ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

Residential Dwelling

Alteration to Consent Notice

99 Speargrass Flat Road

D Andrews

October 2025

EXECUTIVE SUMMARY OF PROPOSAL

D Andrews seeks resource consent to alter the location and shape of the registered building platform and construct a residential dwelling within that amended platform.

Location:	99 Speargrass Flat Road
Legal Description:	Lot 2 DP 503601
Title Reference	758716
Territorial Authority:	Queenstown Lakes District Council
Plan:	Proposed District Plan
Zoning:	Wakatipu Basin Rural Amenity Zone
Natural Hazards	Alluvial Fan, Landslide Features
Activity Status	Non-Complying

APPENDICES

Appendix 1	Record of Title
Appendix 2	Consent Notice 10689709.3
Appendix 3	Covenant 976307.3
Appendix 4	Architects Plans
Appendix 5	Earthworks Plan
Appendix 6	Landscape & Building Platform Plans
Appendix 7	Wastewater Soakage Report
Appendix 8	Geotechnical and Natural Hazard Report
Appendix 9	Landscape Character Unit 8 – Speargrass Flat
Appendix 10	Objectives and Policy Assessment
Appendix 11	Decision RM120680
Appendix 12	Decision 2006.344

INTRODUCTION and SUMMARY

This Assessment of Effects on the Environment (AEE), inclusive of appendices, has been prepared in accordance with Schedule 4 of the Resource Management Act (RMA). Together these documents provide:

- A description of the proposal;
- A description of the application site and surrounding environment;
- A description of the consents sought;
- An assessment of environmental effects;
- A conclusion.

THE PROPOSAL

This application provides for the construction of a residential dwelling at 99 Speargrass Flat Road.

The single level dwelling has been designed as a series of interconnected pavilions, oriented to take advantage of the northerly aspect.

Aside from a long-established farm shed, the 8.95-hectare site is otherwise vacant. It contains a residential building platform, established in 2013 and is subject to a Consent Notice that includes building design and location controls, that are in addition to the requirements of the Wakatipu Basin Rural Amenity zoning. Whilst the approved building platform has informed the location of this dwelling, there are further adjustments needed to the size, shape and location of the building platform to accommodate the preferred house design.

The existing building platform is a 25m x 40m rectangle (1,000m^2) and building coverage of that platform area limited to 60%. The proposed platform is shaped to follow the outline of the house and is proposed to have an area of 1,180m^2.

The proposed dwelling incorporates the following 4 built elements:

- the main living wing – containing the dining, living, snug and kitchen and master bedroom
- the bedroom wing – containing the 3 bedrooms with ensuites and a study
- The stand-alone gym/ guest bedroom
- The 3-car garage

These four elements have a combined footprint of 772m^2. Additional coverage occurs with extended balconies, unenclosed covered areas that provide weather protection and the swimming pool (classified as an 'accessory building') which increases to 1,088m^2.

All buildings will have a flat concrete roof that is up to 4.5m high, above the existing ground level of 371masl. There are two chimneys that extend a further 1.9m high.

The building incorporates a mixture of three cladding materials; brick, concrete and timber. The primary cladding material is the 'emperor clay brick'[i] which is a style of large, thin clay brick with specified elongated proportions.

Concrete cladding is used in the soffits and as the roofing material. The concrete roof will be finished with a dark coloured membrane.

A 6,800m^2 curtilage area is identified on the current approved plans and extends to within 8m of Speargrass Flat Road. This application provides the same sized curtilage area, but the location is amended to reflect the changes to the building platform.

[i] https://krausebricks.com

A new driveway will be formed towards the centre of the site, which involves the relocation or replanting of a copse of trees that were previously planted in conjunction with the 2013 building platform approval. These trees will be re-planted towards the north-east of the proposed dwelling, as indicated on the attached landscape plan.

The driveway will include removal of approximately 3 Hawthorn, and formation of a culvert crossing within the road reserve. Sight distances are achieved in both directions at the new entrance. An electric gate will be installed and recessed at least two car lengths from the road boundary, to provide a safe off-road location for vehicles to pause whole the gates open.

Water is currently supplied from an existing bore supply on an adjoining property, and a covenant is registered on the title that ensures the supply of litres per day.

In-ground water tanks are shown on the landscape plan, in close proximity to a suitable hard-stand area for a fire appliance.

The applicant is also exploring the option of connecting to a reticulated supply that is being offered by a local water supply company. This option would provide reticulated water from an extension of the water main that extends partly down the western side of Slopehill Road. The timing of this supply extension is not confirmed.

For the purposes of this application, both supply options are proposed, with the reticulated supply being the preferred option. If on-site water storage is to occur, then all tanks will be underground.

Wastewater will be disposed to ground in accordance with earlier reporting that confirmed that ground conditions are appropriate.

The site is flat, and therefore only minimal earthworks are necessary to form the driveway and the platform. Any scraped material will be reused on the site in conjunction with landscape mounds. It is estimated that no more than 266m^3 of material will require excavation with a similar volume of fill. The total volume of earthworks is estimated to be 540m^3. The earthworks area is conservatively estimated at 3,800m^2, and predominantly involves scraping back the topsoil. Ther is no cut in excess of 0.5m except for the pool. All stripped areas will be re-grassed.

A landscape plan provides the necessary structural planting. The structural planting required to be established under RM120680 has been reviewed and has been generally achieved. This is demonstrated on plan reference SK01 in Appendix 6. The proposed landscape plan identifies all the existing structural tree planting, additional tree planting and tree planting that will be replaced.

SITE DESCRIPTION

The subject site is 99 Speargrass Flat Road, which is legally described as Lot 2 DP503601 and comprised in Record of Title (ROT) 758716.

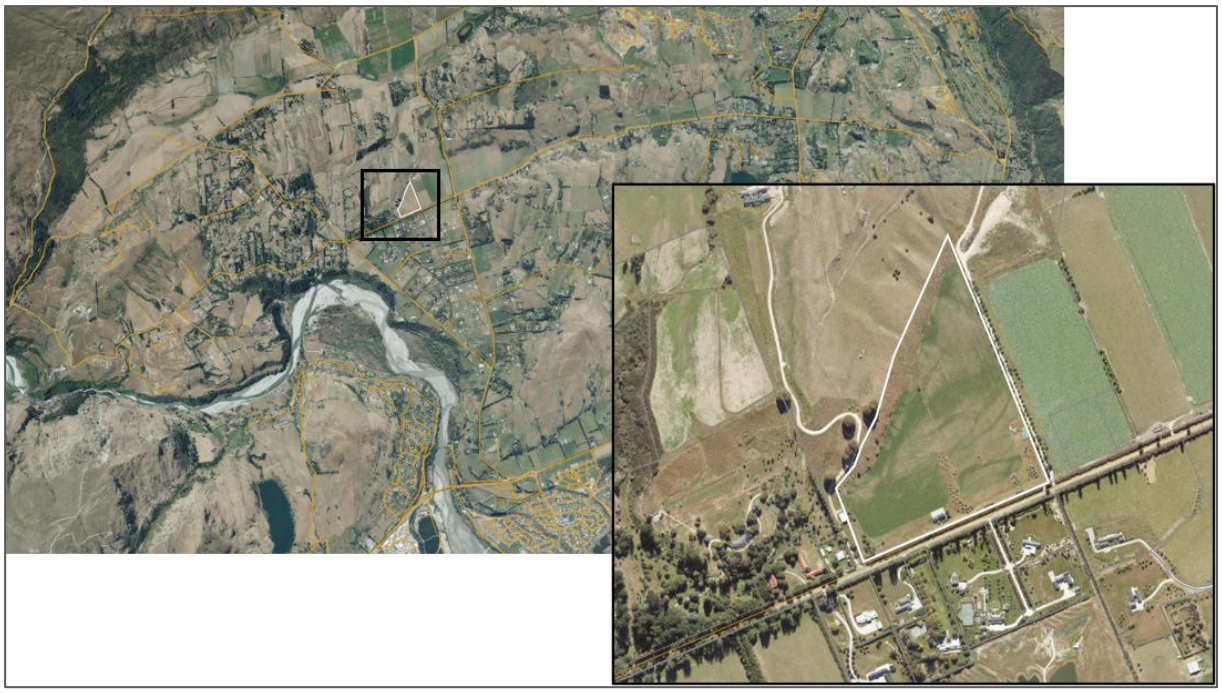


Figure 1 - Aerial Location of the Site

The site is located on the northern side of Speargrass Flat Road and extends across the flats and lower slopes of the feature known as the Malaghans Ridge or the Wharehuanui hills. This ridge is a glacial feature which has ice scoured cliffs on its northern side and soft moraine ridges running parallel to the ridgeline along its southern side. The site is an alluvial feature being a part of the outwash deposits of the Shotover River when Lake Wakatipu was higher than present.

