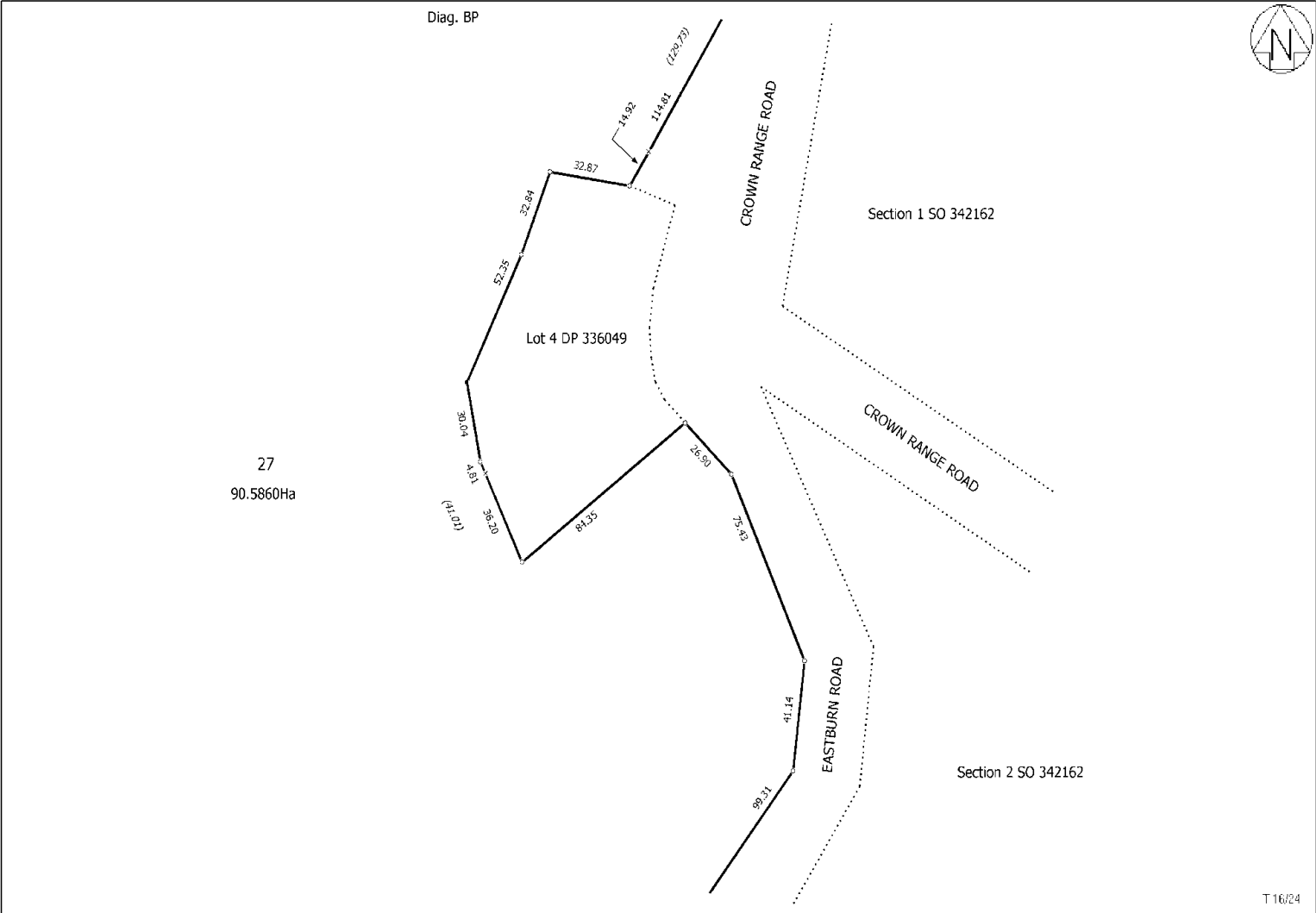






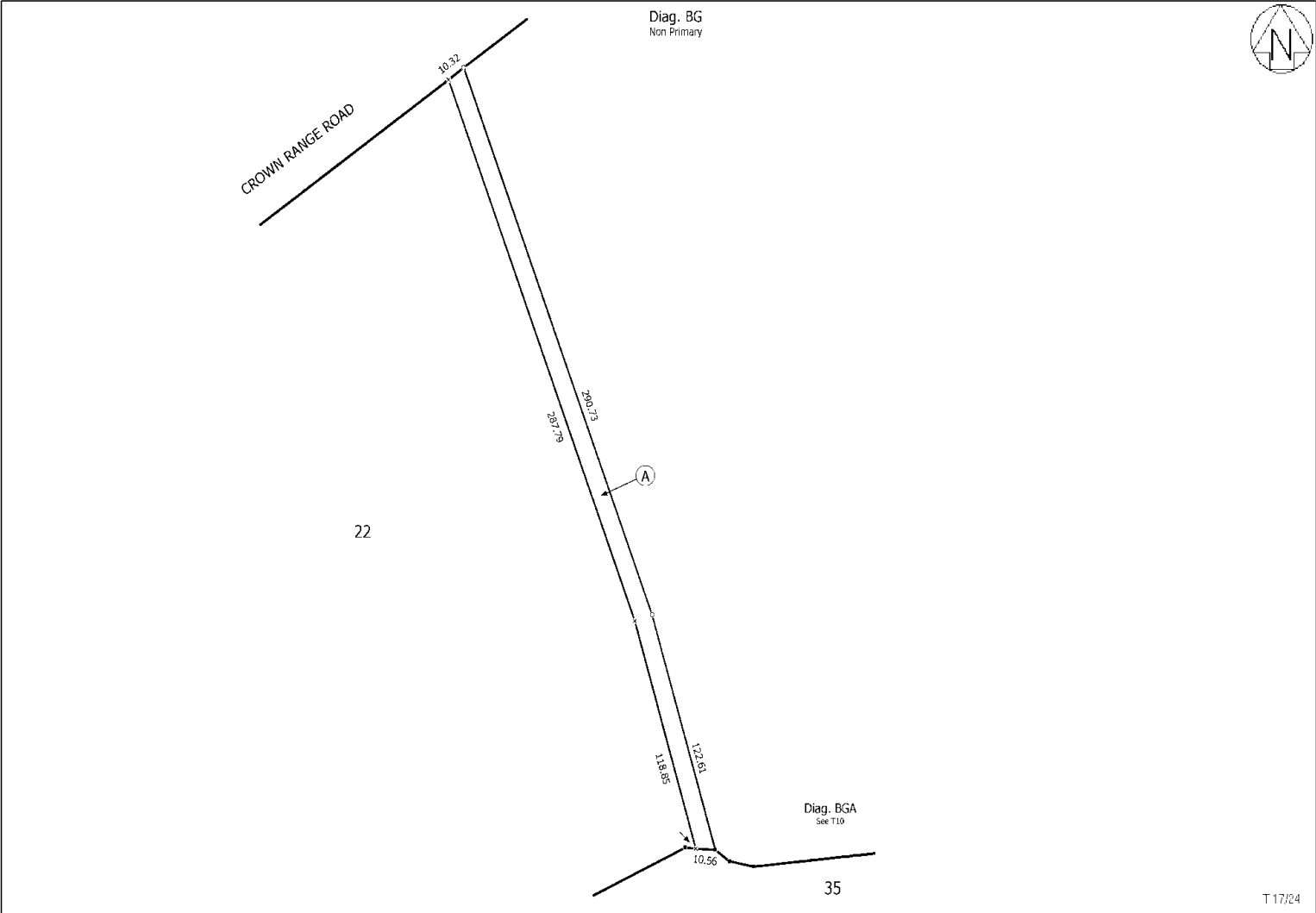




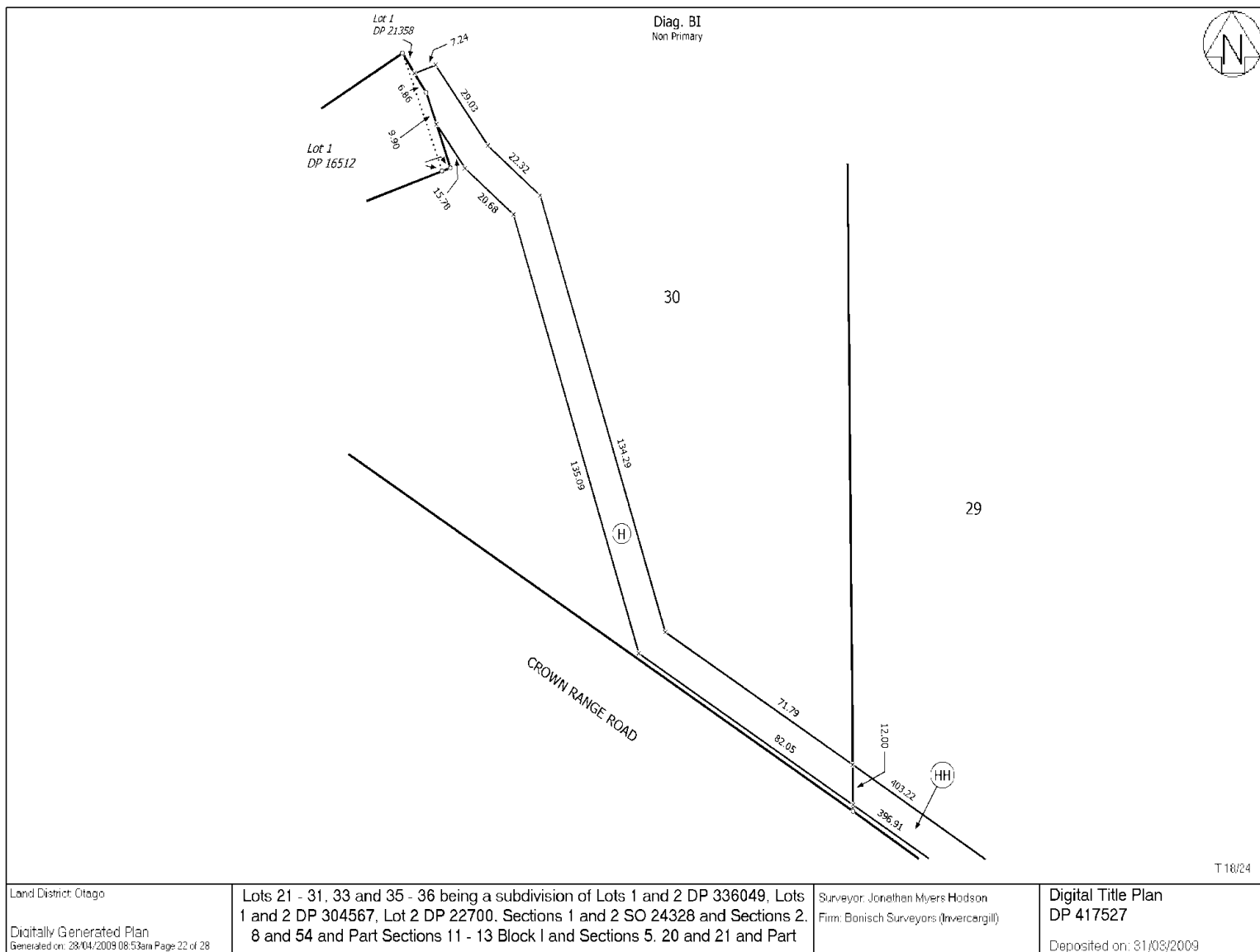


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