

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES  
PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 14 – Wakatipu Basin

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**STATEMENT OF EVIDENCE LOUISE ELIZABETH ROBERTSON TAYLOR  
On behalf of X-Ray Trust Limited and Avenue Trust [Submitter 2619]**

**Dated this 13th day of June 2018**

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**MACALISTER TODD PHILLIPS**

Barristers, Solicitors, Notaries

3<sup>rd</sup> Floor, 11-17 Church Street

Queenstown 9300

P O Box 653, DX ZP95001, Queenstown 9348

Telephone: (03) 441 0125 Fax: (03) 442 8116

Solicitor Acting: Jayne Elizabeth Macdonald

## 1. INTRODUCTION

- 1.1 My name is Louise Elizabeth Robertson Taylor. I hold a Bachelor's degree in Geography and a Master's degree in Regional and Resource Planning from the University of Otago (completed in 1996). I am a full member of the New Zealand Planning Institute. I am a Director of the firm Mitchell Daysh Limited, which practices as an environmental consultancy nationally. I hold the Chair accreditation for hearing Resource Management Act matters.
- 1.2 My firm was engaged by the Avenue Trust and the X-Ray Trust Limited ("The Trusts") to provide advice in relation to the Wakatipu Basin Variation to the Proposed Queenstown Lakes District Plan ("the Proposed Plan"). I have been involved in working with the X-Ray Trust in particular for several years, including obtaining resource consents for various activities on the property at 413-433 Speargrass Flat Road, and providing planning advice in respect of the Stage 1 of the Proposed Plan. I have personally been involved with the planning and resource consenting process at Ayrburn, which the Trusts' sites form part of, for more than five years. I have visited the sites and surrounding locality numerous times over that period, and am very familiar with the Queenstown Lakes District.
- 1.3 A summary of my recent experience is included at **Appendix A** of my brief of evidence.
- 1.4 In preparing this evidence I have reviewed the submissions and further submissions of the Trusts and other submitters with an interest in relevant parts of the Variation. I have read the parts of the section 42A report prepared for the Council as they relate to the matters that the Trusts submitted on. The s42A report writer is referred to herein as the "Council Planning Officer".
- 1.5 I confirm my obligations in terms of the Environment Court's Code of Conduct for Expert Witnesses contained in the Practice Note 2014. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

- 1.6 This expert planning evidence is jointly prepared on behalf of the Trusts. My evidence provides the following:
- 1.6.1 A background summary of the Trusts' interests in Chapter 24 of the Proposed Plan;
  - 1.6.2 A summary of the Trusts' submission;
  - 1.6.3 Comment on the Council's section 42A reports;
  - 1.6.4 Description of amendments suggested to the zone (at **Appendix B**), including the proposed Structure Plan and associated rule amendments;
  - 1.6.5 Statutory Provisions;
  - 1.6.6 Evaluation of the proposed map and rule amendments in terms of effects in the context of s32AA;
  - 1.6.7 Evaluation of proposed map and rule amendments in terms of relevant statutory documents; and
  - 1.6.8 A conclusion.
  - 1.6.9 Appendices:
    - Appendix A – Relevant Experience
    - Appendix B – Zone Provision Amendments, Arrownburn Structure, District Plan Map (amended)
    - Appendix C – Operative Regional Policy Statement objectives and policies
    - Appendix D – Proposed Regional Policy Statement objectives and policies
    - Appendix E – Proposed District Plan objectives and policies
    - Appendix F – Proposed District Plan Schedule 24.8 Landscape Character Units (map and LCU 6 and LCU 8)

## 2. BACKGROUND

- 2.1 The three adjoining sites that are owned by the Trusts, and which are the subject of the submission, are located on the northern side of Speargrass Flat Road, Arrowtown. The sites are known as 413, 433 and 471 Speargrass Flat Road.<sup>1</sup> The lots are in the Rural General Zone in terms of the Operative District Plan and were created as part of a three-lot subdivision<sup>2</sup> of land that previously formed part of the Ayrburn Farm (Ayrburn Farm adjoins the Avenue Trust land, to the east).
- 2.2 All three allotments have identified building platforms, located on the more elevated portions of the sites (known as the “Plateau”). In addition, curtilage areas and extensive landscaping along with ecological restoration are provided for. Due to the sensitivity of the site from primarily a landscape perspective, consent notices<sup>3</sup> control development on each lot.
- 2.3 The property that is owned by the X-Ray Trust is approximately 58 hectares in total; that owned by the Avenue Trust totals 29 hectares. While the development that has occurred on the X-Ray Trust’s sites is set out below, the Avenue Trust’s land has not been developed.
- 2.4 Resource consents have been obtained from Queenstown Lakes District Council (“**Council**”) for a number of buildings and structures associated with farming and residential activities. X-Ray Trust is currently undertaking development of the land for farming and associated residential purposes in accordance with these consents.
- 2.5 The consented development aims to utilise the land with the objective of operating in a sustainable manner. The X-Ray Trust wishes to enhance the natural character and ecological values of the property by ensuring structures and works fit comfortably within the land form, and intends to continue to undertake agricultural, horticultural and silvicultural activities to achieve economic and environmental sustainability. The consenting process has resulted in the development of a Landscape Management

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<sup>1</sup> 413 and 433 Speargrass Flat Road are owned by the X-Ray Trust Limited, and 473 Speargrass Flat Road is owned by the Avenue Trust.

<sup>2</sup> Lots 1, 2 and 3 Deposited Plan 475822, held in Computer Freehold Registers 665219, 655220, 665221 respectively.

<sup>3</sup> Consent Notice 9805352.1, Consent Notice 9805352.2 and Consent Notice 9805352.3.

Plan<sup>4</sup> for the land as well as a set of consent notice conditions agreed to by Council and X-Ray Trust.