The site is identified as being subject to both an alluvial fan and a landslide feature. Both matters have been previously assessed as not having any impact on that part of the site where building is proposed.

There are no streams or watercourses on the site, or in the vicinity of the site. The site is not included within the Lake Hayes catchment.

The northern property boundary of the site is located midway up the slope, and aligns with the sense of enclosure as the hill feature closes towards the Speargrass Flat Road boundary at the western end, which coincides with the boundary of the Landscape Character Unit.

A hawthorn hedge runs along the southern side of the site, and is growing within the road reserve (approximately 4.5m high). The balance of the site is mostly open pasture, with pockets of tree planting as required by previous resource consents. That planting is located within 115m of Speargrass Flat Road, and designed to provide the structural mitigation planting in anticipation of a dwelling.

There are currently two entrances to the site at the eastern and western ends. These entries will be retained as farm entrances only, whilst a new centrally located entry will be established.

There are clusters of recent plantings, undertaken in relation to previously granted resource consents (described further below) in the eastern half of the site.

A group of established willow are located close to the western boundary, in the vicinity of an old farm shed, which is now visible from the road after 20m of Hawthorn were removed by Aurora as part of lines maintenance.

A formed driveway extends parallel to the western site boundary, that provides access to 69 Speargrass Flat Road; being a 34-hectare property that occupies part of the plateau to the north of the site.

A small residential site is located to the west of the neighbour's driveway, with a dwelling and sheds located on it. Further to the west is a cluster of historic buildings set within a mature parkland (Thurlby Domain).

A single 40+ hectare landholding extends from the eastern boundary of the site to Hunter Road. The dwelling for that property is located on the plateau to the north and is accessed from a tree-lined driveway that runs parallel to the subject site.

The land to the south is the block referred to as the Hawthorn Triangle, an area of predominantly 1-hectare rural living lots. There is a Hawthorn hedge inter-planted with Lombardy poplars along this southern side of the road.

RECORD OF TITLE & INTERESTS

Reference	Interest	Description
5182	Building Line Restriction	Setback of 33 feet from the edge of Speargrass Flat Road
934499.1	Covenant	Convey Water
934499.2	Covenant	Water Supply Scheme
976307.2	Transfer	
976307.3	Covenant	Water Supply Scheme
981676.1	Transfer	
5026681.2	Transfer	
5617744.1	Easement	Electricity - in favour of Dunedin Electricity Ltd (Aurora)
9099816.1	Easement	Convey Water - Arrow Irrigation Company
10689709.3	Consent Notice	Building and landscaping
10689709.5	Easement	Telecommunications
10689709.6	Easement	Electricity
10689709.7	Easement	Water

Table 1 – Record of Title Interests

The Record of Title includes an electricity easement in favour of Aurora Energy that enables overhead powerlines to extend parallel to Speargrass Flat Road. A further electricity easement provides for an underground power supply to extend from a transformer that is located adjacent to the implement shed to the north, to supply the dwelling at 69 Speargrass Flat Road. A third easement provides for a private water pipe to traverse the site from 69 Speargrass Flat Road to103 Speargrass Flat Road.

CONSENTING BACKGROUND

RM010977 - Consent was granted 4 March 2002 for the construction of two buildings, a farm implement shed and shed to house livestock. The sheds were located approximately on the site of the current farm building application and closer to the neighbour's boundary. The application was processed on a non-notified basis.

RM030476 - Consent was granted 25 July 2003 for a subdivision by way of boundary adjustment. This consent relocated Lot 1 DP 25424 within Lot 4 DP 25520 to a position on the lower part of the site adjacent to Speargrass Flat Road, near the western boundary. The relocated lot was the same size as the original (7,826m^2). The decision for RM030476 considered that the small title was intended for residential activity that was being relocated. The application was processed on a non-notified basis. S223 was lodged but a survey plan was not deposited, and new titles were never issued.

RM081108 - an application was lodged to vary RM030476 to increase the lot size to 8.67ha and extend the life of that consent; however, the Council deemed that RM030476 had already lapsed.

RM100586 - Consent was granted 8 October 2010 for a farm building located 15m from the Speargrass Flat Road boundary. The shed was constructed in 2011 (Code Compliance Certificate issued May 2013). A hard stand area has been constructed to its north, and a few trees have been planted close to the building.

RM120680 - Consent was granted 10 July 2013 for a subdivision by way of a boundary adjustment and the identification of a 1,000m^2 (25m x 40m) rectangular residential building platform located 35m to the east of the implement shed and 30m from the road boundary. The building platform is surrounded by a 6,800m^2 'curtilage area' that the Consent Notice at clause (g) describes as containing "all elements of domestic curtilage (such as car parking areas, lawns, domestic landscape planting, outdoor storage areas, and clotheslines)".



Figure 2 – Aerial Overlay of Residential Building Platform and Curtilage Area

ZONING

The subject site is located entirely within the Wakatipu Basin Rural Amenity Zone. The Wakatipu Basin Lifestyle Precinct sub-zoning is located nearby on the slopes and plateau to the north of the site and contained within the Dalefield triangle to the south of Speargrass Flat Road.



Figure 3 - Zoning Map - Proposed District Plan

The planning maps recognise the mature Poplar trees that characterise the western end of Speargrass Flat Road in Chapter 32. Table 32.7 identifies the type and location of protected trees in the district. There are 114 listed Poplar's along this stretch of road; however, none of the listed trees are identified on frontage of the subject site.

The previous legal description for the subject site and the neighbouring site that formed part of this land to the north of Speargrass Flat Road was referenced Lot 1 DP25424 and Lot 4 DP25520. The Protected Tree schedule identifies there being 2 Poplar trees adjacent to Lot 4 DP25520. There is currently 1 tree adjacent to the eastern farm gate. This tree is not affected by this application and is not proposed to be removed.

Google Earth confirms that there has been only 1 Poplar tree on the frontage of this site as far back as 2004.



Figure 4 – Aerial View identifying Listed Poplar Trees

The Hawthorn hedgerow that extends across the frontage of the site, and along much of the frontage of properties on this section of Speargrass Flat Road is not scheduled in the District Plan.

A listed heritage building (#131) is located two properties to the west, approximately 300m from the proposed dwelling.

Landscape Character Unit 8

Schedule 24.8 of the Proposed District Plan identifies the landscape character units across the Wakatipu Basin; however, the boundaries of these units do not align with the zone and precinct boundaries.

The subject site is located entirely within Landscape Character Unit 8 and is situated towards the western end of that character unit. The unit extends for 6.5km from Thurlby Domain in the west as far as Bendemeer Station in the east and generally contains the Speargrass Flat valley. This valley feature is further contained by the almost constant presence of the Wharehuanui Hills to the north, whilst to the south, the topographical constraint is less consistent with the foothills of Slope Hill presenting about midway along the length of the unit.