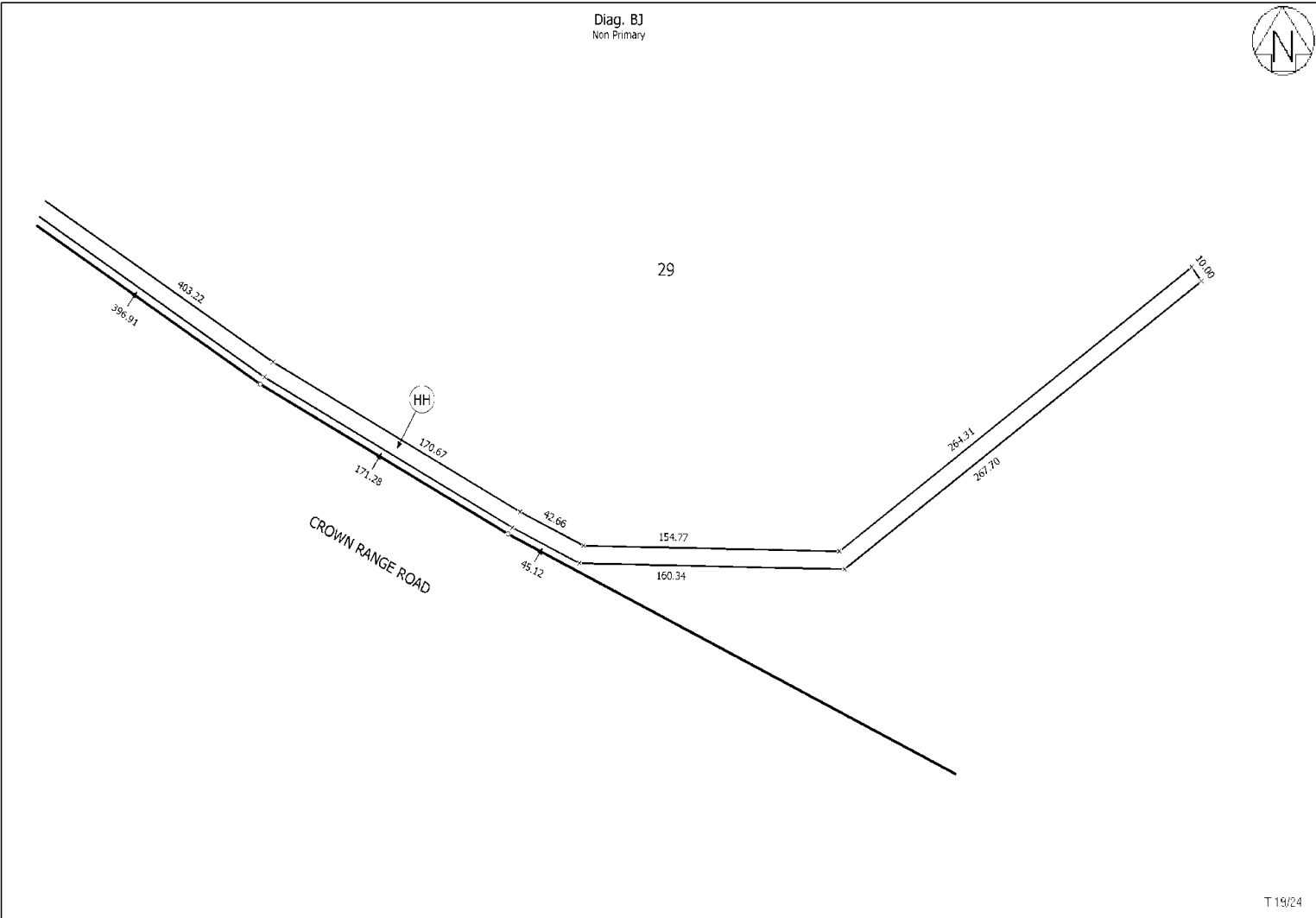


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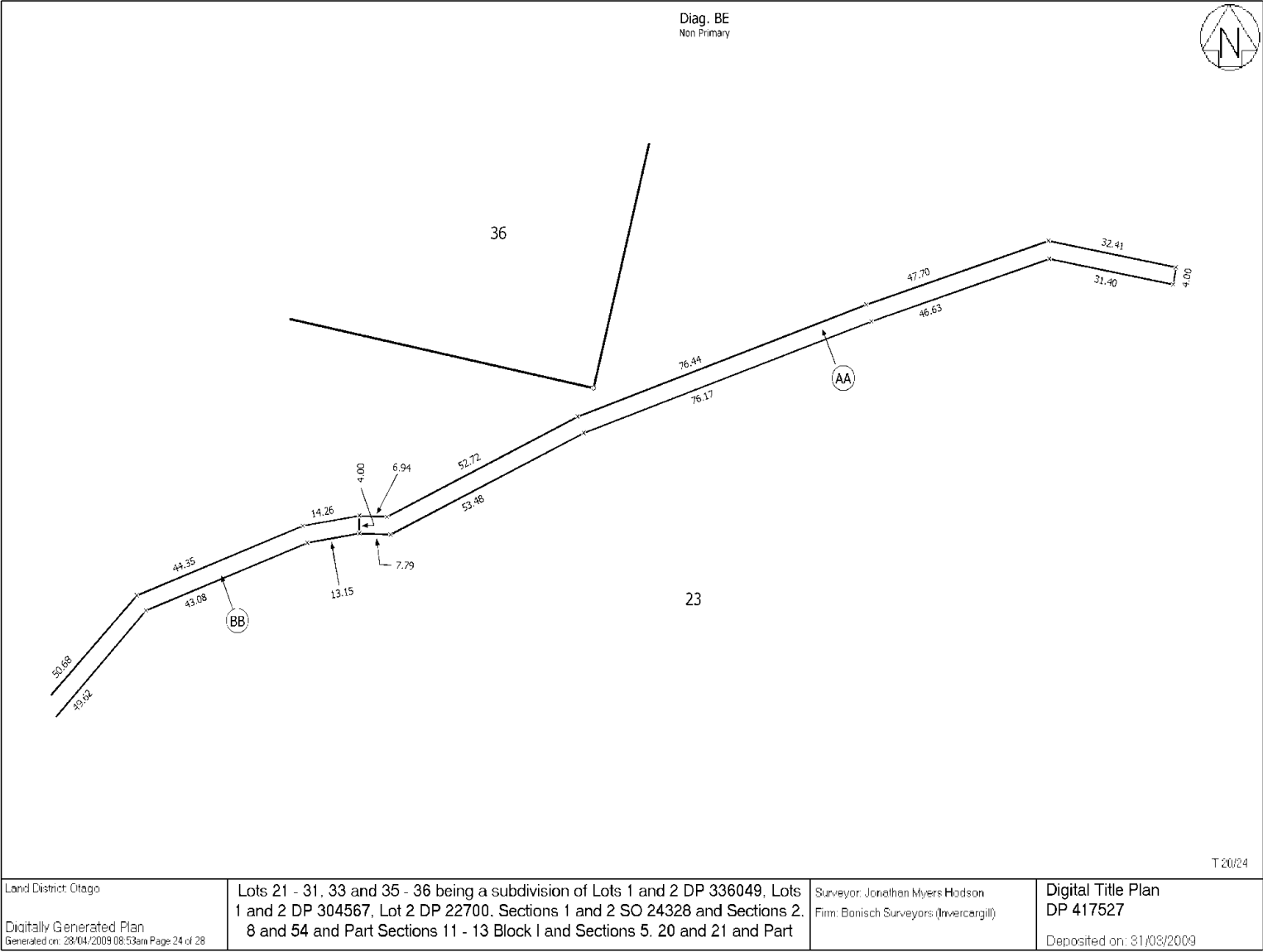