- 2.6 The Landscape Management Plan (“LMP”) was developed by X-Ray Trust in collaboration with professional assistance from architecture, landscape architecture and ecology experts. This detailed document establishes an overall design and vision for grazing, cropping, horticultural and silvicultural activities, the establishment of garden, visual mitigation, ecological and amenity plantings, ecological protection and restoration areas and structures including solar panels and utility buildings. The consent notices applying to the site would have constrained the full implementation of the LMP. Therefore, a variation to the consent notice requirements was sought. This was processed on a non-notified basis due to the amendments generating minor adverse effects. The variation to the consent notices was granted by Council on 1 October 2015.
- 2.7 The X-Ray Trust submitted and appeared at hearing in respect of Stage 1 of the Proposed Plan. The Avenue Trust was not party to Stage 1.
- 2.8 On the northern side of the Plateau containing the elevated (northern) part of X-Ray Trust’s land, a separate Rural Zone property known as Dalgleish Farm adjoins<sup>5</sup> X-Ray Trust’s land. Dalgleish Farm has been acquired by Millbrook Country Club (“**Millbrook**”). Millbrook operates the Millbrook Resort which encompasses approximately 200 hectares of nearby land. Millbrook Resort is developed with a golf course, driving range, spa facility, restaurants, private dwellings and managed accommodation. The resort operates under the provisions of the Millbrook Resort Zone (“**MRZ**”) of the Operative District Plan<sup>6</sup> and is subject to the Millbrook Resort Zone Structure Plan at Figure 1 of the MRZ.
- 2.9 Stage 1 of the Proposed Plan included revised Millbrook Resort Zone provisions and an amended Millbrook Resort Structure Plan.<sup>7</sup> As a submitter in respect of Stage 1 of the Proposed Plan, the X-Ray Trust reached agreement with Millbrook in respect of the planning provisions

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<sup>4</sup> Approved via RM150560, and attached to the X-Ray Trust’s submission to the Variation.

<sup>5</sup> The north-west area of X-Ray’s property at 413 Speargrass Flat Road is separated from Dalgleish Farm by Mooney Road.

<sup>6</sup> The Millbrook Resort Zone is at Chapter 12 of the Operative Queenstown Lakes District Plan.

<sup>7</sup> These are located at Chapter 43 of the Proposed Plan.

applicable to the site (also encompassing Dalglish Farm) which included ensuring no dwellings would be established on the Plateau that is bisected by Mooney Road (a paper road) and shared by Millbrook, the Trusts and the Donaldson property to the east (Lot 3 DP20693).

### **3. SUBMISSION**

3.1 In broad terms, the Trusts' submission [reference 2619] seeks the following:

- Retain the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct, and the general policy framework applicable.
- Remove the 75 metre road boundary setback that is required for buildings within the Precinct.
- Remove the 50 metre setback from any identified landscape feature.
- Retain Assessment Matters 24.7.3(g) and (h), and the reworking of Assessment Matter 24.7.3(c) to clearly identify the outcome that an application will be assessed against.
- Retain Landscape Character Unit 6 over the northern part of the site.
- Delete the Precinct overlay from the elevated portions of the site (known as the Plateau) and include the flat, lower parts of the site (known as the Flats) within the Precinct. Amend planning maps accordingly.
- Amend the provisions that apply to Lot 3 DP20693 (i.e. the Donaldson Block) to match those applicable to the Trusts' sites (i.e. Rural Amenity Zone with no Lifestyle Precinct zoning).
- Amend the landscape feature line to reflect the previously agreed landscape character for the subject properties.

3.2 While the Trusts broadly support the outcomes sought in the promotion of this Variation, the translation of the policy direction into rules does not secure a positive outcome within the vicinity of the properties from either a landscape or development potential perspective. Additionally, the Variation fails to recognise the careful approach to planning development on these sites that have been adopted to secure these outcomes. Accordingly, the Trusts have undertaken additional assessment work to

support the relief sought by the submission. This work has meant that the changes sought to the Plan have evolved, primarily with the introduction of a Structure Plan which will provide a design led outcome for residential development, as opposed to relying on setback rules.

3.3 I discuss the structure plan and associated rule amendments in section 5 below. In his evidence, Mr Blakely describes the process he undertook to develop the structure plan. In particular he has assessed the type of development that would be suitable on the Flats and how he sees this part of the site evolving<sup>8</sup>.

3.4 As a result of this analysis, the Trusts have now amended the detail of the submission to better manage potential adverse effects of development. The changes now proposed, including the Arrowburn Structure Plan are described at paragraph 5.4 and set out in **Appendix B** of my evidence.

#### **4. SECTION 42A REPORTS**

4.1 The Council Planner Officer confirms that Council has not provided evidence in respect of the Trusts' submissions in respect of transport or ecology. I therefore assume that the relief sought in the Trusts submission is of no concern to the Council in this regard.

4.2 There appears to be some inconsistencies in the way that the Trusts' submission has been reported. In short, aside from some minor amendments to the regulatory framework that is proposed by the Variation, the key aspect of the Trusts' submission is to seek the deletion of the Lifestyle Precinct overlay from the northern part of the site, and its inclusion along the Speargrass Flat Road portion of the site.

#### **LANDSCAPE**

4.3 The Council has received landscape evidence from Bridget Gilbert in respect of the Trusts' submission. At paragraph 3.6(e), Ms Gilbert has noted her support for (amongst others) the portion of the Trusts' submission that supports the retention of the Amenity Zone over the central portion of the site, as shown on the LMP as the Hillside area.

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<sup>8</sup> Philip Blakely evidence dated 13 June 2018, section 9.

4.4 At paragraph 30 of her evidence, Ms Gilbert provides a response to the landscape and visual aspects of the submission lodged by the Trusts.

4.5 Ms Gilbert's evidence identifies that, in respect of the Plateau Areas, she considers that the northern parts of the site are appropriately located within the Precinct Area as proposed by the Variation, as follows:

*The proposed planning regime for the Precinct, which sees the introduction of a restricted discretionary approach for all subdivision, triggering the consideration of a wide range of landscape matters (and includes reference to location specific LCU Descriptions, the consideration of effects on neighbouring properties and a number of landscape driven development controls), will ensure that any future subdivision and development throughout the Precinct will appropriately respond to the landscape characteristics of the specific location and, in so doing, safeguard the landscape characteristics of the Plateau and surrounds... Further, I note that the landscape character of this part of the property anticipated by the approved consents, comprising of two substantial dwellings, each set within a generous curtilage area and with extensive indigenous and exotic plantings, points to the appropriateness of the area being zoned as Precinct (although this approved development is in no way the only justification for the Precinct in this location).*

4.6 Ms Gilbert also identifies that the Meadow [Flats] area provides a 'breathing space' between the Hawthorn Triangle and Lake Hayes Rural Residential areas. While she identifies that the eastern edge of the Lake Hayes Rural Residential Landscape Character Unit is relatively weak due its location along a cadastral boundary, she considers that the alternative suggested via the Trusts' submission does not improve the legibility or defensibility of the Precinct. Ms Gilbert further concludes that:

*... there is effectively a ribbon of rural residential development extending along the narrow band of flat land along the south side of Speargrass Flat Road opposite the submitters' land, I do not consider that this patterning provides an appropriate cue for additional rural residential development throughout the considerably more generously-proportioned flat land to the north of the road.*

4.7 Finally, Ms Gilbert has recommended that the methodological approach to the definition of the Landscape Feature line is preferred. As set out in the Trusts' submission, the Landscape Feature line that is defined by the Variation does not reflect the consented development for the site, nor the



detailed analysis of landscape character that has previously been undertaken. Such an approach does not reflect the established, consented, and partially developed nature of the sites.