The description notes that in the Central and Western portion of this LCU, it is the "maintenance of unobstructed rural views from Speargrass Flat Road to the largely undeveloped hillslopes and escarpment faces to the north and south" that are 'Environmental Characteristics and Visual Amenity Values to be Maintained or Enhanced'.

The building platform is located close behind the existing Hawthorn hedge that provides a visual foil to development behind. The slopes of the escarpment face to the north will remain in open pastoral usage.

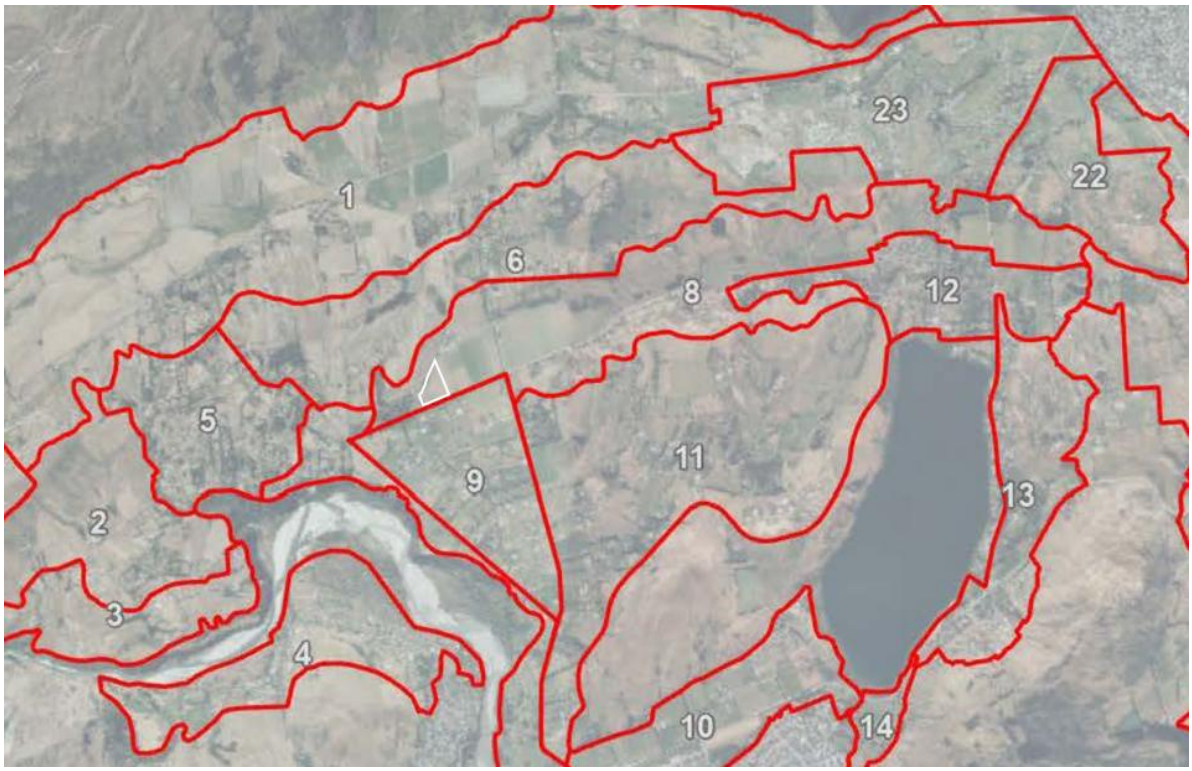


Figure 5 - Landscape Character Units (99 Speargrass Flat Road identified in white outline)

The Character Unit description has been reproduced in Appendix 9 and states that the capability to absorb additional development is 'Low'. In this case, development of the site to accommodate a residential unit is established by previous resource consent approval.

REQUIRED RESOURCE CONSENTS

Proposed District Plan
The purpose of the Wakatipu Basin Chapter is:

> *This chapter applies to the Wakatipu Basin Rural Amenity Zone (Rural Amenity Zone) and its sub-zone, the Wakatipu Basin Lifestyle Precinct (Precinct). The purpose of the Zone is to maintain or enhance the character and amenity of the Wakatipu Basin, while providing for rural living and other activities.*
>
> *The Rural Amenity Zone is applied to areas of the Wakatipu Basin which have either reached, or are nearing a threshold where further landscape modification arising from additional residential subdivision, use and development (including buildings) is not likely to maintain the Wakatipu Basin's landscape character and visual amenity values. There are some areas within the Rural Amenity Zone that have a landscape capacity rating to absorb additional development of Moderate, Moderate-High or High. In those areas limited and carefully located and designed additional residential subdivision and development is provided for while maintaining or enhancing landscape character and visual amenity values.*
>
> *…*
>
> *While the Rural Amenity Zone does not contain Outstanding Natural Features or Outstanding Natural Landscapes, it is a distinctive and high amenity value landscape located adjacent to, or nearby to, Outstanding Natural Features and Outstanding Natural Landscapes. There are no specific setback rules for development adjacent to Outstanding Natural Features or Outstanding Natural Landscapes. However, all buildings (except small farm buildings) and subdivision require resource consent to ensure that inappropriate buildings and/or subdivision does not occur adjacent to those features and landscapes.*
>
> *Escarpment, ridgeline and river cliff features are identified on the District Plan web mapping application. Buildings proposed within the prescribed setback of these features require assessment to ensure the values of these landscape features are maintained.*
>
> *Integral to the management of the Rural Amenity Zone and Precinct is Schedule 24.8, which defines 24 Landscape Character Units. These Landscape Character Units are a tool that assists with the identification of the Basin's landscape character and visual amenity values that are to be maintained and enhanced.*

A 1,000m^2 rectangular building platform is registered in the Record of Title.

The applicant has elected to locate their preferred house design approximately 20m to the north-east of that platform, and to design a dwelling that has a larger footprint than the Consent Notice provides for.

A Discretionary application could be made to re-shape and reposition the building platform, and subsequent Controlled application made for the dwelling.

In this case, in the interests of transparency and administrative efficiency, a Non-Complying application is made to amend the shape and position of the building platform together with the preferred building design.

Whilst this approach triggers a higher consenting standard, it does provide the consent authority with the actual dwelling and landscape design, rather than only assessing a future potential dwelling defined by profile poles.

Chapter 24 – Wakatipu Basin
Non-Complying consent (rule 24.4.7) is required to locate the proposed dwelling to the north-east of the existing building platform that is registered on the Record of Title.

Restricted Discretionary consent (rule 24.5.6) is required to exceed the 500m^2 building footprint rule.