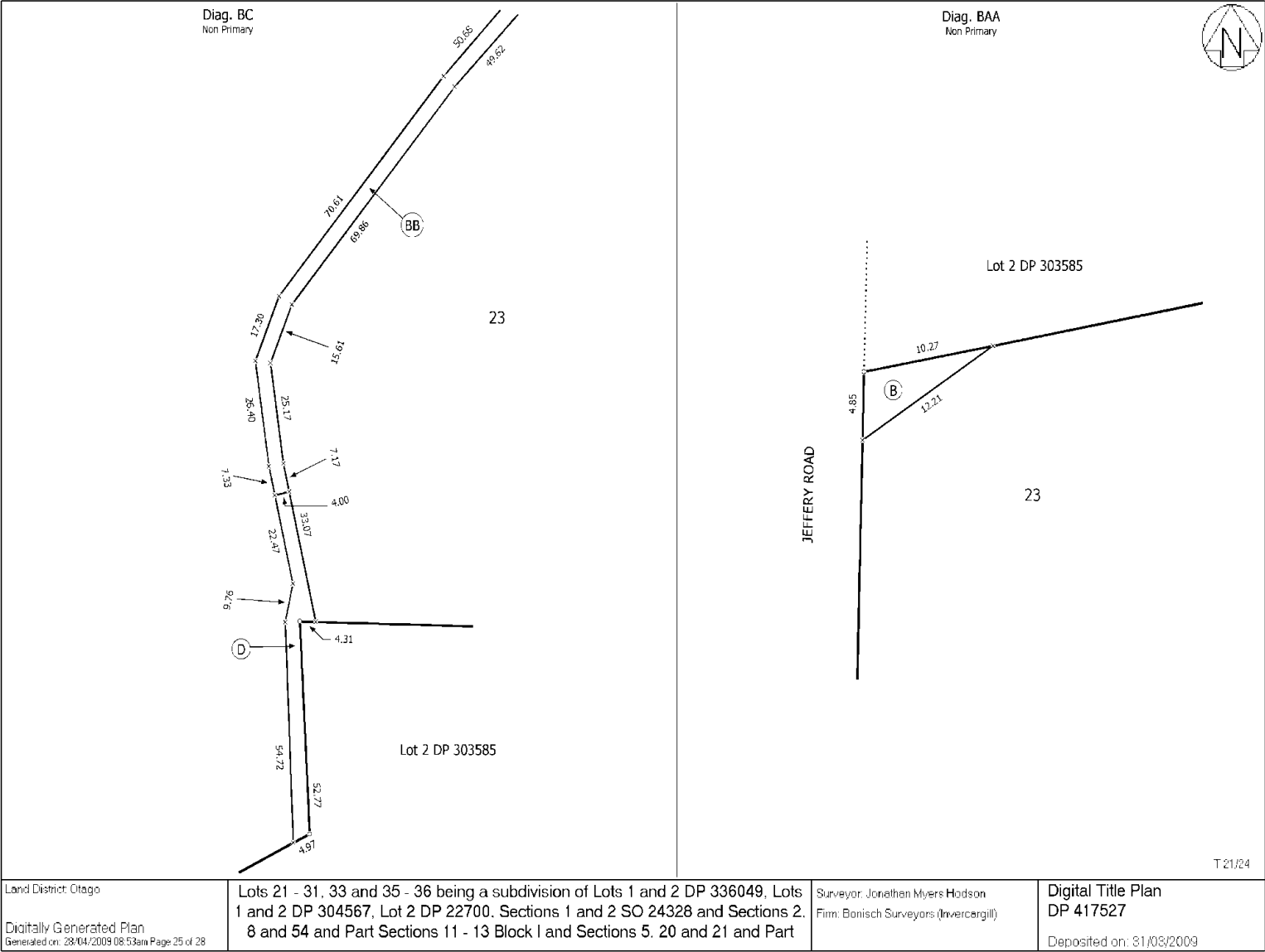
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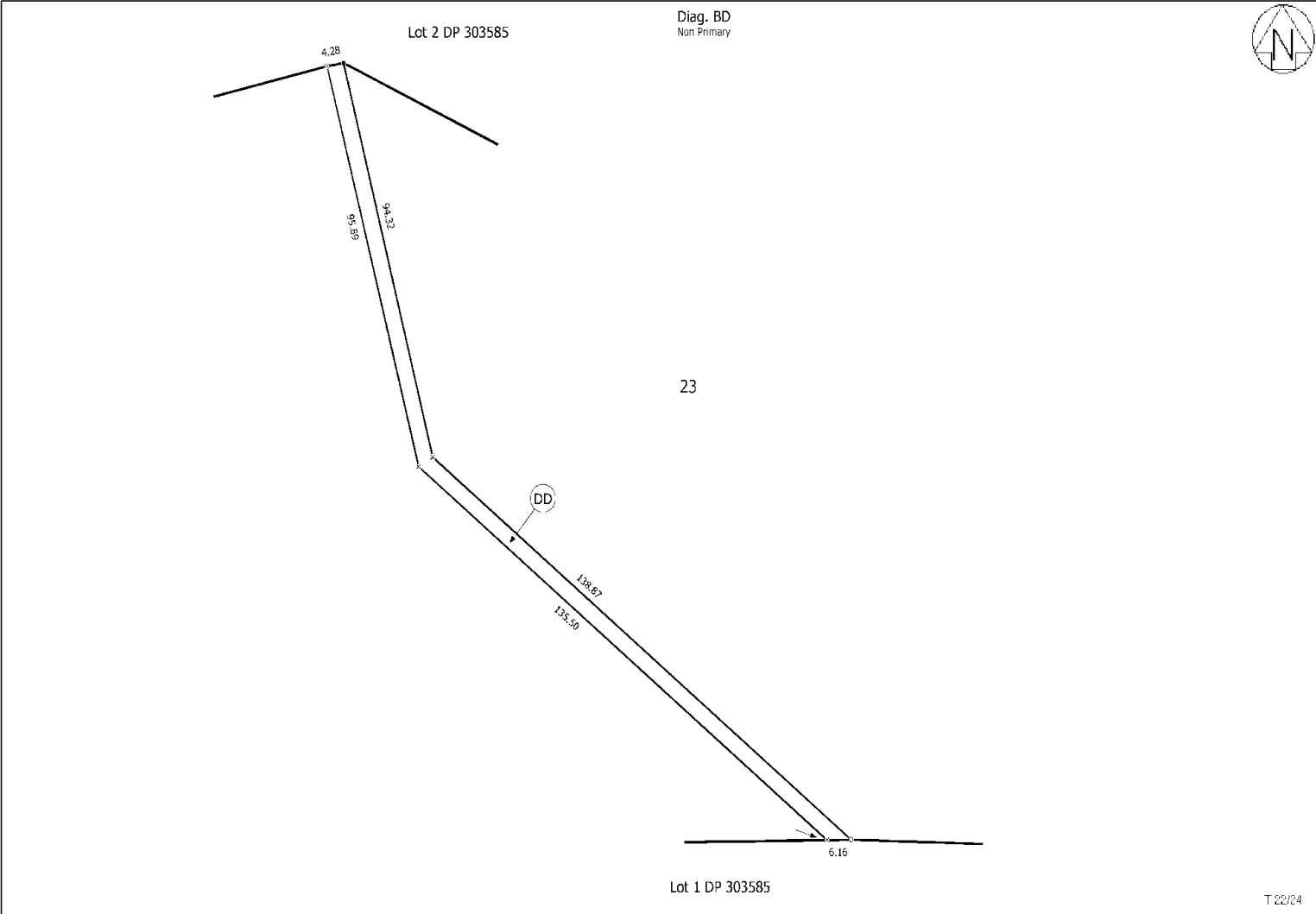


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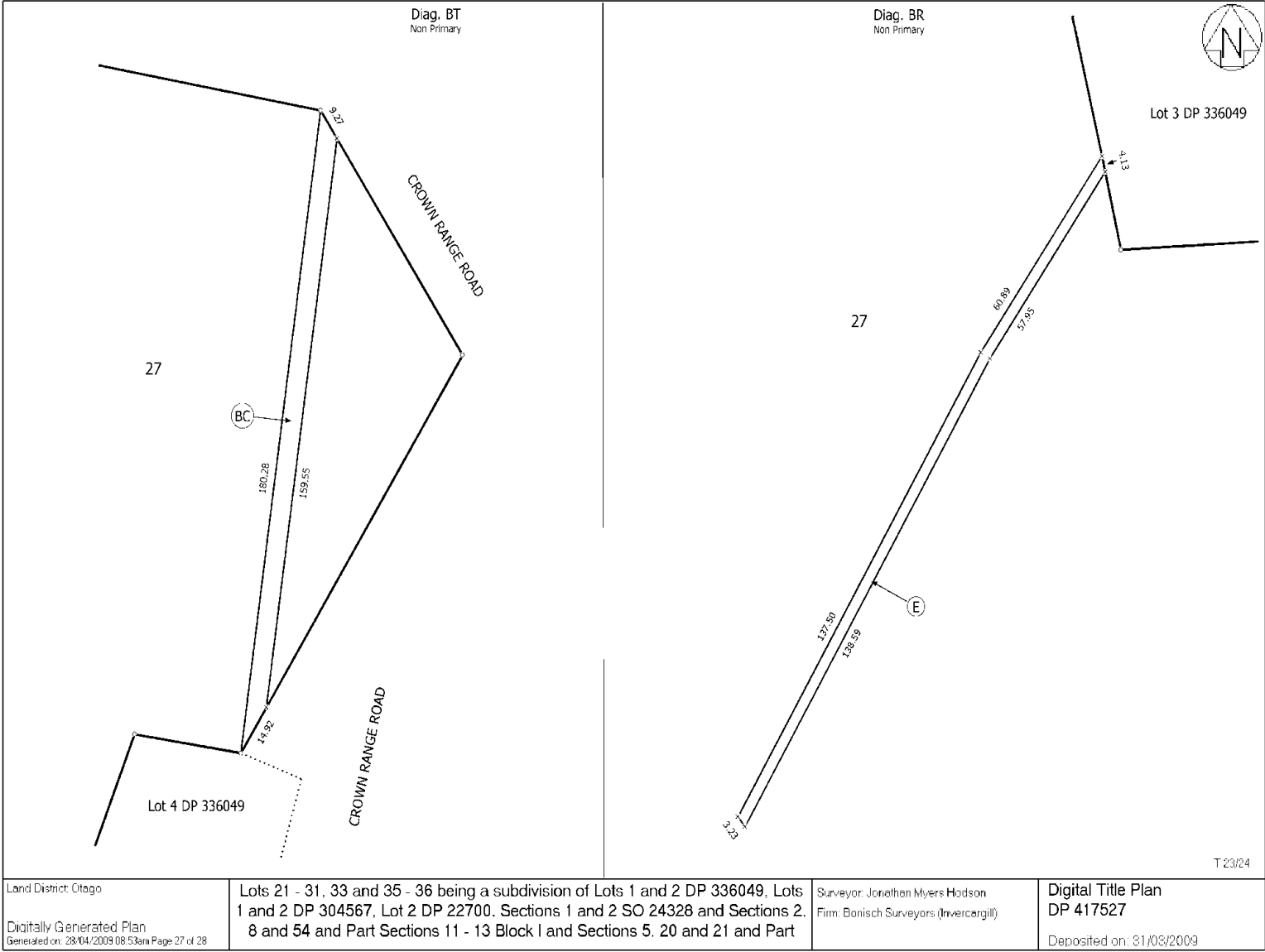