4.8 Finally, Ms Gilbert's evidence notes that she opposes the zoning changes and Landscape Feature realignment sought by the Trusts' submission. She has also noted her support for the retention of the Amenity zone over the Hillside Area.

4.9 Mr Blakely addresses Ms Gilbert's evidence in his evidence, and I rely on his conclusions given the detailed approach he has taken to this site. I have discussed Mr Blakely's assessment at paragraph 8.9.

### **INFRASTRUCTURE**

4.10 The Council has also received evidence from Andrea Jarvis in respect of Infrastructure, specifically wastewater and water supply issues. Her evidence specifically excludes the assessment of stormwater disposal, noting that this will be dealt with at the time of subdivision (paragraph 2.3). She has assessed the Trusts' submission and at paragraph 27.3 has concluded that:

*The relief sought does not seek any rezoning and the density of development on this land can be serviced privately onsite.*

4.11 Unfortunately, this is not correct, as the submission does seek a change in zoning which would change the location of development opportunity for the site (although a slightly lesser number of dwellings would be provided for). Mr Steel addresses water supply, waste disposal and stormwater management for the Flats development nodes in his evidence on behalf of the Trusts<sup>9</sup>.

### **PLANNING**

4.12 Overall the Council Planning Officer recommends rejecting the Trust's submission, based on the evidence of Ms Jarvis and Ms Gilbert.

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<sup>9</sup> Anthony Steel evidence dated 13 June 2018.

**5. PROPOSED AMENDMENTS TO PROVIDE RELIEF SOUGHT – THE “PROPOSAL”**

5.1 In light of the content and intent behind the proposed Variation, the Trusts have undertaken a structure planning exercise. This identifies the development potential of the site, while continuing to appropriately protect the key attributes of the site that are consistent with the proposed Variation.

5.2 As set out in Mr Blakely’s evidence, there are two changes necessary to achieve these outcomes:

5.2.1 Remove the ability to further develop the Plateau due to the landscape values of this area<sup>10</sup>; and

5.2.2 Enable design led process of residential development in clusters on the Flats, whilst retaining the bulk of the Flats as open space.

5.3 The “proposal” in this case (in terms of s32 of the RMA) is therefore:

*To manage the landscape values of the Plateau and provide for well-designed residential development on the Flats.*

5.4 Following the structure planning exercise, a planning analysis was carried out to determine the most appropriate methods to achieve this “proposal”. In summary the following is proposed:

5.4.1 Remove the precinct zoning from the Plateau, and retain the Rural Amenity Zoning; and

5.4.2 Apply the precinct zoning to the Flats, along with a structure plan which results in a small number of development nodes which achieve the overall 1ha average density, whilst retaining large areas of open space.

5.4.3 Amend rule 24.4.5 to exclude the areas within the Arrowburn Structure Plan outside the development nodes;

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<sup>10</sup> This covers the Trust’s site and the adjoining Donaldson Block Lot 3, DP20693.

- 5.4.4 Add a new rule (24.4.25) to provide for new buildings (other than farm buildings which are provided for elsewhere) in the building restriction area in the Arrowburn Structure Plan as non-complying activities;
  - 5.4.5 Exclude the Arrowburn Structure Plan from standards 24.5.1 (building coverage) and 24.5.2 (internal boundary setbacks);
  - 5.4.6 Amend rule 27.5 Standards for Subdivision Activities to provide for the Arrowburn Structure Plan. The proposed rule requires a minimum 1ha average Lot area, and rule 27.7.6.2 is amended to ensure consistency with the Arrowburn Structure Plan.
- 5.5 Refer **Appendix B** for proposed amended rules, Structure Plan and maps.

## 6. STATUTORY REQUIREMENTS

### EVALUATION UNDER SECTION 32AA

- 6.1 Any changes to a proposal that are made after the initial section 32 evaluation has been completed require further evaluation under section 32AA of the Act. This further evaluation must be undertaken in accordance with section 32(1) to (4) of the Act and must be undertaken at a level of detail that corresponds with the significance of the changes.
- 6.2 Section 32(1) and (2) specifies what the evaluation must examine:
- (1) *An evaluation report required under this Act must—*
    - (a) *examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
    - (b) *examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
      - (i) *identifying other reasonably practicable options for achieving the objectives; and*
      - (ii) *assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*

- (iii) *summarising the reasons for deciding on the provisions;  
and*
  - (c) *contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*
- (2) *An assessment under subsection (1)(b)(ii) must—*
- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
    - (i) *economic growth that are anticipated to be provided or reduced; and*
    - (ii) *employment that are anticipated to be provided or reduced; and*
  - (b) *if practicable, quantify the benefits and costs referred to in paragraph (a); and*
  - (c) *assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

6.3 Section 32(3) is relevant as the submission to rezone the site proposes to amend a District Plan that is already proposed. Section 32(3) states:

*If the proposal (an amending proposal) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—*

- (a) *the provisions and objectives of the amending proposal; and*
- (b) *the objectives of the existing proposal to the extent that those objectives—*
  - (i) *are relevant to the objectives of the amending proposal; and*
  - (ii) *would remain if the amending proposal were to take effect.*

6.4 Section 32(3) requires a proposal that amends provisions of an existing plan (whether operative or proposed) to be evaluated in terms of efficiency and effectiveness against the relevant existing objectives (where the existing objectives are relevant to the amending proposal and would

remain if the amending proposal was to take effect). On this basis, the relevant objectives of the Proposed Plan, as set out in the Stage 1 Decisions and the Stage 2 Wakatipu Basin Chapter have been used as the basis for this evaluation.

#### **EVALUATION OF POLICIES, RULES AND OTHER METHODS**

- 6.5 Section 32(1)(b)(i) requires the identification of other reasonably practicable options for achieving the objectives (or in this case, as there are no new objectives proposed, the purpose of the plan change) as part of the plan change evaluation. These options must be examined to determine whether or not the proposed rezoning is the most appropriate way to achieve the purpose of the proposal.