The relevant standards in Table 24.2 are summarised below

Chapter 24 – Wakatipu Basin		
24.5.4	**Building Material and Colours** Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following: All exterior surfaces* must be coloured in the range of browns, greens or greys including; 24.5.4.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and 24.5.4.2 All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%. * Excludes soffits, windows and skylights (but not glass balustrades). ** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.	Walls will have a maximum reflectance value of 30%. Roof will have a reflectance value of less than 20%. Complies. Complies.
24.5.5	**Building Ground Floor Area** Where a residential building is constructed within a building platform under Rule 24.4.5, the ground floor area of all buildings must not exceed 500m^2.	N/A
24.5.6	**Building Coverage** The building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m^2, whichever is the lesser.	Building coverage is 0.01%, however footprint is 1,088m^2 and therefore exceeds rule. Restricted Discretionary consent required.
24.5.7	**Setback from Internal Boundaries** The minimum setback of any building from internal boundaries shall be 10m, except where Rule 24.5.7.2 applies.	Building is at least 68m from the eastern boundary. Complies.
24.5.8.1	**Height of Buildings** The maximum height of buildings shall be 6.5m.	Building is no more than 4.3m above ground level. Complies.
24.5.9	**Setback from Roads** The minimum setback of any building from any road boundary (other than an unformed road or as specified in Rule 24.5.9.4) shall be 75m in the Precinct and 20m in the Rural Amenity Zone	Building is at least 21m from Speargrass Flat Road. Complies.
24.5.17	**Glare** a. All fixed exterior lighting shall be directed away from adjacent roads and sites. b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site. c. There shall be no upward light spill.	No outdoor lighting is proposed as part of this application. Complies. Complies.
24.5.19	**Firefighting water and access** New buildings for residential activities where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting must have one of the following:	

	Either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or Water supply and access for firefighting that meets the following requirements: a. Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings; b. A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20-tonne fire service vehicle; c. The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events; d. Access from the property road boundary to the hardstand area capable of accommodating a 20-tonne fire service vehicle.	Water storage of 45,000l will be maintained for static firefighting purposes. The driveway performs the function of the hardstand area. The firefighting connection point is within 90m of the building and will remain accessible. Access from Speargrass Flat Road will be formed and capable of accommodating a 20-tonne vehicle, in accordance with Table 3.1 of the QLDC Land Development and Subdivision code of Practice.

Table 2 – QLDC, PDP, Chapter 24, Table 24.2

Chapter 25 - Earthworks		
25.5.4	Maximum Volume Wakatipu Basin - 400m^3 per annum	Complies 400m^3 proposed
25.5.11	Maximum Area 10,000m^2 where site is less than 10° of slope	Complies 4,000m^2 proposed
25.5.15	Height of Cut - 2.4m	Complies
25.5.16	Height of Fill – 2m	Complies
25.5.21	Transport of Fill by road – 300m^3	Complies

Table 3 – QLDC, PDP, Chapter 25

Resource Management Act – Section 127

Discretionary consent is required under Section 221(3) of the Resource Management Act 1991 for change to the conditions of Consent Notice 10689709.3, as set out in Table 3 below.

Those Consent Notice conditions marked * in Table 3 require change or updating to reflect the proposed plans, which includes:

a. A change to the shape and position of the building platform
f. (I)(c) Exemption to enable chimneys to breach 5.5m height
f.(II) A change to the footprint of the building and coverage within the building platform
g. An updated curtilage area and landscape plan
h. An updated curtilage area and landscape plan

.Condition		Comment
a.	Any dwelling and any building accessory to a dwelling on Lot 2 shall be contained within the residential building platform shown on the survey plan.	*The platform is to be re-shaped and moved approximately 20m to the east. The condition does not require any change.
b.	The finished floor level of any dwelling on the residential building platform on Lot 2 shall be at least 200mm above the existing ground level to provide additional security against the passage of overland sheet flow (floods) originating from the alluvial fan slopes above the site in heavy rainfall events.	No change required
c.	At the time a dwelling is erected on Lot 2, the owner for the time being shall engage a suitably experienced person as defined in sections 3.3 & 3.4 of AS/NZS 1547:2012 to design an onsite effluent disposal system in compliance with AS/NZS 1547:2012. The design shall take into account the site and soils investigation report and recommendations by Southern Monitoring Services Ltd, dated 18 October 2012. The proposed wastewater system shall be subject to the review of the Principal Resource Management Engineer at the Queenstown Lakes District Council prior to implementation and shall be installed prior to occupation of the dwelling.	No change required
d.	The drinking water supply is to be monitored for compliance with the Drinking Water Standard for New Zealand 2005 (revised 2008) …..	No change required Note that this condition will no longer apply if a reticulated water supply is established.
e.	At the time a dwelling is erected on Lot 2, domestic water and firefighting storage is to be provided. A minimum of 20,000 litres shall be maintained at all times as a static firefighting reserve within a 30,000-litre tank. Alternatively, a 7,000-litre firefighting reserve is to be provided for the dwelling in association with a domestic sprinkler system installed to an approved standard. A firefighting connection in accordance with Appendix B - SNZ PAS 4509:2008 is to be located no further than 90 metres, but no closer than 6 metres, from any proposed building on Lot 2. Where pressure at the connection point/coupling is less than lO0kPa (a suction source - see Appendix B, SNZ PAS 4509:2008 section B2), a 100mm Suction Coupling (Female) complying with NZS 4505, is to be provided. Where pressure at the connection point/coupling is greater than lO0kPa (a flooded source - see Appendix B, SNZ PAS 4509:2008 section B3)…..	No change required, however additional storage will be provided in accordance with rule 24.5.19.

f.	The following building design controls shall apply to any building on the residential building platform on Lot 2:	
	I. Roof pitches and heights shall comply with the following	
	a. The maximum height of any building within the building platform shall be 7.0 metres above existing ground level, when roof pitches are between 25 and 40 degrees.	N/A
	b. Where roof pitches are as above, 20% of the building may have flat (OS degrees) roofs, to be used as connections between gabled forms.	N/A
	c. Where 'mono-pitch' roofs are included, the building height shall be restricted to 5.5 metres above existing ground level.	A mono-pitch roof is proposed, and the building height does not exceed 4.3m. Chimney exemptions required.
	II. The maximum building footprint within the residential building platform is limited to 60% of the area of the building platform (ie. 600m2).	The building footprint is 1,180m^2. Cancellation of this clause is sought.
	Ill. All structures including dwellings, accessory buildings and water tanks shall conform to the following building design controls:	
	a. Roof claddings to be in steel (corrugated or tray), slate (natural or imitation}, natural grass and/or membrane.	The roof cladding is concrete, with a dark coloured membrane.
	b. Roof colours to be in recessive colours in greys or black with a light reflectivity less than 20%.	Roof reflectivity value will be no more than 20%.
	c. Wall colours to be in a recessive colour with a light reflectivity of less than 36%; to be within the tones of greys and browns, or in natural timber left to weather.	Wall reflectivity will be no more than 30%.
	d. Wall cladding to be in timber, smooth plaster, stone (local schist), concrete or corrugated steel (to complement roof colours where both exist). Wall claddings are to be continuous in one cladding from ground or roof. None of the following shall be incorporated into the exterior of any building: • Fibre cement weatherboards, sidings and roofing (excluding 'Linea' weatherboards). • Uncoated fibre material. • PVC sidings • Unpainted concrete masonry. • Metal weatherboards. • Compressed fibre mineral weatherboards. • Metal or asphalt based, aggregate covered tiles or shingles.	Wall cladding will be a combination of timber and stone.
	e. All glazing in the building shall be restricted to systems with a reflected visible light of less than or equal to 8%.	Glazing will comply with this standard.
	IV All exterior lighting associated with any dwelling shall be fixed no higher than 2.0 metres above finished ground level and shall be capped, filtered or pointed downwards so as to reduce or avoid visibility from any point off-site of light sources and to minimise visibility of its areas.	No exterior lighting is proposed.
	V. Exterior joinery shall be in timber, steel or aluminium. Joinery colours (excepting timbers) shall match roofing, gutter and spouting colours.	Exterior joinery will be aluminium and dark coloured to match roof membrane.