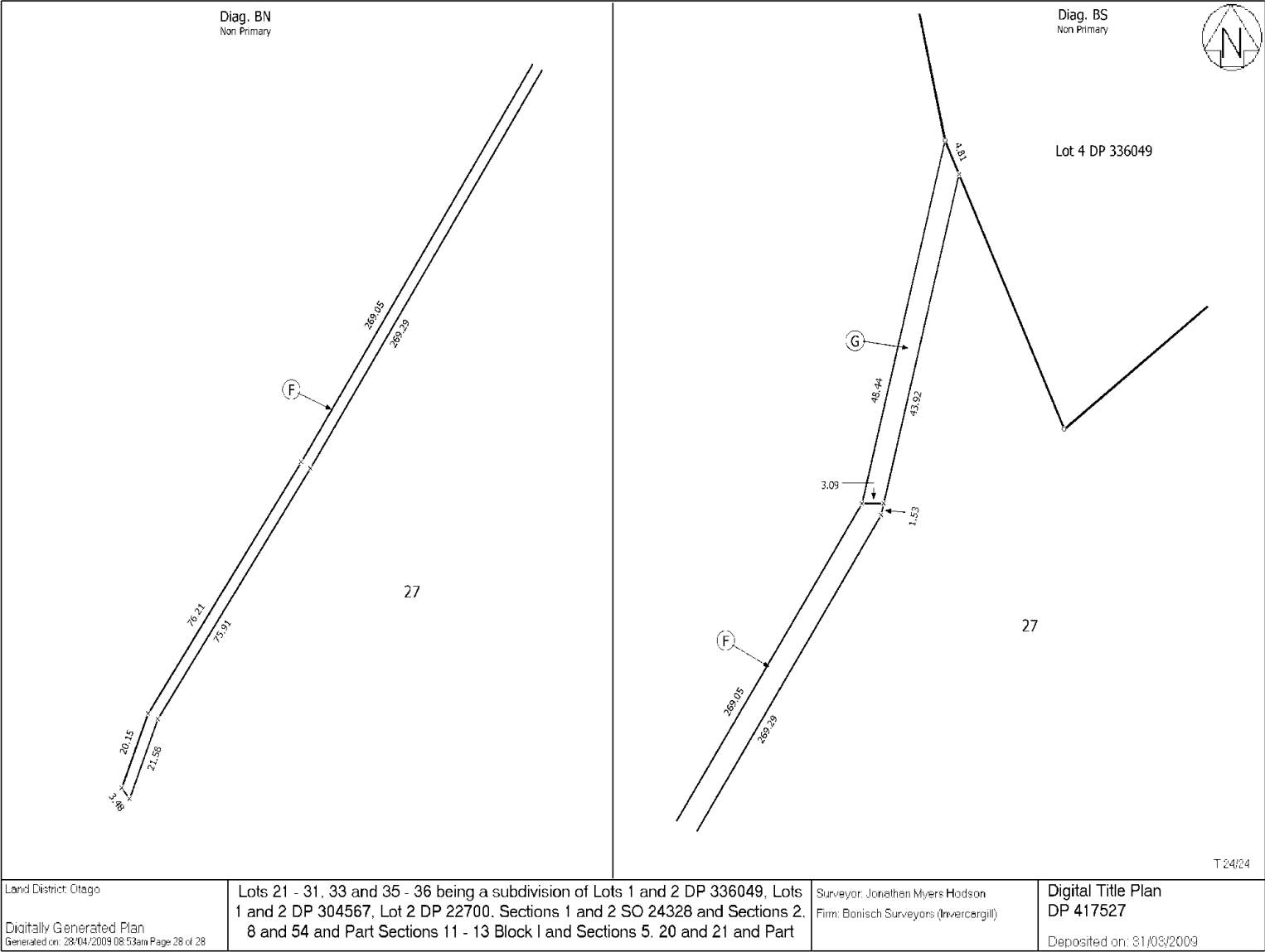


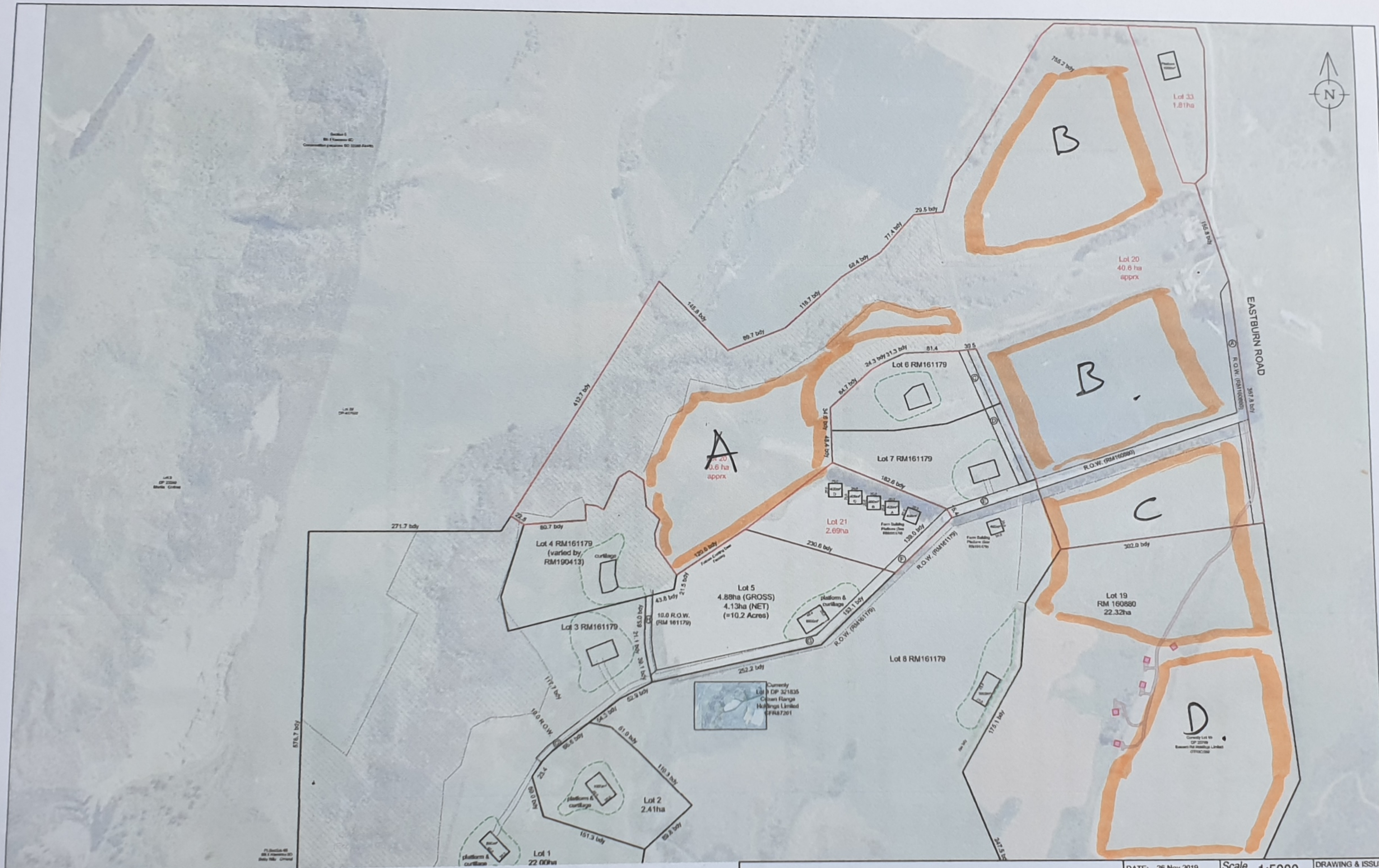


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NOTE:

- EASEMENTS MAY BE NEEDED FOR SERVICES.
- ALL RIGHT OF WAY EASEMENTS CREATED/CONSENTED PREVIOUSLY UNDER RM160880 & RM161179/190413.
- ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY.

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PROPOSED SUBDIVISION LOT 20, LOT 5 LT 532665 & LOT 33 DP 417257 EASTBURN ROAD CROWN TERRACE

DATE: 26 Nov 2019 Scale 1:5000
BY: B McLeod Original Plan A3 DRAWING & ISSUE No. 3720-8R-3B

AURUM
SURVEY

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

LANDSCAPE ASSESSMENT REPORT

LAWN

Lot 33 - Eastburn Road

8 June 2020



landscape ■ architecture ■ planning

Document prepared by	Stephen Skelton
Document reviewed by	Felipe Braga
Status	RFI Response
Issued	8 June 2020

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1. INTRODUCTION

- 1.1. This report provides an assessment of the landscape character and visual amenity effects of a proposal to adjust a boundary, establish a residential building platform (**BP**), access and landscaping on a site near the eastern extents of the Crown Terrace near Queenstown.
- 1.2. The following report includes:
 - A description of the site and surrounding landscape,
 - A description of the proposal,
 - A landscape assessment,
 - Conclusion,
 - Attachments.

2. DESCRIPTION OF THE SITE AND SURROUNDING LANDSCAPE

- 2.1. The site is part of the Crown Terrace, an elevated piece of land between the Crown Range Mountains and the Wakatipu Basin near Queenstown (**Attachment A**). The Crown Terrace is a tilted plateau sloping down towards the south and west. It is a rolling hills landform consisting of areas of mostly flat land broken by natural hummocks, hills, stream channels and subtle terraces. The southern and western edges of the Crown Terrace meet the distinct upper edge of the Crown Terrace escarpment which drops 200m to the floor of the Wakatipu Basin. The Crown Range Road Zig Zags up this escarpment, crosses the terrace in an east-west direction and provides a link between Queenstown and Cardrona.
- 2.2. Pasture grass is the prevailing vegetation on the Crown Terrace. Shelterbelt trees and swathes of willow trees provide some vegetative structure to the terrace. Parts of the terrace, with particular regard to gully and stream systems are cloaked in a mix of shrubs including exotic weeds and indigenous grey shrubland. The Crown Terrace escarpments is densely clad in this mix of shrubs which gives it a more natural character. That natural character extends into the terrace through fingers of stream

channels and gullies, most notably those associated with New Chums, Swift Burn, Royal Burn and East Burn.