#### **CONSIDERATION OF ALTERNATIVE LAND USE ZONES**

##### **Option 1: Maintain Rural General Zoning (as per Operative District Plan)**

- 6.6 If the site was retained as Rural General Zone (as per the Operative District Plan), it would be the only land in the Wakatipu Basin to do so. While this zone has no minimum lot size, enabling residential development to the density required to achieve the purpose of the rezoning would be very difficult to achieve via a resource consent process, in part, because it would not be consistent with the relevant objectives and policies of this zone which are focused on enabling rural uses.
- 6.7 Option 1 would not achieve the purpose of the proposal.

##### **Option 2: Maintain Wakatipu Basin Rural Amenity Zone for Flats and Lifestyle Precinct Overlay for Plateau**

- 6.8 The Wakatipu Basin Rural Amenity Zone enables one residential unit per 80 hectares, whilst the Precinct Overlay provides for one dwelling per 1 hectare. The evidence of Mr Blakely is that the Precinct density is too great to enable the protection of the landscape values of the Plateau. The zoning simply enables more dwellings than the landscape values can absorb. With respect to the Flats, Mr Blakely considers the area lends itself well to carefully design led development in clusters.
- 6.9 The option 2 mix of zonings does not provide for these outcomes.

**Option 3: Rezone the site to enable residential development in nodes at the Flats (via the Precinct Overlay) and protect the Plateau from further residential development (via the Rural Amenity Zoning)**

- 6.10 This option is that proposed by the submitters as presented in evidence by myself and Mr Blakely. Drawing from Mr Blakely's assessment of the values of the Plateau and Flats, I consider this option achieves the purpose of the proposal. It requires:
- 6.10.1 removing the Lifestyle Precinct Overlay from the Plateau (thus leaving it zoned Rural Amenity Area); and
  - 6.10.2 imposing the Lifestyle Precinct Overlay to the Flats, along with the proposed Arrowburn Structure Plan which further directs residential development to protect the landscape values of the Flats by limiting residential development to development nodes; and
  - 6.10.3 associated minor rule amendments to give effect to these changes, including exclusion from the site coverage and internal boundary setback standards for the Arrowburn Structure Plan.

**CONSIDERATION OF ALTERNATIVE METHODOLOGIES**

**Resource Consent Process**

- 6.11 An alternative method for enabling residential activities on the Flats would be to apply for a resource consent to subdivide the land and identify building platforms. The existing zoning (Rural General in the Operative District Plan and the Wakatipu Basin Rural Amenity Zone in Stage 2 of the Proposed Plan) provides for residential dwellings as Discretionary Activities.
- 6.12 The objectives and policies of the Rural General Zone chapter of the District Plan seek to sustain the life supporting capacity of soils, provide for the diversification of farming and other rural activities that protect landscape and natural resource values and maintains the character of the rural landscapes. Residential development in the node format proposed is not envisaged in this zone.

- 6.13 The objectives and policies of the Wakatipu Basin Rural Amenity Zone are similar, and this zone includes the 80 hectare minimum lot size which is to protect landscape character and visual amenity values. Again, residential development is not envisaged in this zone.
- 6.14 If consent were to be granted, this method could also establish a precedent effect that could undermine the District Plan.
- 6.15 With respect to the Plateau, I consider that the Lifestyle Precinct could encourage far denser residential development that is not reflective of the landscape characteristics of the site, and based on Mr Blakely's evidence, would not safeguard the identified landscape characteristics of this site<sup>11</sup>.
- 6.16 This method is not the most appropriate way of providing for the purpose of the plan change.

## **7. ALTERNATIVES CONCLUSION**

- 7.1 It is therefore concluded that (in terms of section 32(1)(b)(iii) of the Act) the method identified under Option 3 (as refined by the Structure Plan) is the most appropriate for achieving the purpose of the proposal (which is the relevant test in terms of section 32(6) given no new objectives are proposed).

## **8. ASSESSMENT OF ENVIRONMENTAL EFFECTS**

### **EFFICIENCY AND EFFECTIVENESS (SECTION 32(1)(B)(II))**

- 8.1 Under section 32(2)(a) of the Act an assessment under section 32(2)(1)(b)(ii) must:

- (a) *identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –*
  - (i) *economic growth that are anticipated to be provided or reduced; and*
  - (ii) *employment that are anticipated to be provided or reduced (section 32(2)(a));*

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<sup>11</sup> Philip Blakely evidence dated 13 June 2018, paragraph 11.5

- (b) *if practicable, quantify these benefits and costs (section 32(2)(b)); and*
- (c) *assess the risks of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (section 32(2)(c)).*

8.2 The following sections provide an assessment of environmental effects (“**AEE**”) arising from the proposed changes to plan provisions, and then assesses the benefits and costs of these effects in order to understand the efficiency and effectiveness of the proposed provisions. Specifically, I assess the following:

- Infrastructural Effects.
- Natural Hazards.
- Landscape and Visual Effects.

#### **INFRASTRUCTURAL REQUIREMENTS**

8.3 An assessment of the three-water servicing the development nodes on the Arrowburn Structure Plan has been undertaken by Fluent Solutions Ltd. Mr Steel sets out the assessment carried out and conclusions in his evidence<sup>12</sup>. A summary of his assessment is set out in the following sections.

#### **Water Supply**

8.4 The lots are not currently within the Council’s water scheme boundary. Water supply options are either to extend the water main in Speargrass Flat Road and utilize it, or else provide on-site water supply via ground water.

#### **Waste Water**

8.5 The lots are not currently within the Council’s wastewater scheme boundary. Mr Steel advises that there is likely to be capacity in the existing 150mm MPVC gravity wastewater main located in Speargrass Flat Road in front of Lot 471 Speargrass Flat Road. If this is not a viable option, the site provides sufficient space for on-site wastewater disposal systems.

#### **Stormwater**

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<sup>12</sup> Anthony Steel evidence, dated 13 June 2018.



- 8.6 Mr Steel advises that, following a review of the topography and soils on the site, the collection and disposal of stormwater can be achieved such that post-development flows will not exceed pre-development flows. Accordingly, Council's Land Development and Subdivision Code of Practice: 2015 will be achieved.

#### **Servicing Conclusions**

- 8.7 Based on Mr Steel's evidence, I am comfortable that the development nodes can be suitably serviced either via existing or onsite infrastructure.

#### **NATURAL HAZARDS - GEOTECHNICAL CONSIDERATIONS**

- 8.8 Dr Salt has assessed the site in terms of natural hazard risk based on subsurface investigations and discusses his findings in his evidence. He concludes that:

*The development nodes are located on gently inclined alluvial fans that will be quite suitable for this usage.*

*Standard solutions for dwelling foundations and stormwater control can be applied.*

*No geotechnical issues which limit the development have been identified.*<sup>13</sup>

- 8.9 Based on these findings I do not consider the proposed zoning would provide a risk in terms of natural hazards.