g.	All elements of domestic curtilage (such as car parking areas, lawns, domestic landscape planting, outdoor storage areas, and clotheslines) on Lot 2 shall be contained within the curtilage area identified on the plan entitled Kampman, Speargrass - Tree Planting Plan being plan 9526-SK4 dated 5 July 2013.	The accessory domestic elements will be contained with a curtilage area. *The shape and location of that curtilage area is modified to reflect the amended building platform. *An updated landscape plan is included with the application.
h.	No driveway lighting is permitted; and no exterior lighting on Lot 2 for landscape purposes shall be permitted more than 10 metres from the dwelling within the curtilage area or outside the curtilage area that is identified on the plan entitled Kampman, Speargrass - Tree Planting Plan being plan 9526-SK4 dated 5 July 2013 prepared by Baxter Design Group Limited.	No driveway lighting or exterior lighting more than 1m from the house is proposed. *The curtilage area is proposed to be modified to reflect the amended building platform.
i.	No fencing shall be permitted (including boundary fencing on Lot 2) other than fences of a traditional farming type being post and wire (including deer fencing).	No new fencing is proposed.
j.	Any entrance gates shall be designed to fit in with the rural setting.	Proposed entry feature is consistent with this 'rural setting'.
k.	All electricity and telecommunication lines to serve any building on the residential building platform on Lot 2 shall be underground.	All power supplies, including the Aurora line that extends parallel to the Speargrass Flat Road, in the northern side of the Hawthorn hedge shall be underground.
l.	The driveway to serve any building on the residential building platform on Lot 2 shall not have kerb and channel and shall be constructed of gravel (except where engineering constraints require alternative treatment).	The driveway is a 4m wide gravel surface with no kerb or channel.
m.	The owner of Lot 2 shall establish and maintain (and irrigate as required) all plantings shown on the plan entitled Kampman, Speargrass - Tree Planting Plan being plan 9526-SK4 dated 5 July 2013 prepared by the Baxter Design Group Limited in accordance with the species, number of plants and grade specified in the Planting Schedule on that plan. Such plantings shall occur prior to the construction of a dwelling on the residential building platform on Lot 2 and such plantings shall be protected from grazing animals if required. Should any tree or shrub planted in accordance with the Tree Planting Plan die or became diseased it shall be replaced within the next available planting season.	The initial landscape plan has been implemented. A review of the planting has been undertaken (refer Appendix 6), and an updated plan is provided identifying those differences, and additional planting proposed in conjunction with the particular house design.

Table 4 – Consent Notice 10689709.3

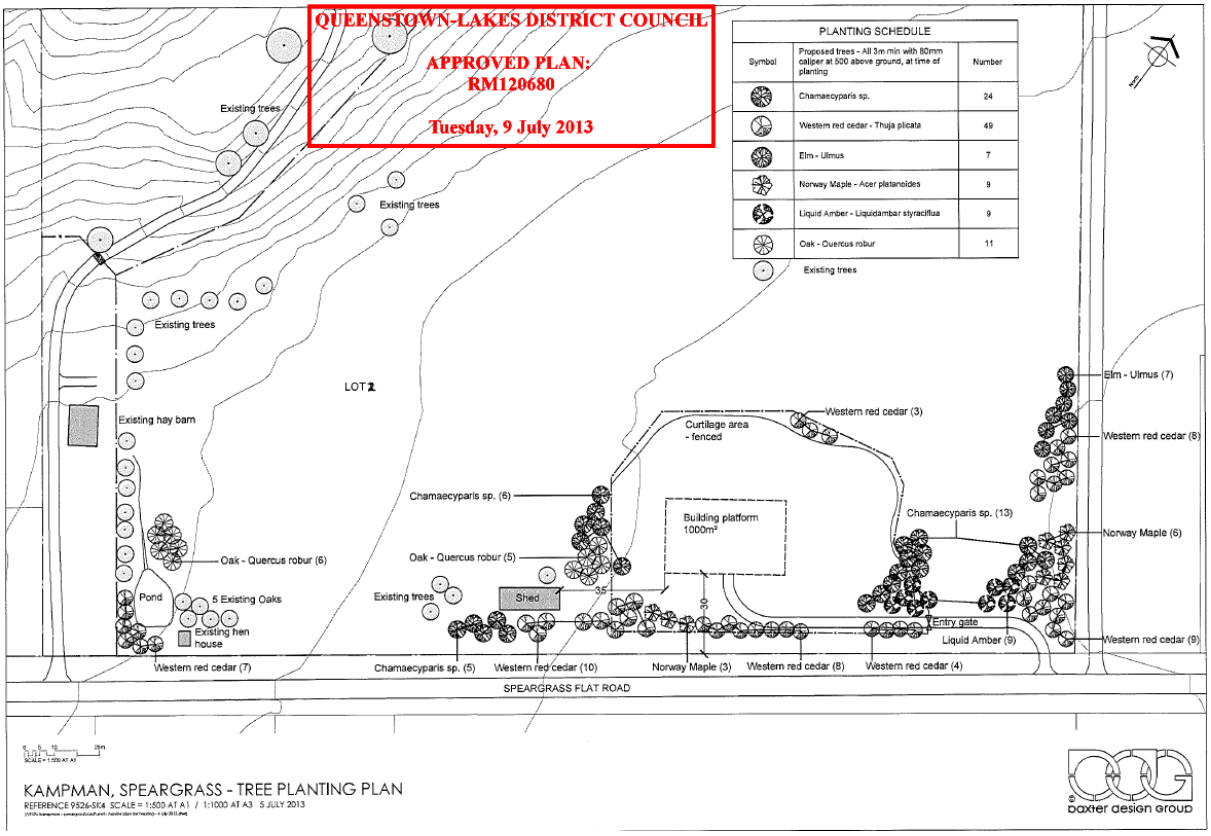


Figure 6 – Baxter Design Group Plan Referenced in Consent Notice 10689709.3

Activity Status Summary

Overall, the activity status for the proposed activity is Non-Complying.

CONSIDERATIONS

Sections 104, 104B, and 104D and set out the relevant assessment matters for resource consent applications carrying the non-complying activity status:

104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to Part 2, have regard to–
- (a) any actual or potential effects on the environment of allowing the activity; and
- (b) any relevant provisions of—
  - (i) a national environmental standard:
  - (ii) other regulations:
  - (iii) a national policy statement:
  - (iv) a New Zealand coastal policy statement:
  - (v) a regional policy statement or proposed regional policy statement:
  - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

104B Determination of applications for discretionary or non-complying activities

After considering an application for a resource consent for a discretionary activity or non-complying activity, a consent authority -
- (a) may grant or refuse the application; and
- (b) if it grants the application, may impose conditions under section 108.

104D Particular restrictions for non-complying activities

(1) Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either
- (a) The adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
- (b) The application is for an activity that will not be contrary to the objectives and policies of –
  - (i) The relevant plan, if there is a plan but no proposes plan in respect of the activity; or
  - (ii) The relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
  - (iii) Both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

221 Territorial authority to issue a consent notice

(1) Where a subdivision consent is granted subject to a condition to be complied with on a continuing basis by the subdividing owner and subsequent owners after the deposit of a survey plan (not being a condition in respect of which a bond is required to be entered into by the subdividing owner, or a completion certificate is capable of being or has been issued), the territorial authority shall, for the purposes of section 224, issue a consent notice specifying any such condition.

(2) Every consent notice must be signed by a person authorised by the territorial authority to sign consent notices.

(3) <u>At any time after the deposit of the survey plan,</u>
- <u>(a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice</u>:
- (b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition.

(3A) Sections 88 to 121 and 127(4) to 132 apply, with all necessary modifications, in relation to an application made or review conducted under subsection (3).

(4) Every consent notice shall be deemed—
- (a) to be an instrument creating an interest in the land within the meaning of section 51 of the Land Transfer Act 2017, and may be registered accordingly; and

(b) to be a covenant running with the land when registered under the Land Transfer Act 2017, and shall, notwithstanding anything to the contrary in section 103 of the Land Transfer Act 2017, bind all subsequent owners of the land.