- 2.3. The Crown Terrace displays a mostly pastoral landscape character set within a frame of the natural character embodied in the Crown Range Mountains, The Crown Terrace escarpment, Mt Beetham and views of the wider lake and mountain landscape. Rural living type development has occurred in parts of this landscape but the spaciousness between buildings and wider areas of open lands maintains an open character. Fences, pastoral units, shelterbelts, roads, farm tracks, stream channels, gullies and slopes all break the landscape up into smaller units, each with distinct character elements.
- 2.4. The site is within the Eastburn character area of the Crown Terrace. This Eastburn character area is between the Swiftburn gully complex, the foot of the Crown Range Mountains and the upper edge of the Crown Terrace escarpment. This part of the Crown Terrace landscape is more complex and diverse than other parts. The series of gullies which extend into the terrace, their associated vegetation, large stands of mature shelterbelt trees and existing and approved rural living type development creates a landscape pattern which is less open and less pastoral in character than other parts of the Crown Terrace. This part of the Terrace is closely associated with the adjacent natural character elements of the Crown Range and Crown Terrace.
- 2.5. The site is Lot 33 and Lot 20. Lot 33 is currently 10.908ha in area and irregular in shape. It is adjacent to and west of East Burn Road. The eastern part of Lot 33 is steeper as it rises to meet the foot of the Crown Range Mountains and the balance of the Lot 33 slopes gently to the west. A fence line crosses and marks this transition in landform. A subtle gully mostly populated in willow trees marks the Lot 33's northern and north-western boundary. Lot 33's southern boundary is clearly marked by a lineal belt of mature evergreen trees. The western boundary is not well defined by

any existing natural feature. A wool shed exists near the Lot 33 's western extents and there are some small patches of matagouri within the Lot 33.

- 2.6. North of the site are two approved BP's, below and west of Eastburn Road and farther north of that, three BP's on Royalburn Farm (**Attachment B**). Immediately south of the site and near Eastburn Road is a collection of buildings on both sides of the Road. While the legal extension of Eastburn Road continues to the south, the formed road ends near these existing buildings. An additional eight approved BP are accessed at the end of this formed road. With the exception of some of the existing buildings, all approved and proposed BP's are set within pockets of landform or vegetation where they maintain landscape character and visual amenity.

3. DESCRIPTION OF THE PROPOSAL

- 3.1. This proposal includes the boundary adjustment of Lot 33 and Lot 20, establishment of a building platform, access to the building platform and proposed landscaping. The proposed building platform will be rectangular in shape, 25m x 40m giving a total of 1000m². This will be surrounded by a residential curtilage area and will sit approximately 30m from Eastburn Road. The BP will be set at an RL of 648.5 which will be approximately 11.5m below the level of Eastburn Road.
- 3.2. A set of design controls (**Appendix A**) are proposed which will control the external appearance of a future building and all landscape treatments such that the development will be in character with the landscape and visual amenity values.
- 3.3. No earthworks are proposed as part of this consent.
- 3.4. The proposed landscaping includes an area of indigenous context vegetation between the proposed curtilage area and Eastburn Road. This proposed vegetation will be composed of low-level indigenous species of which will only manuka may grow to a mature height of 4m. This vegetation will provide some screening of the BP as

viewed from Eastburn Road. All trees on proposed Lot 33 are to be retained and a new row of Leyland cypress trees are proposed to extend and increase the effect of the existing belt of trees on the site's northern boundary.

- 3.5. The proposed BP will be accessed via a new driveway which will contour across the low part of the site. This driveway will be accessed via a shared ROW and existing access point off Eastburn Road. The driveway will be constructed of loose gravel.
- 3.6. There will be no further development on Lot 20 as part of this application.

4. LANDSCAPE ASSESSMENT

Landscape Category

- 4.1. The site is shown in the Operative District Plan (**ODP**), Appendix 8A – Map 2 as being part of a Visual Amenity Landscape (**VAL**) and in the Proposed District Plan (**PDP**), Stage 1 and 2 Decisions Map as being part of the Wakatipu Basin Rural Amenity Zone (**WBRAZ**) and the Crown Terrace Landscape Character Unit (**LCU 20**) .
- 4.2. Lot 33 is not part of an Outstanding Natural Landscape (**ONL**). It is near the Crown Range ONL and that ONL boundary is shown in the PDP maps as being on the eastern side of Eastburn Road. For the purpose of this report I agree that the land east of the site is part of an ONL.
- 4.3. The natural character of the upper vegetated, 'fingers' of the Swiftburn gully complex are within the Lot 20 boundaries, southwest of the proposed BP's western extents. The ONL qualities of the Swiftburn gully complex do not extend to within the vicinity of the proposed BP or the proposed boundary of Lot 33.
- 4.4. Overall the site is part of a VAL landscape in terms of the ODP and part of the WBRAZ in terms of the PDP and is not part of an ONL (**Attachment A**).

Statutory Considerations

- 4.5. The QLDC District Plan is currently under review. Much of the relevant matters in the PDP Chapter 6 – Landscapes and Rural Character and Chapter 24 - Wakatipu Basin are subject to appeal.
- 4.6. The ODP is still operative and the matters with respect to VALs are contained within part 5.4.2.2(3) of the ODP.
- 4.7. In terms of the PDP (Decisions Version), the landscape relevant matters are contained within Part 5, *Tangata Whenua*, Part 6 *Landscape and Rural Character* and Part 24 Wakatipu Basin. This report gives particular regard to the assessment matters contained within part 24.7.3 – Landscape and Visual Amenity.

Extent of Effect

- 4.8. In assessing the extent of effects, this report uses the following seven-point scale:
very high, high, moderate-high, moderate, moderate-low, low, very low.
- 4.9. For the purpose of notification determination an adverse effects rating of moderate–low corresponds to a ‘minor’ adverse effects rating. An adverse effects rating of ‘low’ or ‘very low’ corresponds to a ‘less than minor’ adverse effects rating.

7

Summary of Visibility

- 4.10. Attached to this report is a series of images and a location map (**Attachment C and Images**). **Image 1A** and **1B** are taken from a viewpoint which is on private land, but which is frequented by the public. **Image 1C** is taken from the public road near this viewpoint. **Image 2A** is taken from a break in roadside vegetation while standing near the guard rail and **Image 2B** is taken from near the same location on the carriageway. **Image 3** is taken through a break in roadside vegetation near the guard rail at a pull out off the Crown Range Road. It is important to note that from the Crown Range

Road the proposed BP would not be visible from any receptor headed up the hill as the edge of the road and guard rail screens the proposal. The BP would only be visible to users of the road headed down, and generally only available to passengers on the left side of a vehicle. The proposal would not be visible to receptors in low level vehicles. The attached Images **1A**, **1B** and **2A** are not indicative of the proposal's overall visibility but depict the proposal's highest potential visibility or the 'worst case scenario'. **Image 2A** and **3** in particular depict a narrow, fleeting view through a break in vegetation which is not indicative of the experience of users on the Crown Range Road.

- 4.11. Patch visited the site and surrounding landscape with building poles erected to represent the proposed BP. Photos were taken while walking the Crown Range and Eastburn Road and only taken where the site is visible. The following is a summary of the proposal's potential visibility. The actual and potential effects of visibility will be assessed later in this report.

8

- 4.12. The proposed BP is nestled into the side of a slope west of Eastburn Road. It is close to the foot of the Crown Range mountains and this adjacency to the mountain landform provides a high level of screening. There is limited potential that the upper southwest corner the proposed a BP on Lot 33 may be visible from a short portion of the Crown Range Road (**Images 1 -3**) but these views are intermittent as the road contours around the landform. Vehicles are often moving at speed across a curvy mountain road and only the passengers seated on the left side of a vehicles may be able to intermittently see the site. The proposed BP will not be visible from any other part of the Crown Range Road.
- 4.13. The proposed BP may be visible from a short portion of Eastburn Road between a distinct bend which crosses a spur landform to the north of the BP (**Image 4**) to an area of dense vegetation associated with the Eastburn Farm (south of **Image 7**). The more northerly part of this view (**Image 4**) will be screened with the proposed cypress trees.

- 4.14. There is very limited potential that a future building in the BP may be visible from a distance of more than 5km near Frankton Flats and from other distant places such as the Remarkables Road.
- 4.15. In terms of private places, the proposed BP may be visible from some of the adjacent pastoral lands. However, it is considered landform and vegetation will provide significant mitigation such that the proposal will not be visible from any rural living areas aside from those associated with the applicant.

ODP 5.4.2.2(3) - Visual Amenity Landscapes

Effects on Natural and Pastoral Character

- 4.16. The site is adjacent to (west of) the Crown Terrace ONL. It will be seen as part of the Crown Terrace VAL landscape and not as part of the Crown Range ONL, except from very distant places near Frankton. From these distant places the context vegetation to the east of the BP will visually absorb any built development. If the BP or any curtilage effects are seen from the small portion of Crown Range Road (**Images 1 - 3**) those domestic effects will be seen in the context of the other built elements and domestic effects associated with the nearby clusters of buildings. From Eastburn Road the road itself clearly separates the more pastoral character of the terrace from the more natural character of the mountains. The proposed vegetation between the road and the curtilage area will provide a buffer between these two-character areas. The development will result in **very low** adverse effects on the open character of the ONL.
- 4.17. The proposed BP will be set back from the more open lands of the terrace and separated from the more natural landscape character of the mountains by Eastburn Road. The proposed development will be set within a pattern of existing and approved rural living development in this part of the Eastburn Road corridor

(**Attachment B**). While limited rural living type development is currently visible, there are approved BPs in this landscape. The natural and open character of the landscape will be adversely affected to a **low** degree and the proposal will not cross or near a threshold where the landscape would appear over-domesticated. It will appear as a rural living element which is cohesive with the existing patterns of development in the landscape within the wider open and natural lands of the Eastburn end of the Crown Terrace.