#### **LANDSCAPE AND VISUAL EFFECTS**

- 8.10 Mr Blakely has assessed the site in terms of landscape values and formed conclusions about the effects the proposed zoning and associated Structure Plan would have (once implemented) on these values. Mr Blakely concludes that:<sup>14</sup>

*8.10.1 The ice shaped elevated moraine hills and ridges are an important landform and landscape characteristic of the WB*

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<sup>13</sup> Dr Graham Salt evidence, dated 11 June 2018, paragraphs 4.1 – 4.3.

<sup>14</sup> Mr Blakely evidence, dated 11 June 2018, conclusion.

*[Wakatipu] Basin that require careful landscape management to safeguard their characteristics.*

- 8.10.2 *The Plateau Area of LCU 6<sup>15</sup> that includes the X-Ray Trust, Avenue Trust property and the Donaldson Block has significant and important landscape characteristics that need to be safeguarded.*
- 8.10.3 *The Plateau Area has different characteristics to some other parts of LCU 6 including larger block sizes, less enclosure, greater visual exposure, fewer trees. a greater degree of naturalness and generally is less developed.*
- 8.10.4 *The elevated Plateau Area is visually prominent at the eastern end of the Basin from a number of locations and importantly provides a foil and visual relief to adjacent development (in particular to offset the building density of Millbrook West).*
- 8.10.5 *Precinct Zoning over the Plateau Area will result in significant landscape and visual effects and will not safeguard identified landscape characteristics.*
- 8.10.6 *Early settlement patterns on the valley floor provides an important cue for where and how to place new development.*
- 8.10.7 *Planning over the last 20 years has generally sought to limit and safeguard characteristics of the ice-shaped hills.*
- 8.10.8 *The proposed planning regime for the Precinct Zoning of the elevated Plateau Area i.e. ‘a restricted discretionary approach that triggers the consideration of a wide range of landscape related matters’ would not safeguard landscape characteristics and would considerably exceed the site’s threshold for development.*
- 8.10.9 *Carefully located and comprehensively designed cluster style development on the Flat within contained nodes of development and large Building Restricted Areas, while retaining rural views*

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<sup>15</sup> Landscape Unit 6 Wharehuanui Hills.

*will result is a better landscape outcome than Precinct Zoning of the elevated Plateau Area.*

8.11 Based on Mr Blakely's conclusions, I consider the proposed zoning, structure and associated rule amendments will not generate significant adverse effects overall of the landscape values of the site. Moreover, the solution being proposed is a better solution in landscape terms that that notified due to:

8.11.1 The Plateau being retained as largely open space with limited dwellings, thus retaining the landscape characteristics of this part of LCU6;

8.11.2 The Flats are largely retained as open space, with carefully located clusters of residential dwellings which will not undermine the values of LCU8<sup>16</sup>.

#### **COSTS AND BENEFITS OF ENVIRONMENT EFFECTS**

8.12 The necessary assessment of the proposed rezoning under sections 32(1)(b) and (2)(a), is provided in **Table 1** below. The method has been assessed in terms of its appropriateness in achieving the purpose of the proposal, and against the Strategic Directions and Rural Amenity and Precinct objectives (sections 32(3)).

8.13 In summary, the proposed changes to maps and rules are considered to be the most appropriate methods of achieving the purpose of the proposal and the relevant objectives.

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<sup>16</sup> Landscape Unit 8 Speargrass Flat.

Table 1

| Purpose of the Proposal   |   |  |   |
|---|---|--|---|
| To manage the landscape values of the Plateau and provide for well designed residential development on the Flats  |   |  |   |
| Strategic Directions  | Rural Amenity Zone  | Lifestyle Precinct Overlay   |   |
| Objective 3.2.3 A quality built environment taking into account the character of individual communities.  | 24.2.1 Objective - Landscape and visual amenity values are protected, maintained and enhanced.  | 24.2.5 Objective - The landscape character and visual amenity values of the Precinct are maintained and enhanced in conjunction with enabling rural residential living opportunities.  |   |
| Objective 3.2.4 The distinctive natural environments and ecosystems of the District are protected.  | 24.2.2 Objective – Non-residential activities are compatible with infrastructure, and maintain and enhance landscape character and amenity values.  |  |   |
| Objective 3.2.5 The retention of the District’s distinctive landscapes.   | 24.2.4 Objective - Subdivision and land use development maintains and enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.   |  |   |
| Objective 3.2.6 The District’s residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. |   |  |   |
| Method  | Assessment under section 32(2) of the Act   | Assessment under section 32(1)(b)(ii) of the Act   |   |
|   | Environmental, economic, social and cultural benefits   | Environmental, economic, social and cultural costs   | Having regard to the appropriateness of the processions by assessing their efficiency and effectiveness in achieving the objectives   |
| Applying the Rural Amenity Zone to Plateau (i.e. remove Lifestyle Precinct Overlay)   | <p>Mr Blakely considers that should be Plateau be zoned Lifestyle Precinct, the following effects could occur:</p> <ul style="list-style-type: none"> <li>a) Effects on the legibility of the elevated Plateau area;</li> <li>b) Effect on the relatively visible and visually prominent eastern end of LCU 6;</li> <li>c) Effects from loss of visual relief provided by the eastern portion of Wharehuanui Hills as a foil to existing development in particular Millbrook Resort.</li> <li>d) Effects of subdivision, access and roading on both the hillside areas and Plateau of Wharehuanui Hills.</li> </ul> <p>By removing the Precinct Overlay, I consider the effects identified by Mr Blakely would not occur, and the values and characteristics of the Plateau will be retained, thus achieving Objectives 3.2.4, 3.2.5, 24.2.1, 24.2.4.</p> | <p>Given there would be less opportunity to develop the Plateau for residential use, the economic gain would be lost.</p> <p>Similarly, the social benefit of providing for more residential dwellings would be lost. (Objective 3.2.6).</p> | <p><b>Efficiency:</b> It is not considered efficient to provide for greater amounts of residential development on the Plateau due to servicing and roading requirements. By limiting residential development by way of the Rural Amenity Zoning, a more efficient use of existing servicing and roading infrastructure will occur (Objective 24.2.4).</p> <p><b>Effectiveness:</b> I consider the Rural Amenity Zoning is an effective method of retaining the identified landscape values of the Plateau as it severely contains future residential development, thus retains the open spaces and lack of structures (Objective 3.2.4, 3.2.5, 24.2.1, 24.2.2, 24.2.4).</p> <p><b>Appropriateness:</b> The proposal is considered to be the most appropriate way to achieve the relevant objectives of the Proposed Plan.</p> |

Applying Lifestyle Precinct Overlay with Structure Plan for Flats (and associated rule amendments)

Drawing from the evidence of Mr Blakely, Dr Salt, and Mr Steel I consider appropriate clustering of development will ensure the retention of the character of the wider Landscape Character Unit that fronts onto Speargrass Flat Road. This is set out by the Structure Plan prepared by Mr Blakely. I consider development of this nature and scale may be appropriately designed to address visual and geotechnical requirements.