(5) Where a consent notice has been registered under the Land Transfer Act 2017 and any condition in that notice has been varied or cancelled after an application or review under subsection (3) or has expired, the Registrar-General of Land shall, if he or she is satisfied that any condition in that notice has been so varied or cancelled or has expired, make an entry in the register and on any relevant instrument of title noting that the consent notice has been varied or cancelled or has expired, and the condition in the consent notice shall take effect as so varied or cease to have any effect, as the case may be.

ASSESSMENT

General

Taking into account effects that must or may be disregarded, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor, in accordance with the following relevant schedule 4 matters .

- Landscape and Amenity effects
- Ecological effects
- Earthworks effects
- Infrastructure and Servicing effects
- Natural Hazard effects
- Cultural effects
- Neighbour effects

This assessment is framed around the basis that:

- The proposal will not adversely affect ecosystems.
- The proposal will not adversely affect the exercise of any protected customary right.
- The scale and significance of the activity's effects are mitigated through the use of design controls and landscaping.
- The proposal does not include the use of hazardous installations. Accordingly, it will not increase any risk to the neighbourhood, the wider community, or the environment through hazardous installations.
- The proposal will not result in any significant adverse effect on the environment (so a description of any possible alternative locations or methods for undertaking the activity has not been provided).
- The physical effect on the locality, including any landscape and visual effects are mitigated through the utilisation of the existing site context, the suitability of the existing platform location and the proposed low-impact building design. Accordingly, the activity will not result in any adverse effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations. It is therefore also considered the proposal will not have any adverse effect on people in the surrounding area.
- The Matters of Discretion and the Assessment Matters at 24.7 include a range of considerations that are relevant to assessing this application.

Landscape and Amenity Effects

The Speargrass Flat Landscape Character Unit (#8) informs the following assessment of landscape and visual amenity effects.

The key landscape elements of the site and the surrounds include:

- The Speargrass Flat Road valley floor that extends for approximately 6.5km, with the subject site located close to the western end of that feature.

- The sense of physical enclosure as the Wharehuanui hill feature encloses to the north of the site, with that terminating ridgeline generally following the northern property boundary.

- The presence of mature roadside vegetation along the northern side of the road that screens or heavily filters views of the relatively open pastoral located behind.

- The elevated southern faces of the Wharehuanui hillslopes, that are for the most part retained in open pasture, and which remains visible at distance from the eastern end of the Speargrass Flat valley.

- The lineal planting patterns within both the public and private realm, with the established presence of shelterbelts that line both sides of the Speargrass Flat and Hunter Roads, as well as internal rows of trees that adjoin driveways or define paddocks. This lineal planting often breaks up the open space patterning at regular intervals.

- The occasional presence of residential buildings along the northern side of Speargrass Flat Roasd, including several undeveloped rural living sites and building platforms, including the subject site and the land to the east.

- The more intense rural living character on the southern side of Speargrass Flat Road.

- At street level, the mostly open and undeveloped sequence of paddocks and hillslopes is more obviously enclosed by the presence of roadside vegetation and lineal rows of shelter and amenity plantings, that extend perpendicular to the road.

The key amenity values[ii] that relate to the subject site and surrounds are:

- Predominantly rural living environment that is characterised by low ambient noise levels
- Relatively low levels of traffic movements along Speargrass Flat Road
- A high degree of privacy amongst local residents due to generous building setbacks and mature dense boundary vegetation
- A moderate degree of recreational opportunities that includes regular bicycle movements along Speargrass Flat Road, and the internal trail network of the Hawthorn Triangle
- Almost panoramic uninterrupted views to the mountain ranges that surround the Wakatipu Basin

<u>Building Size</u>
There are two related controls in relation to building size that apply to this site.

First, the Consent Notice[iii] provides for a dwelling with a footprint of up to 600m^2 and up to 7m high to be constructed.

Those parameters would enable a two-level building to be constructed with a floor area in the vicinity of 1,200m^2. There is no explanation in the earlier application why a limit of 600m^2 was proposed.

Second, the District Plan rules include a Restricted Discretionary threshold[iv] for dwellings in the Wakatipu Basin where they exceed a footprint of 500m^2 together with a graduated height limit[v] of 6.5m and 8m above ground level.

The purpose of the footprint threshold is to trigger an assessment of two matters:
- Building scale and form; and
- Visual prominence from both public and private places.

These two matters are assessed in more detail in the following section.

[ii] Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes

[iii] 10689709.3

[iv] QLDC, PDP Rule 24.5.6

[v] QLDC, PDP Rule 24.5.8

It is noted that there is no upper limit on the footprint of a dwelling in the Wakatipu Basin, unless otherwise constrained by a building platform. The only rule threshold is where the footprint of a building passes 500m^2.

The subject site comprises 8.95 hectares, and the proposed building elements will result in less than 0.015% building coverage.

Building scale and form are interrelated considerations. In this case the proposed dwelling is broken into a series of pavilions and associated small stand-alone and inter-connected elements that have the visual effect of breaking down the scale of the building into a series of distinguishable elements.

The proposed dwelling has a ground floor area of 772m^2, and contains two principal building forms (the 'living wing' and the 'bedroom wing'). These two wings are 8m apart; connected by a 2.48m wide enclosed walkway.

The other building elements are the garage, the gym/ guest room building, the veranda and the pool.

> The 90m^2 garage is connected to the 'bedroom wing' by a portico (59m^2). The portico provides an appropriate expectation of weather protection for the owners whilst moving between the garage and the house.
>
> The 56m^2 gym/ guest room is located to the north-east of the 'living wing'.
>
> A generous veranda (271m^2) extends along the northern side of the 'living wing' to provide shelter from the sun.
>
> The in-ground pool is located in the elbow of the 'living wing' and the gym/ guest room, providing shelter from the prevailing westerly and southerly winds. The pool area is included in the revised building platform, as it is defined as an 'accessory building' in the PDP.
>
> All of the buildings are single level and 70% of the dwelling (and 84% of all buildings) is no more than 3.9m above ground level.

These associated building elements contribute to the positive visual effect of clustering associated buildings together, and generally containing them within the existing structural tree planting pattern.

The size of the proposed dwelling is considered appropriate in this setting

Platform Position

The amended position of the building platform has no discernible effect. The property is flat and most of the required structural planting is already established to varying degrees. Some of this planting will be removed and re-established elsewhere, as indicated on the proposed landscape plans (Appendix 6). Given the age of this planting (circa 10 years) and that over 100 trees are in the ground, it is appropriate to plant new trees rather than necessarily relocate any of these trees. None of these trees have reached any significant stature that requires their preservation.

Platform Shape and Size

The shape of the platform follows the arrangement of the proposed buildings, including covered areas and the swimming pool.

The initial building platform decision (RM120680) provided for a rectangular shaped platform, in the absence of any building design. That is typical where the anticipated land use consent for the dwelling has not been defined.

It is appropriate that a building platform be adjusted to suit the footprint of an actual building design.

Visual Amenity

The visual amenity values include the degree of visibility from public and to a lesser degree private places.

From a public view perspective, the site is only visible from Speargrass Flat Road and from Hunter Road.

Any elevated view from Coronet Peak is not considered relevant as that is over 5km away.

Speargrass Flat Road
The adjacent Speargrass Flat Road frontage is already planted with a mature Hawthorn hedge row. The proposed landscape plan includes an internal parallel row of Portuguese Laurel hedgerow that will provide a year-round (ever-green) screening from adjacent views from the road.

More distant approach views from Speargrass Flat Road, approaching from the west (ie. from the intersection with Littles Road) is characterised by a series of mature Poplar trees along both sides of the road, with views through to the parkland setting of Thurlby Domain and glimpses of heritage buildings. Closer to the western end of the site, there are views available into the western part of the site as a result of recent clearance of a group of Hawthorn by Aurora Energy. These Hawthorn will be replaced, and the limitation of views into the site reinstated.