- 4.18. Proposed cypress trees to the north of the BP will provide a higher level of visual screening of the proposed BP from northerly views including those areas on Eastburn Road (**Image 4**). These trees will provide meaningful mitigation within three years and within 10 years will completely screen the development from this view. The proposed indigenous context vegetation to the east of the BP will provide a vegetated buffer between the curtilage area and BP and better link the natural character of the Crown Range and Swiftburn gully while appearing cohesive with the approved rural living type development on the neighbouring sites. This vegetation will not screen a future building but will buffer it within a frame of natural character while retaining views from the road towards the open landscape and the Wakatipu Basin to the west (**Image 6**).

Visibility of Development

- 4.19. The overall potential visibility is described above. While **Images 1A, 1B, 2A and 3** show that there is potential for the BP to be visible from the Crown Range Road, these images demonstrate the highest potential visibility. In the 'real world' the BP is reasonably difficult to see from the Crown Range Road as it is well screened by the guard rail, scrubby roadside vegetation and would only potentially be visible to passengers descending the road at speed through occasional breaks in the vegetation across a short portion of the road **Images 1C, and 2B**.
- 4.20. The only public place where the proposal may be highly visible is from Eastburn Road. Proposed cypress trees to the north of the BP will mitigate views of the proposal from

more northerly locations (**Image 4**) while the proposed context vegetation to the east of the BP and curtilage area will provide a buffer. This vegetation will ensure the proposal is not visually prominent such that it would detract from views, private or public, which are otherwise characterised but natural or arcadian pastoral landscapes. This proposed mitigation vegetation will be consistent with the existing patterns in the landscape and will not obstruct any views.

- 4.21. The subject site is well confined by topography such that it is contained within the southern part of the Crown Terrace landscape. It is bound to the north by a subtle gully and to the east by the slopes of the Crown Range. The proposed development will not give rise to any structures being located where they will break the line and form of any skyline, ridge, hill or prominent slope.
- 4.22. The proposed driveway will cross the site along existing contours and near an existing fence. The proposal will adversely affect the naturalness of the landscape with respect to existing natural topography to a **low** degree. Similarly, all new boundaries will follow an existing fence line near a change in grade. This will not result in any adverse effects or create any new arbitrary lines in the landscape.
- 4.23. The development will continue an existing pattern of development along Eastburn Road but will not lead to the over-domestication of the landscape or be seen as sprawl of build development.

Form and Density of Development

- 4.24. The existing natural topography of the landscape with particular regard to the Crown Range slopes to the east of the BP have been used to ensure development is located in a part of the landscape where it is not highly visible from public places. The proposal sets development in a part of the landscape with existing development and access and aggregates this built development and access to retain the westerly parts of the site. This will retain the wider, open and more visible/sensitive parts of the landscape in their open state. It is considered this proposal locates development in a

part of the site with a high potential to absorb development while retaining areas to the west which are more sensitive in their pastoral state.

- 4.25. The proposal will not introduce any densities which are indicative of urban areas.
- 4.26. The proposed development is within 500m of existing buildings to the south. Other parts of the site were considered for development with particular regard to areas closer to the existing trees and the cluster of dwellings to the south of the proposed BP. It is considered the subject proposal best locates development where it will have the least effect on landscape character and visual amenity.
- 4.27. It is considered the proposal and the density it represents will not change the character of the landscape and will not preclude residential development and/or subdivision on neighbouring land because the adverse effects would be unacceptably large.

Cumulative Effects of Development on the Landscape

- 4.28. This eastern part of the Crown Terrace has recently seen an increase in approved rural living type development. However, the proposed development will not lead to further degradation of the landscape such that it represents a threshold with respect to the landscape's ability to absorb change. The Eastburn end of the Crown Terrace does not dominate any views of the wider landscape and instead forms a foreground to more dramatic views of the wider landscape. There are parts of the landscape where further appropriate development could occur without visually compromising the existing rural and pastoral character of the landscape by exacerbating existing and potential adverse effects.
- 4.29. As discussed above, the proposal will be well contained within a discreet landscape unit and existing natural topography.
- 4.30. No infrastructure consistent with urban landscapes is proposed.

Rural Amenities

- 4.31. Maintaining adequate and appropriate visual access to open space and views across a pastoral landscape from public roads and other public places is central to this proposal. The proposed building will be well below Eastburn Road and it is not proposed to plant this road boundary with any vegetation which may screen views over the BP towards the open and natural landscape to the west (**Image 6**). Similarly, the proposal will not effect to a more than **low** degree, views from the Crown Range Road as the wider landscape will continue to dominate the view and the more open foreground of the Crown Terrace, with particular regard to the balance of Lot 20 will be retained in its open character.
- 4.32. The proposal also seeks to maintain the existing landscape patterns such as fences and boundary planting while adjusting the boundary between Lot 20 and Lot 33 such that the balance of the pastoral land can be managed by Lot 20. The proposal will increase the ability to undertake agricultural activities on the surrounding land.
- 4.33. No infrastructure consistent with urban landscapes forms a part of this proposal. All landscaping, fencing, entrances and other landscape elements will be consistent with traditional rural elements. The proposed BP will be below Eastburn Road and set back from the road and other property boundaries such that any adverse effects associated with that future building will be avoided and mitigated by planting.

PDP 24.7.3 Assessment Matters

Landscape Character and Visual Amenity

- a) Whether the location, form, scale, design and finished materials including colours of the building(s) adequately responds to the identified landscape character and visual amenity qualities of the landscape character units set out in Schedule 24.9 – Landscape Character Units and the criteria set out below.*

- 4.34. The criteria set out in the Schedule 24.8 of the PDP is derived from the Wakatipu Basin Land Use Planning Study. Much of the criteria in this table is descriptive. The following responds to the parts of that schedule which address effects of development or where the description is relevant to the proposal.

Land Use

- 4.35. Schedule 24.8 for LCU 20 describes the land use as being '*predominantly in rural production with loose groupings of rural residential development throughout the unit.*' The subject site is within one of those loose groupings of rural residential development in the LCU's eastern extents.

Visibility/prominence

- 4.36. This part of Schedule 24.8 for LCU 20 describes the western part of the LCU being the only part visible from the Wakatipu Basin and states that much of the balance of the LCU is visible from the Crown Range Road. The subject site is an exception as its vicinity to the foot of the Crown Range mountains allows the landform to screen the proposed development area from most of the Crown Range. There is some intermittent exceptions where the BP may be visible intermittently from the road (**Image 1 - 3**). As discussed above, these views are highly limited to passengers in elevated vehicles across a short portion of the road through breaks in the vegetation. Photographs are static views while any view from these locations is to generally be experienced at speed.

Enclosure/openness

- 4.37. This part of Schedule 24.8 for LCU 20 states that generally the unit exhibits a relatively high degree of openness. The proposal will not act to degrade the openness of the LCU to a more than **low** degree and will retain the more westerly parts of the site, which are more visible and sensitive to development in their open state.

Coherence

- 4.38. This part of Schedule 24.8 for LCU 20 considers the LCU displays a legible and uncluttered landform patterning which combined with a mostly open landscape creates an impression of coherence. The proposal will fit into this coherent pattern or rural living, natural and pastoral characters and will not adversely affect the coherence of the landscape.

Naturalness

- 4.39. This part of Schedule 24.8 for LCU 20 considers the LCU considers the landscape displays a reasonably high degree of naturalness and that in the main, buildings are well integrated by planting serving to reduce their prominence. The proposal will continue to integrate building into the landscape with an extension of the shelterbelt to the north and the presence of the native context planting to the east of the curtilage area.

Sense of Place

- 4.40. This part of Schedule 24.8 for LCU 20 considers the unit *'displays a working rural landscape character with a reasonably spacious patterning of rural residential development in places. The terrace serves as an important transition between the 'inhabited' Wakatipu Basin landscape and the relatively unmodified 'wilderness' landscape of the Crown Range to the east.'* The proposal will conform to this sense of place and will act to maintain the rural production character of the landscape with spacious patterning of rural residential development.

Potential landscape issues and constraints associated with additional development

- 4.41. This part of Schedule 24.8 for LCU 20 describes the LCU's relatively open and exposed nature and its importance as a scenic transition between the Wakatipu Basin and Crown Range which renders it highly sensitive to landscape change. The subject site is not within the exposed part of the LCU and does not act as part of the scenic

transition between the Basin and Crown Range. It is a recessed, eastern part of the landscape more closely associated with the Gibbston Valley than the Wakatipu Basin.

b) The extent to which the location and design of buildings and ancillary elements and the landscape treatment complement the existing landscape character and visual amenity values, including consideration of:

- i. building height;*
- ii. building colours and materials;*
- iii. building coverage;*
- iv. design, size and location of accessory buildings;*
- v. the design and location of landform modification, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting;*
- vi. the retention of existing vegetation and landform patterns;*
- vii. earth mounding and framework planting to integrate buildings and accessways;*
- viii. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.9 - Landscape Character Units;*
- ix. riparian restoration planting;*
- x. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement; and*
- xi. the integration of existing and provision for new public walkways and cycleways/bridlepaths.*

4.42. A future building in the BP will be well controlled such that its height, colours, scale and landscape treatments will complement the existing landscape character and visual amenity values of the site and surrounding landscape through ensuring built form is appropriate scaled, coloured and recessed in the wider landscape.

c) The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the proposed development in a manner that maintains or enhances landscape character and visual amenity values.

4.43. There are no known existing covenant or consent notice conditions with respect to the existing Lot 33.

d) The extent to which the development maintains visual amenity in the landscape, particularly from public places.

4.44. The visibility of the proposal is summarised above in this report. Overall the development will only be visible from select and intermittent parts of the Crown Range Road and from Eastburn Road adjacent to the proposed development. Views from Eastburn Road across the wider landscape will be retained. From the portion of Eastburn Road where the proposed development may be visible, the proposal will result in some **low** adverse effects on visual amenity and these effects will be from Eastburn Road between Image 5 and 7 where the roof of a future building may be visible.

e) Whether clustering of buildings or varied densities of the development areas would better maintain a sense of openness and spaciousness, or better integrate development with existing landform and vegetation or settlement patterns.