I consider such development suitably avoids, remedies and mitigates any adverse effects, and remains consistent with the broad outcomes set out in the objectives and policies of the Variation (Objectives 3.2.3, 3.2.4, 3.2.5, 3.2.6, 24.2.5).

The change from paddocks to some areas of clustered residential dwellings will result in a visual change on the site. However Mr Blakely is satisfied that the limited and relatively small development nodes within generous areas of open space managed via the Structure Plan, takes a cue from and respects historic settlement pattern by placing the development on the valley floor at (or near) the junction of flat and hillslope<sup>17</sup> (Objective 24.2.5).

**Efficiency:** By siting residential development close to existing roading and reticulated services, an efficient use of that existing infrastructure is achieved.

**Effectiveness:** I consider the Lifestyle Precinct Overlay paired with the Arrowburn Structure Plan (and associated rule amendments) will be an effective method for achieving a design led development of the Flats.

**Appropriateness:** The proposal is considered to be the most appropriate way to achieve the relevant objectives of the Proposed Plan.

Amend standards 24.5.1 Building Coverage and 24.5.2 Setback from internal boundaries

The development nodes have been designed to cluster residential dwellings, which will avoid a spread of rural residential style/large lots across the wider site. For this reason, there is no need for building coverage or setback from internal boundaries standards as required for the remainder of the Lifestyle Precinct.

There is a risk that if poorly designed the clusters could provide low amenity for residential dwellings within them. However, the restricted discretionary activity status for dwellings within these areas will ensure the effects within the nodes and surrounding areas will be carefully considered via the resource consent process.

**Efficiency:** The exclusion from these standards will make efficient use of each development node, as it will enable design led development as opposed to set standards within the development nodes.

**Effectiveness:** The exclusion of building coverage and boundary setback from the Arrowburn Structure Plan will be effective in achieving design led, cluster developments.

**Appropriateness:** The proposal is considered to be the most appropriate way to achieve the relevant objectives of the Proposed Plan.

<sup>17</sup> Philip Blakely evidence dated 11 June 2018, paragraphs 9.1 and 9.2

**9. RISKS OF ACTING OR NOT ACTING IF THERE IS UNCERTAIN OR INSUFFICIENT INFORMATION**

- 9.1 Section 32(2)(c) of the Act requires, in the evaluation of the proposed method, consideration of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter.
- 9.2 Part of the efficiency and effectiveness assessment is to identify if there is uncertain or insufficient information about the subject matter of the provisions. If there is uncertain or insufficient information, an assessment of the risk of acting or not acting in terms of the provisions is required.
- 9.3 For the purpose of section 32, risk relates to changes in circumstances or an unforeseen event. This circumstance or event may increase the potential economic, social, cultural or environmental costs that may be incurred by a proposal. Risk may also be associated with a failure of a provision to achieve or move significantly towards the benefits sought by the objective.
- 9.4 Uncertainty relates to possible changes in assumed circumstances which are unknown at the time of evaluation. Uncertainty also relates to a lack of scientific knowledge or other knowledge about the nature or scale of an issue.
- 9.5 There is not considered to be uncertainty, and there is sufficient information to enable the effects of the submitter's rezoning proposal to be assessed, and the requisite evaluations to be undertaken.
- 9.6 While an assessment of the risk of not acting may not be required under section 32(2)(c), failing to make the changes to the zoning of the site could result in extensive residential development on the Plateau which could impact significantly on the landscape values of this area. By not applying the Precinct Overlay on the Flats, development opportunity would be lost in an area where this development is assessed as appropriate from a landscape perspective.

**10. CONSIDERATION OF POLICIES, PLANS AND OTHER RELEVANT DOCUMENTS**

10.1 Section 74(1) of the RMA sets out the matters which are to be considered by territorial authorities when preparing or changing district plans. That section states that any change to district plans must be in accordance with the functions for territorial authorities set out in section 31, the provisions of Part 2, the duties under section 32, and any regulations.

10.2 Section 74(2) of the Act requires that when preparing or changing a district plan, a territorial shall have regard to:

- (a) any –
  - (i) *Proposed regional policy statement; or*
  - (ii) *Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and*
- (b) any-
  - (i) *Management plans and strategies prepared under other Acts; and*
  - (ii) *Repealed*
  - (iia) *Relevant entry [on the New Zealand Heritage List/Rarangi Korero required by the Heritage New Zealand Pouhere Taonga Act 2014]; and*
  - (iii) *Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—*  
*to the extent that their content has a bearing on resource management issues of the district; and*
- (c) *The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.*

10.3 Section 74(2A) requires that when changing a district plan a territorial authority must take into account:

*Any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.*

10.4 Section 75 of the Act details the requirements for the content of district plans. Section 75 of the Act states that:

- (3) *A district plan must give effect to –*
  - a) *any national policy statement; and*
  - b) *any New Zealand coastal policy statement; and*
  - c) *any regional policy statement.*
- (4) *A district plan must not be inconsistent with -*
  - a) *a water conservation order; or*
  - b) *a regional plan for any matter specified in section 30(1).*

10.5 Consideration has been given to the matters detailed in sections 74 and 75 of the Act below.

#### **NATIONAL ENVIRONMENTAL STANDARDS**

10.6 National environmental standards are regulations made under section 43 of the RMA. They can prescribe technical standards, methods or other requirements for environmental matters. In some circumstances, local authorities can impose stricter standards. There is one national environmental standard which is relevant to the proposed plan change:

#### **The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (“NES”)**

10.7 Investigations into the history of the site have not identified any HAIL uses, so the site is not considered to be a HAIL site and the NES will not apply. In any case, the NES would apply at the time of subdivision and earthworks, so consideration of the NES is not precluded by the proposal.