Approaching from the eastern end of Speargrass Flat Road, from the intersection with Lower Shotover and Hunter Roads, the views towards the site are restricted as a result of distance and vegetation. At the intersection, facing towards the west, the proposed dwelling is located almost directly behind the visible end of the Hawthorn hedgerow – and separated by approximately 525m.

Hunter Road
The view towards the site from Hunter Road is only an oblique view, at a distance of at least 500m (increasing to 670m).

Descending Hunter Road in a southerly direction, the view towards the subject site from the elevated part of that road is screened by dense roadside vegetation and screening. As the road descends towards Lower Shotover Road, the alignment and camber of the road curves towards the east, whilst maintaining a dense vegetation screen towards the west. As Hunter Road reaches the valley floor, the road re-aligns slightly towards the intersection of Lower Shotover and Speargrass Flat Roads. At that transition point, a double row of Oak trees extends along the western side of Hunter Road. These trees were planted in 2003 and are approximately 9m high. The proposed dwelling is located 670m from that transition point at the toe of Hunter Road. Beyond the double row of roadside Oak trees are two additional rows of trees that extend across the flat paddocks (parallel to Hunter Road).

Occasional glimpses of the existing farm shed are available between the road-side Oak trees; however these views are increasingly constrained as the rows of trees on neighbouring land matures, and similarly as the structural planting within the subject site also matures.

Proposed Planting
A landscape plan (Appendix 6) is included that retains as much existing structural planting as possible, while adding additional tree species.

A new entry is proposed to be formed, at a position centrally located on the site frontage that will extend perpendicular to the road. The existing entries at the eastern and western ends of the site will be retained for farming purposes. The new entry will include a new culvert crossing and a 4m wide gap in the Hawthorn hedge. The entry surrounds will include stone-walled surrounds and a recessed gate. The driveway will be tree-lined.

The landscape plan identifies that several groups of existing trees will be removed, and replaced in a new tree cluster towards the north-east of the proposed dwelling, to provide suitable mitigation from the Hunter Road perspective, and to mitigate the visual effect of traffic passing along the neighbouring driveway to the east.

The landscape plan identifies the new building platform and associated curtilage area that has been re-shaped to fit around the amended dwelling location. The Consent Notice provides that the curtilage area is intended for "All elements of domestic curtilage (such as car parking areas, lawns, domestic landscape planting, outdoor storage areas, and clotheslines)".

Landscape and Visual Amenity Conclusion

The proposal upholds the decision of RM120680 insofar as a single residential building platform and surrounding curtilage area are provided for on the site. The amended locaiton20m north-east of the registered building platform results in built form further back from the road and will not increase dominance or prominence from either adjoining private properties or from any public aspect. Although the building has a bigger footprint that then 600m2 approved by the Consent Notice, the effects will not be discernible from any public place, and mitigated by design and landscaping from any private perspectives.

The Speargrass Flat Landscape Character Unit describes this area as generally having a low capability for absorbing additonal development, noting that this statement in the PDP was prepared at least 8 years after the Consent Notice was registered on the Record of Title. It is therefore logical to assume that the capability statement already accounts for a residential unit on this property.

The combination of a series of low-level buildings with a dark membrane roof and a range of compliant cladding materials will ensure that the dwelling will have less than minor effects on visual amenity.

The proposed landscape plan includes the existing and additional structural landscaping less

Ecological Effects
The subject site has been continually grazed for more than 75 years[vi] and there are no water courses nor any natural features, habitats nor stands of native vegetation. The construction of a dwelling will not result in any adverse ecological effects.

Earthworks Effects
The earthworks will involve stripping the land to enable construction of a new driveway and construct building foundations and undertake associated works in the curtilage area.

The site is flat and only minimal amounts of work will be needed to implement the consent.

The earthworks plan demonstrates that very minor volumes of earthworks are required. A separate consent may be required from the Regional Council due to the area of earthworks. A site management plan is not necessary due to the minor nature of the works proposed. All stripped areas that are not built upon will be re-grassed. Water sprinklers will be used to minimise dust during construction to avoid any dust effects for the construction crew.

The effects arising from earthworks is considered to less than minor.

Infrastructure and Servicing Effects
Infrastructure services for the proposed dwelling are appropriately addressed through previous reporting (refer to Appendix 7).

Ground conditions are suitable for wastewater and stormwater disposal without any adverse effects.

Water is required for residential activities (potable water) and irrigating the proposed areas of planting while the trees are becoming established. On-going irrigation is necessary for the balance of the property if farming activity occurs.

The subject site may be connected to the Council reticulated water supply in the future, subject to a separate project being undertaken on behalf of the Council by a private water supply company. The timing of that network extension is uncertain, so in the meantime, existing water permits will be used to supply potable and irrigation water.

The applicant holds Otago Regional Council water permit 2006.344 for extraction of groundwater for domestic supply not exceeding 16.8 cubic metres per day (16,800L per day), attached as Appendix 12. Covenant 976307.3 attached to the title entitles the applicant (Appendix 3), as the Covenantor for 'Schedule A' land, to connect any one or more lots of Schedule A land to the domestic water supply, including any allotment created by subdivision.

[vi] https://files.interpret.co.nz/Retrolens/Imagery/SN1219/Crown_1219_2823_13/High.jpg

Domestic water supply is currently reticulated to the site via a tank further up the hill which allows for gravity feed to the existing platform on the upper terrace.

If on-site storage is used, then all water tanks will be buried.

The site is currently supplied with power and telephone connections that were installed as part of implementing the subdivision decision (RM120680). The applicant will separately underground the overhead power supply that extends along the northern side of the Hawthorn hedge, parallel to Speargrass Flat Road.

The effects of establishing, operating and maintaining appropriate 3 water and utility services for this proposed dwelling are less than minor.

Natural Hazard Effects
The site is identified on the Natural Hazard overlays on the QLDC GIS mapping system.

The previous resource consent application that established the building platform included a detailed assessment of the effect of natural hazards and deemed the site to be appropriately located away from any potential alluvial fan effects.

The proposed building platform is not located where future residential activity will be exposed to any greater risk of natural hazard risk effect.

The report included at Appendix 8 was prepared in respect of the previous building platform application, and includes additional correspondence dated 9 May and 28 June 2013, which respond to matters raised by Council staff at that time.

Given the small degree of change in platform position, and the fact that the geotechnical conditions have not changed – it is appropriate to rely upon the conclusions of that earlier (2013) report.

The report confirm that the building platform will not be subject alluvial fan effects nor will it be impacted by liquefaction. The effects relating to natural hazards is less than minor.

Cultural Effects
The subject site is not overlaid by any cultural notation in the PDP and effects associated with the proposed dwelling will be less than minor with no persons adversely affected.

Neighbour Effects
The property has neighbouring properties to the east and west.

The dwellings on both adjoining properties (69 and 103 Speargrass Flat Road) are set on the upper plateau, over 600m from Speargrass Flat Road. Both dwellings are set amongst the hummocks of the plateau, such that there is no inter-visibility between the subject dwelling and these respective dwellings. The only visibility that occurs is where those residents travel along their respective driveways.

The neighbouring property to the east includes the flat paddocks that adjoin Speargrass Flat and Hunter Roads. This property is characterised by three parallel lineal rows of trees, including Oak trees that adjoin and extend parallel to Hunter Road, a row of deciduous trees that bisect the lower paddock, and a double row of Oak trees that line the driveway at the western end of the property. These rows of trees provide a moderate to high degree of visual screening from Hunter Road, which is at least 500m from the proposed dwelling.