4.45. The proposal follows an established pattern of rural living type development in the area, which involves some BPs and dwellings located below Eastburn Road. While the proposed BP will be shared with an existing access off Eastburn Road, it will be approximately 230m from the existing dwelling associated with that existing access. While this distance isn't close enough to be considered 'clustered,' the proposal will maintain a sense of spaciousness and be well integrated into the existing landform, vegetation and settlement patterns without detracting from landscape values.

f) Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.

4.46. No residential flat is proposed. If a residential flat were to be proposed in the future that flat would be contained within the BP and meet all design controls with particular regard to the maximum building coverage.

g) The extent to which the development avoids, remedies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of the appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.

4.47. This matter is discussed above in the ODP assessment of effects on ONLs.

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h) Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.

4.48. The landscaping proposed is detailed in the landscape plan. The approval of this landscaping should adequately ensure the intended mitigation effects are achieved. The proposed shelterbelt trees will screen views of the development from viewpoints to the north while the context vegetation will provide some screening and increase the visual absorption capacity of the landscape.

i) The merit of the removal of wilding exotic trees at the time of development.

4.49. No wilding trees are proposed to be removed and the wider site (Lot 20) will continue to be farmed.

j) Whether the proposed development provides an opportunity to maintain landscape character and visual amenity through the registration of covenants requiring open space to be maintained in perpetuity.

4.50. While no covenant is proposed, this application seeks to locate development in an area with the highest potential to absorb development while retaining the more visible, open, pastoral lands to the west of the BP in their existing state.

5. CONCLUSION

5.1. Overall, the proposal seeks to locate development in a discrete part of the landscape. The proposal will result in no more than low adverse effects on landscape character and visual amenity

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Steve Skelton



Registered Landscape Architect



PO BOX 1634, Queenstown, 9348 • +64 [0]3 409 2878 • +64 [0]21 020 99933
steve@patchlandscape.co.nz • www.patchlandscape.co.nz



Design Controls – Lot 33 – Crown Terrace

Building Controls

Building Form and height

1. Buildings shall not exceed 5.5m from the set RL of 648.5.
2. Total building footprint not to exceed 500m² (50% BP coverage).
3. No continuous length of any one elevation of a building shall exceed 12m.

Building colour and material

1. All external walls, joinery, trims and attachments, gutters, spouting, downpipes, chimney, flues, satellite dishes and solar panels shall be coloured in the natural hues of green, brown or grey with a light reflectivity value of between 7% and 22%.
2. The roofing materials of all buildings shall be corrugate, or tray steel, shingles or cedar finished in dark recessive tones of grey, green or brown with a light reflective value of between 6% and 20%. A living roof of a vegetation coverage consistent with the surrounding landscape is also appropriate.
3. If painted all exterior colours should have a matt finish.
4. All ancillary structures (for example: garden sheds and garages) shall be clad and coloured to match the principal dwelling.

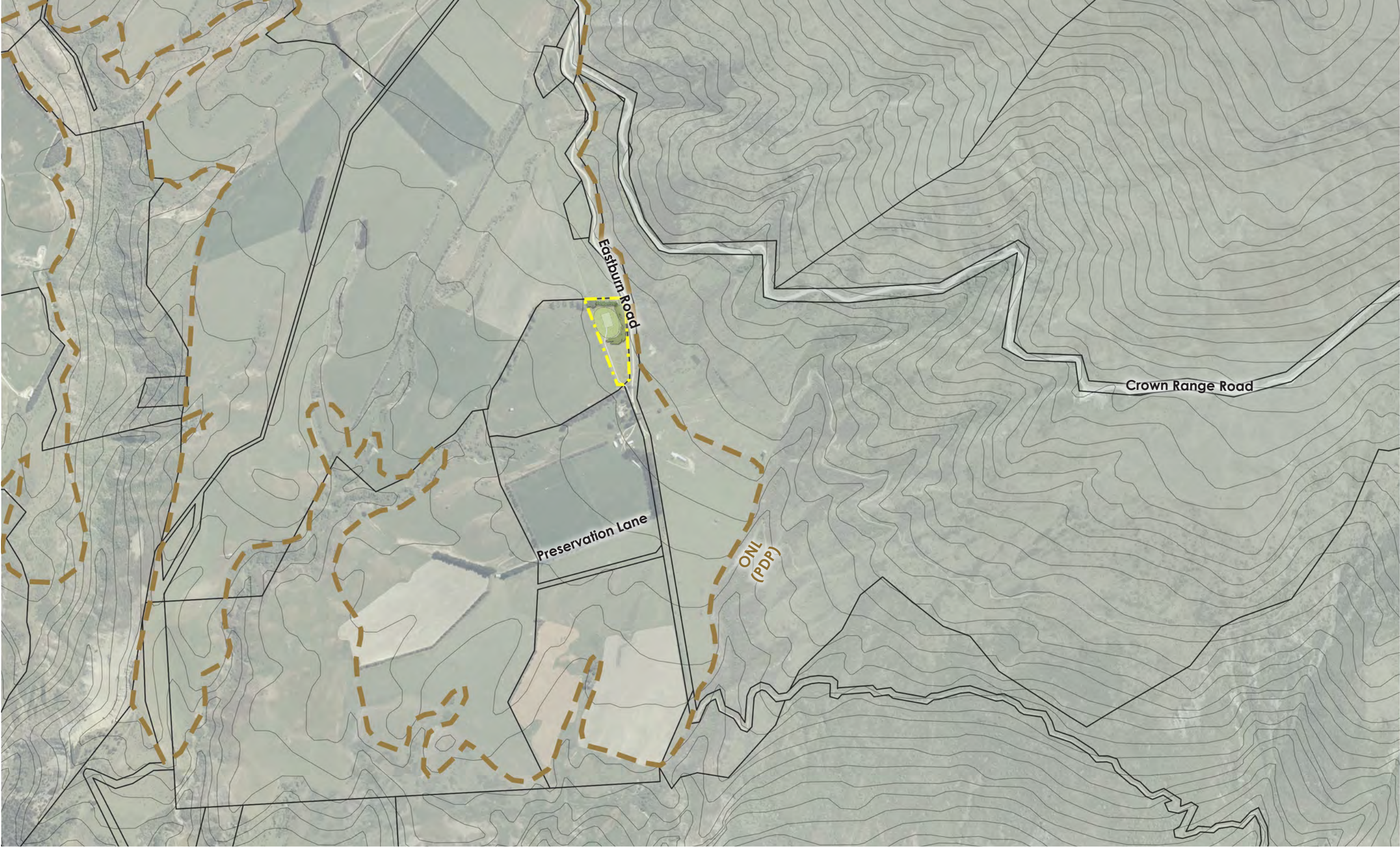
Other building controls

5. All curtains, blinds or other window coverings (internal and external) are to match the exterior colour controls.

6. Solar panels shall only be installed where they are not visible from public roads or public walking tracks.

Landscape Controls

7. All external landscape lighting shall be down lighting only and not be used to highlight buildings or landscape features visible from beyond the property boundary.
8. All external landscape lighting shall be no higher than 1.2m above ground level and be limited to the curtilage area only.
9. All external lighting shall be directed downwards and housed such that the light source (filament, LED) is not visible from beyond the residential curtilage area.
10. All domestic landscaping and structures including but not limited to clotheslines, outdoor seating areas, external lighting, swimming pools, tennis courts, play structures, vehicle parking, pergolas, and ornamental or amenity gardens and lawns shall be confined to the curtilage area as shown on the certified Landscape Plan.
11. All water tanks to be partially or wholly buried. If partially buried, tanks shall be of dark recessive colouring which meets the building colour controls and/or visually screened by planting as to be not visible from beyond the subject property boundary.
12. Any entranceway structures from the property boundary shall be to a height of no more than 1.2m and shall be constructed of natural materials such as timber, steel or schist stone as to not be visually obtrusive (monumental) and consistent with traditional rural elements and farm gateways.
13. All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised and vegetated to blend seamlessly into the natural landforms.
14. No concrete kerb and channeling shall be used for the access road and driveway.
15. All driveways and other surfaces outside the curtilage area to be of a local gravel or chip only.
16. All fencing to be post and rail and post and wire only.