#### **REGIONAL POLICY STATEMENT**

10.8 Otago's operative Regional Policy Statement (“**RPS**”) promotes the sustainable management of natural and physical resources by giving an overview of the resource management issues facing Otago, and by setting policies and methods to manage Otago's natural and physical resources. The RPS does not contain any rules. A copy of the relevant objectives and policies is attached as **Appendix C**.



10.9 Key resource management issues identified by the operative RPS can be summarised as follows:

- Meet the reasonably foreseeable needs of the Region's people and communities via development which is efficient and meets community's expectations regarding amenity values.
- Ensure efficiency of urban development and the efficient use of infrastructure by maximising the use of existing infrastructure.
- Minimise adverse effects of urban development and settlement on the region's environment. Such effects include visual intrusion and a reduction of landscape qualities and significant irreversible effects.
- Maintain and enhance the quality of life for people and communities. This is to be achieved via the identification and provision of an acceptable level of amenity, avoiding, remedying and mitigating adverse effects on community health and safety, and adverse effects of subdivision, land use and development on landscape values.

10.10 I consider the proposal will achieve the relevant objectives and their associated policies contained within the RPS. In particular:

- Assisting in meeting demand for residential properties in the Wakatipu Basin;
- Due to the proposed Precinct Overlay location immediately adjacent to Speargrass Flat Road, the proposal will ensure that the efficient use of existing infrastructure is maximised;
- From a landscape effects perspective, the work undertaken by Mr Blakely results in a proposal which retains the landscape values of the Plateau, and provides for careful, design led residential development on the Flats which can more readily absorb such change, to the extent that effects on landscape values are considered acceptable.

10.11 In May 2015 Otago Regional Council publicly notified the Proposed Regional Policy Statement for Otago ("**Proposed RPS**"). A copy of the objectives and policies relevant to this plan change is attached as **Appendix D**.

- 10.12 Key objectives identified by the Proposed RPS of relevance to this plan change can be summarised as follows:
- The values of Otago’s natural and physical resources are recognised, maintained and enhanced.
  - Otago's significant and highly valued natural resources are identified and protected or enhanced to maintain their distinctiveness.
  - Protection, use and development of natural and physical resources recognises environmental constraints.
  - Good quality infrastructure and services meet community needs.
  - Adverse effects of using and enjoying Otago’s natural and built environment are minimised.
- 10.13 I have discussed the key themes set out in each of the objectives above in the effects summary, as well as drilling down to the detail via the relevant district plan objectives and policies. Overall, I consider the proposal will achieve the relevant objectives of the Proposed RPS.

## **IWI MANAGEMENT PLANS**

### **Kai Tahu Ki Otago Resource Management Plan**

- 10.14 The Kai Tahu Ki Otago Resource Management Plan (2005) (“**NRMP**”) is the principal planning document for KTKO (KTKO is used to describe the four Papatipu Runanga and associated whanau and ropu of the Otago Region).
- i. The rakätirataka and kaitiakitaka of Kāi Tahu ki Otago is recognised and supported.*
  - ii. Ki Uta Ki Tai management of natural resources is adopted within the Otago region.*
  - iii. The mana of Kāi Tahu ki Otago is upheld through the management of natural, physical and historic resources in the Otago Region.*
  - iv. Kāi Tahu ki Otago have effective participation in all resource management activities within the Otago Region.*

- v. *The respective roles and responsibilities of Manawhenua within the Otago Region are recognised and provided for through the other objectives and policies of the Plan.*

10.15 Chapter 10 sets out objectives and policies as they are relevant to the Clutha/Mata-au Catchment, in which the site is contained. For future development within the site, services will either be reticulated, or if services are not reticulated, then these activities can be carefully managed to achieve the relevant policies relating to water quality (Chapter 10 Policies 9 and 11) that encourage the adoption of sound environmental practices where land use intensification occurs and encourages consents for land use, water permits, and discharge permits to be applied for at the same time.

#### **NGAI TAHU KI MURIHIKU NATURAL RESOURCES AND ENVIRONMENTAL IWI MANAGEMENT PLAN**

10.16 The Ngai Tahu Ki Murihiku Natural Resources and Environmental Iwi Management Plan (“**Murihiku Plan**”) was issued in 2008 and consolidates Ngai Tahuki Murihiku values, knowledge and perspectives on natural resources and environmental management issues. The Murihiku Plan identifies kaitiakitanga, environmental and social, economic, health and wellbeing outcomes that need to be recognised when considering the proposal. I consider the proposal is not expected to offend any of the relevant objectives and policies of this plan.

#### **QUEENSTOWN LAKES DISTRICT PROPOSED DISTRICT PLAN**

##### **Objectives and Policies**

10.17 I have assessed the proposal against the most relevant objectives of the proposed district plan within paragraphs Table 1 (follows paragraph 8.2) of my evidence in the context of s32. Further to these, there are a number of relevant policies to the proposal. I have listed those I consider the most relevant in **Appendix E**. Mr Blakely has assessed those he considers most relevant in his evidence<sup>18</sup>.

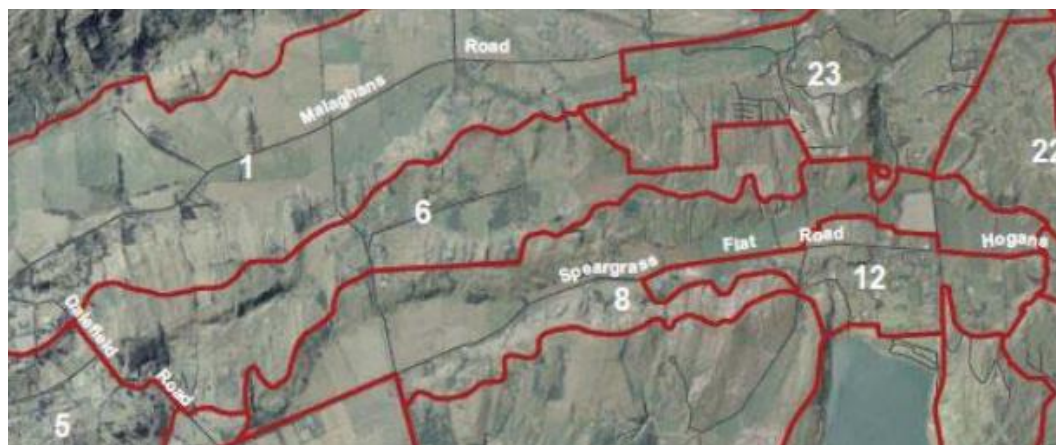
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<sup>18</sup> Philip Blakely evidence dated 13 June 2018, section 10.