The driveway that provides access to the dwelling at 103 Speargrass Flat Road extends close to the eastern boundary of the subject site. As noted earlier, that driveway is tree-lined. A dwelling on the subject property, whether within the initial or proposed building platform will be visible for a short duration as those residents leave their property. The existing planting within #103, and the additional planting identified on the proposed landscape plan (Appendix 6) will ensure that privacy is maintained between both properties.

Access to the dwelling at 69 Speargrass Flat Road extends along the western boundary of the subject site. As the driveway climbs to the plateau, the driveway traverses the north-west boundary of the subject site, at a distance of approximately 210m. As residents depart # 69, they will have visibility of the proposed dwelling. It is an elevated view, so that they will predominantly being viewing the roof and north-west elevation of the proposed dwelling, through various copses of tree plantings

As noted above, the degree of visibility of the dwelling will be the same from that elevated perspective will be very similar regardless of where the platform is located.

The neighbouring land to the south, located on the opposite side of Speargrass Flat Road comprises a rural living environment with an average lot size of 1 hectare (Hathorn Triangle). These properties are all set behind a continuous roadside planted Hawthorn hedge, interspersed with protected Poplar trees. There is minimal visibility between these properties and the subject site. The closest house at 92 Speargrass Flat Road is separated from the proposed dwelling by approximately 100m.

Given the separation distance between dwellings and the existing and proposed visual screening, the effects on neighbours are considered to be less than minor.

Assessment Matter 24.7.5 relates to Restricted Discretionary activity applications for new buildings, farm buildings, and residential flats, as well as infringements of the building height, coverage, size, materials and colours standards. This Assessment Matter provides guidance regarding assessment of the built form in the WBRAZ, and for completeness is reproduced in Table 4 below.

Assessment Matter 24.7.5			
a.	The extent to which the building, ancillary elements and landscaping maintains or enhances the Basin's landscape including in responding to the identified values set out in Schedule 24.8 – Landscape Character Units and the following assessment matters.		
	i	building height	The proposed building is less than the either the District Plan (6.5m) or Consent Notice (7m) height limits.
	ii	building colours and materials	The colours and materials comply with both the District Plan and Consent Notice requirements
	iii	building coverage	The building will occupy 0.01% of the site area
	iv	design, size and location of accessory buildings	The accessory buildings comprise the garage and gym/ guest room. Both building have been designed comprehensively, and included within the amended building platform.
	v	the design and location of landform modification, retaining, fencing, gates, vehicle access (including paving materials), external lighting, domestic infrastructure (including water tanks)	Minimal landform modification is required. Rabbit proof fencing of the proposed curtilage area will occur. A new vehicle access is proposed to be centrally located, and will be gravel. No external lighting is proposed. All water tanks will be buried.
	vi	the retention of existing vegetation and landform patterns, and proposed new planting	Existing structural planting will be predominantly retained. Some existing trees need to be removed to provide for the alternative platform and driveway position. Additonal tree planting is proposed to increase the overall number of trees.

	vii	earth mounding and framework planting to integrate buildings and vehicle access	Framework or structural planting is to be retained, or additional replacement planting proposed. No earth mounding is proposed.
	viii	planting of appropriate species that are suited to the general area including riparian restoration planting	Planting species are included on the proposed landscape plans, and are consistent with the earlier approved structural planting plana for this site. No riparian planting is proposed.
	ix	the retirement of steep slopes over 15° and restoration planting to promote slope stabilisation and indigenous vegetation enhancement;	The steep slopes to the north of the site will be retained in pasture.
	x	the integration of existing and provision for new public walkways and cycleways/bridlepaths	No new walkways are proposed.
b.		The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development.	The Consent Notice wis proposed to be amended to reflect the changes proposed by this application.
c.		The extent to which the development maintains visual amenity in the landscape, particularly from public places.	The proposed dwelling will retain visual amenity values, particularly from public places
d.		In the case of multiple buildings or residential units not otherwise addressed as part of a previous subdivision, the extent to which a sense of spaciousness is maintained, and whether the buildings are integrated with existing landform, vegetation or settlement patterns.	N/A
e.		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.	N/A
f.		Where the site adjoins an ONF or ONL, the extent to which the development affects the values of that ONF or ONL.	N/A
g.		Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.	Most of the structural planting is already established. A bond is not necessary. The implementation and on-going management of the landscaping is a conditional requirement of the consent Notice.
h.		The merit of the removal of wilding exotic trees at the time of development.	N/A
i.		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.	There is no need for an open space covenant to be provided.

Table 5 – Assessment Matter 24.7.5

Summary of Environmental Effects

The proposed development is considered to have overall less than minor effect with no persons adversely affected.

OBJECTIVES AND POLICY ASSESSMENT

Proposed District Plan
The objective and associated policies relevant to this application are found in Part 24.2 Wakatipu Basin Zone.

An assessment of those relevant matters is included in Appendix 10.

In summary, the proposal is consistent, and not contrary to the objectives and policies in the Proposed District Plan. The landscape character and amenity values of the Wakatipu Basin Rural Amenity Zone and the Speargrass Flat Landscape Character Unit will be maintained and enhanced slightly as a result of this application.

The construction of the proposed dwelling on the amended platform is consistent with the objectives and policies of Chapters 24 and 28.

SECTION 95 PROCEDURES

Public Notification
Having undertaken the s95A public notification tests, the following conclusions are reached:

Under step 1, public notification is not mandatory.

Under step 2, there is no rule or NES that specifically precludes public notification of the activities as a whole, and the application is for activities other than those specified in s95A(5)(b).

Under step 3, public notification is not required as the application is for activities that is are not subject to a rule that specifically requires it, and it is considered that the activities will not have adverse effects on the environment that are more than minor.

Under step 4, there are no special circumstances that warrant the application being publicly notified.

Therefore this application be processed without public notification.

Limited Notification
Having undertaken the s95B limited notification tests, the following conclusions are reached:

Under step 1, limited notification is not mandatory.

Under step 2, there is no rule or NES that specifically precludes limited notification of the activities as a whole, and the application is for activities other than that specified in s95B(6)(b).

Under step 3, limited notification is not required as it is considered that the activities will not result in any adversely affected persons.

Under step 4, there are no special circumstances that warrant the application being limited notified to any other persons.

Therefore this application be processed without limited notification.

S104D GATEWAY TEST

Despite any decision made for the purpose of notification in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either

(a) The adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or

(b) The application is for an activity that will not be contrary to the objectives and policies of –
   (iv) The relevant plan, if there is a plan but no proposes plan in respect of the activity; or
   (v) The relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
   iv) Both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

This application will result in less than minor effect and is implement the relevant objectives and policies of the PDP.

THE MATTERS IN PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

The proposed activity outlined in this application is not contrary to the purpose and principles outlined in Part 2 of the RMA, 1991.

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

Sustainable management means:

> 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 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.

This application provides for a residential dwelling to be generally constructed the same location as the existing building platform. It is larger than the thresholds for building footprint in both the District Plana and the Consent Notice, however there is a consenting pathway that is enabled by the District Plan and the RMA.

There are no relevant Sections 6 or Section 8 matters. – Treaty of Waitangi have no relevance to this application.

The application provides a detailed assessment of section 7(c); being the only relevant Section 7 matter.

It is considered that the location, design and scale of the proposed house in conjunction with the existing and proposed landscaping will give effect to the purpose of the Act.

CONCLUSION

This AEE has been prepared in support of our resource consent application to amend the shape, location and size of a residential building platform and to construct a dwelling within that new platform at 99 Speargrass Flat Road.

The resource consent application requires resource consent as a non-complying activity.

This assessment of the relevant matters under the RMA concludes that the proposal will result in less than minor effects on the environment with no persons adversely affected.

The assessment also concludes that the proposal is consistent with the relevant objectives and policies of the proposed District Plan.