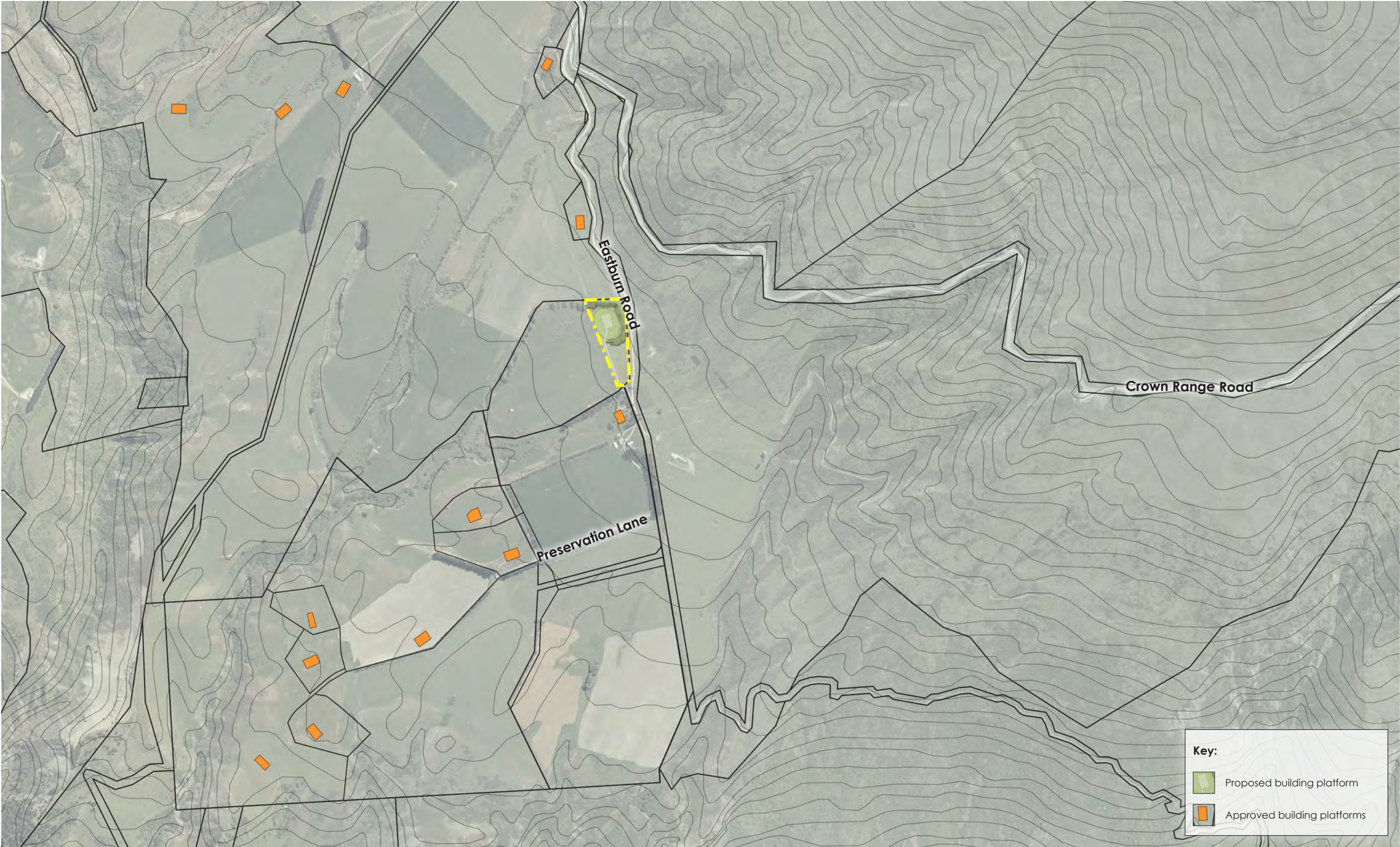


Landscape - Reference : PA18275 - IS02



0 50 100 250m
SCALE = 1:5000 AT A1

Lot 33 - Lawn - Eastburn
Context Plan and Landscape Category
18 February 2020



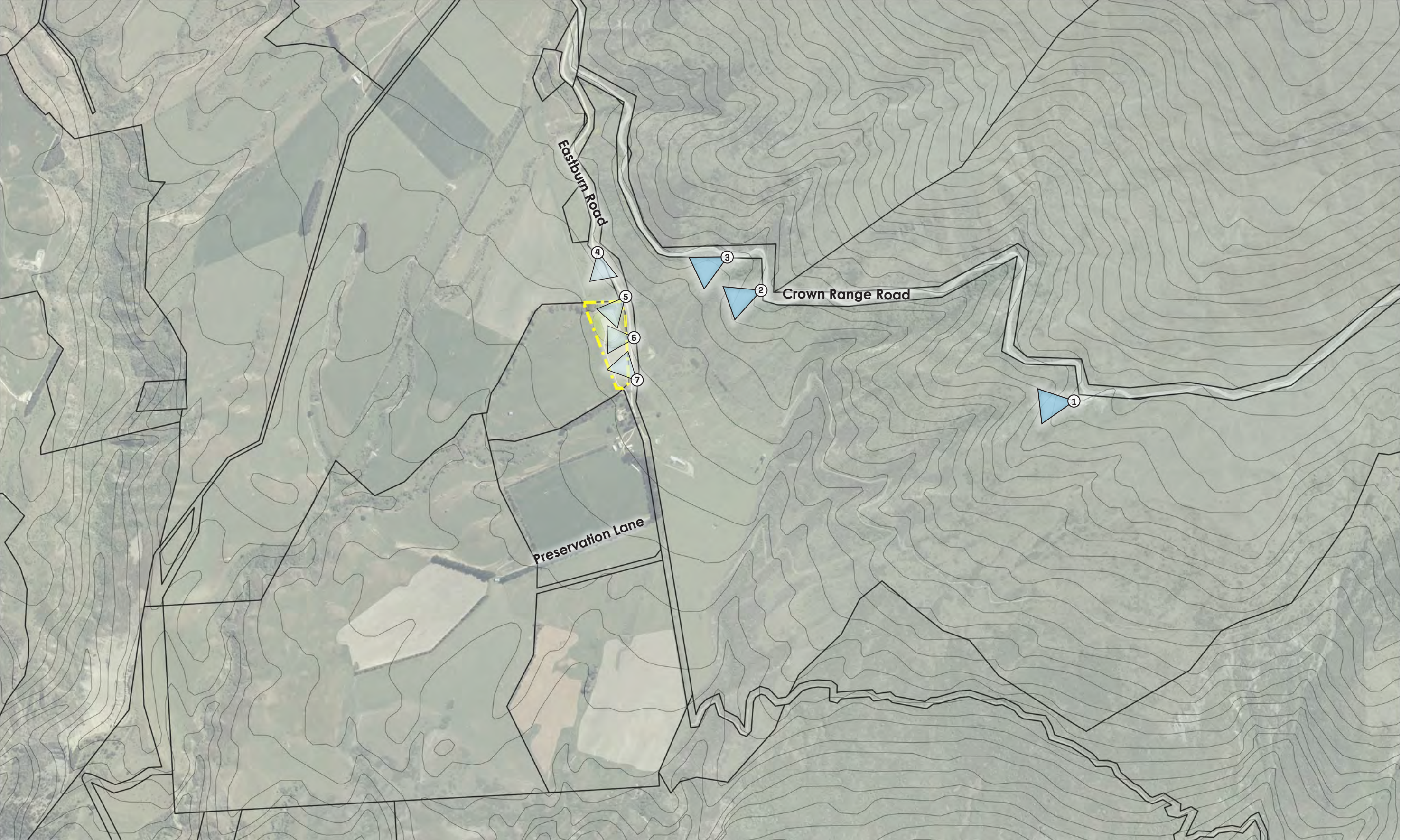
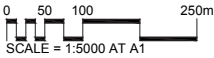


 Image locations



Landscape - Reference : PA18275 - IS02



Lot 33 - Lawn - Eastburn
Context Plan and visual Assessment Locations
18 February 2020



Image is taken from the privately owned knoll which is accessed by the public off Crown Range Road. This image is to reference the 140 degree panoramic view which is available from this place.

Panorama - 20 January 2020 at 12:04 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



Image is taken from the privately owned knoll which is accessed by the public off Crown Range Road. This image is a 50mm crop representing part of the view. The southerly portion of the proposed BP may be visible in this view.

50mm - 20 January 2020 at 12:04 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



Image is taken from the Crown Range Road. This image is a 50mm crop representing part of the view which is experienced from the public road near a pull out. The proposed BP will not be visible in this view.

50mm - 11 February 2020 at 3:32 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



Image is taken while walking the Crown Range Road where a small gap in the roadside vegetation provides for this narrow view of the BP. This image is a 50mm crop representing only part of the view. This view would be experienced generally by a passenger descending the road and would be a brief, fleeting view of the BP. This image is not representative of the visual experience of this part of the Crown Range Road and depicts the 'worst case' scenario.

50mm - 20 January 2020 at 12:13 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



Image is taken while walking the Crown Range Road on the carriageway itself. This image is a 50mm crop representing only part of the view. This image is indicative of the experience of this part of the road.

50mm - 11 February 2020 at 3:36 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



Image is taken from near a road barrier by a pull out off the Crown Range Road. This image is a 50mm crop representing part of the view. This view would not be experienced by receptors using the Crown Range Road. This image is not representative of the visual experience of this part of the Crown Range Road and depicts the 'worst case' scenario.

50mm - 20 January 2020 at 12:15 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



This image is a 25mm crop representing part of the view. From this vantage the proposed BP will be screened by proposed vegetation

25mm - 20 January 2020 at 11:57 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
Visual Assessment Images
18 February 2020



Image is a 25mm crop representing part of the view. Low level vegetation will be planted between the BP and this vegetation will provide context and screening mitigation. All residential effects aside from perhaps a future roof will be well screened from this while and views across the site towards the wider landscape will be retained.

25mm - 20 January 2020 at 11:54 pm



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
 Visual Assessment Images
 18 February 2020



Image is a 25mm crop representing part of the view. Low level vegetation will be planted between the BP and this vegetation will provide context and screening mitigation. All residential effects aside from perhaps a future roof will be well screened from this while and views across the site towards the wider landscape will be retained.

25mm - 20 January 2020 at 11:53 am



Landscape - Reference : PA18275 - IS02

Lot 33 - Lawn - Eastburn
 Visual Assessment Images
 18 February 2020



Image is a 25mm crop representing part of the view. Low level vegetation will be planted between the BP and this vegetation will provide context and screening mitigation. All residential effects aside from perhaps a future roof will be well screened from this while and views across the site towards the wider landscape will be retained.

25mm - 20 January 2020 at 11:51 am




NOTE:

- EASEMENTS MAY BE NEEDED FOR SERVICES.
- ALL RIGHT OF WAY EASEMENTS CREATED/CONSENTED PREVIOUSLY UNDER RM160880 & RM161179/190413.
- ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY.

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PROPOSED SUBDIVISION
LOT 20, LOT 5 LT 532665 & LOT 33 DP 417257
EASTBURN ROAD
CROWN TERRACE

DATE: 20 Jan 2020	Scale 1:4000 Original Plan A3	DRAWING & ISSUE No. 3720-8R-2C
BY: B McLeod		



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



Proposed driveway

Proposed building platform
1,000m² - RL 648.5 masl

Proposed curtilage area
4,700m²

Existing trees to be retained

Proposed Leyland cypress trees
Cupressus leylandii
1.5m crs ,Minimum 1m height - 32 trees

Proposed indigenous context vegetation
to include (>4m Mature Height):

35% - 1.2m crs - *Leptospermum scoparium* - Manuka
20% - 1.2m crs - *Corokia cotoneaster* - Corokia
20% - 1.2m crs - *Phormium tenax* - Flax
25% - 1.2m crs - *Olearia lineata* - Tree Daisy

Planting notes: All indigenous plants to be planted at a minimum grade of PB8. Planted area to be ring fenced in rabbit proof mesh. Ongoing pest control to be undertaken within planted area. Planting to be irrigated with soaker lines for the first three years following planting to ensure the successful establishment of plants.