- 10.18 In summary, and drawing from Mr Blakely's analysis, I consider the Rural Amenity zoning is a better fit for the Plateau as, for example, imposing the minimum lot size of 6000m<sup>2</sup> (1 hectare average) on the Plateau (i.e. via Lifestyle Precinct overlay) would not protect the landscape character and visual amenity values of this part of the Wakatipu Basin (policies 24.2.1.1, 24.2.3, 24.2.1.4, 24.2.18, 24.2.5.1).
- 10.19 In terms of the Flats, and drawing from Mr Blakely and Mr Steel evidence, I consider outcomes which would be enabled by the Arrowburn Structure Plan paired with the Lifestyle Precinct overlay would be consistent with the more broader Rural Amenity policies and the more specific Lifestyle Precinct policies (refer in particular to policies 24.2.5.1, 24.2.5.2, 24.2.5.4, 24.2.5.5, 24.2.5.6).
- 10.20 With respect to policy 24.2.1.10 which aims to facilitate the provision of walkway, cycleway and bridle path networks, the Arrowburn Structure Plan sets development nodes well back from existing and potential future pedestrian/cycle/bridle paths which run along Speargrass Flat Road and the track to the north of Speargrass Flat Road (near Slope Hill Road). I consider there is no inconsistency with this policy.

### **Landscape Character Units**

- 10.21 Policy 24.2.3 aims to:
- Ensure that subdivision and development maintains and enhances the Wakatipu Basin landscape character and visual amenity values identified for the landscape character units as described in Schedule 24.8.*
- 10.22 The Plateau is within Landscape Unit 6: Wharehaunui Hills (LCU6), and the Flats are within Landscape Unit 8: Speargrass (LCU8) (refer Appendix F for Schedule 24.8 Landscape Character Units map and LCU6 and LCU8 tables).



**Figure 1: Excerpt from Schedule 24.8 – Landscape Character Units, Chapter 24 Wakatipu Basin Proposed District Plan**

- 10.23 Mr Blakely has undertaken his own assessment of the site and broader area and largely agrees with the LCU6 and LCU8 classifications.
- 10.24 It is Mr Blakely’s view that Rural Amenity (within a Lifestyle Precinct overlay) zoning is a better way to retain the identified characteristics of LCU6 on the Plateau than with the Precinct Overlay.
- 10.25 With respect to the Flats, LCU8, the settlement patterns are described as:
- Dwellings tend to be well separated and framed by plantings, or set into localized land form patterns. Generally dwellings are located on the flat land adjacent the road although a very limited number of consented but unbuilt platforms located on elevated hill slopes to the south (that enjoy northern aspect) (page 24-34).*
- 10.26 The table identified the potential landscape issues and constraints associated with additional development as being “absence of a robust edge to the Lake Hayes Rural Residential LCU makes Speargrass Flat vulnerable to “development creep”, and “Open character, in combination with walkway/cycleway, makes it sensitive to landscape change” (page 24-34).
- 10.27 In terms of the potential landscape opportunities and benefits associated with additional development, the table identifies:

- 10.27.1 Larger-scaled lots suggest potential for subdivision,
  - 10.27.2 Subdivision around the edges of the Lake Hayes Rural Residential Unit suggest the potential to consolidate the existing rural residential 'node' and integrate a defensible edge,
  - 10.27.3 Riprarian restoration potential,
  - 10.27.4 Easy topography. (page 24 – 35).
- 10.28 In terms of capability to absorb additional development, the LCU is classified as **High** around the edges of Lake Hayes Rural Residential (LCU12), and **Low** elsewhere.
- 10.29 My assessment of the values, characteristics and capacity to absorb change within LCU8 summarised above is that Rural Amenity Zoning is not a good fit. Any further residential development would be very difficult to consent under the objectives, policies and rules of the Rural Amenity Zoning, despite the schedule identifying capacity to absorb further development within LCU8 (those parts on the edges of LCU12 in particular).
- 10.30 My assessment of the Arrowburn Structure Plan prepared by Mr Blakely provides exactly the type of new development that the schedule envisages. In particular:
- 10.30.1 The development nodes are around LCU12 edges,
  - 10.30.2 Consolidation of existing rural residential node (but carefully sited to retain open characteristics),
  - 10.30.3 Development areas on part of site which are flatter in topography,
  - 10.30.4 Retaining open character,
  - 10.30.5 Ability to do reparation planting as has been carried out by X-Ray Trust on the Plateau.

10.31 I therefore consider that Lifestyle Precinct paired with the Arrowburn Structure Plan far better achieves the relevant chapter 24 Wakatipu Basin objectives, policies and landscape unit descriptions than the notified zoning.

## **11. CONCLUSION**

11.1 I have assessed the submissions and further submission of X-Ray Trust and Avenue Trust on stage 2 of the Council Proposed Plan in terms of s32 of the RMA. I have taken into account the Council Officers' Reports, and the evidence of Mr Blakely, Dr Salt and Mr Steel.

11.2 I consider the Rural Amenity Zoning (without Lifestyle Precinct) on the Plateau is an efficient and effective method to achieve the preservation of the identified landscape characteristics of the site, and will avoid the inefficient development of roading and servicing infrastructure to this area.

11.3 I consider Rural Amenity Zoning for the Plateau will result in lesser adverse environmental effects (particularly on landscape values) than the notified zoning.

11.4 With respect to the Flats, I consider the Lifestyle Precinct Overlay is an effective method of managing this land. To achieve the relevant Objectives (24.2.5) in particular, I consider the proposed Structure Plan is an appropriate tool. It takes the design of development for land to the next stage, and provides certainty that residential development will occur in suitable locations, and at a suitable scale to protect the open space values of this site. I consider the level of development proposed to be modest, and a good fit with surrounding development.

11.5 The associated rule amendments will ensure the package works appropriately and achieves the purpose of the proposal.

11.6 Overall, I consider the proposal is the most appropriate method of achieve the purpose of the proposal and the relevant district plan objectives.

**Louise Taylor**

**13 June 2018**



# APPENDIX A

## Summary of Recent Project Experience

- Preparation of Plan Change and s32 report and presentation of planning evidence for extension of Marina Zone and introduction of Mooring Management Areas in Waikawa Bay, Marlborough on behalf of Port Marlborough.
- Preparation of submission and further submission to Marlborough Proposed Environmental Plan on behalf of Port Marlborough New Zealand Ltd. Present expert planning evidence at various plan hearings.
- Commissioner for Invercargill City Council's stormwater discharge permit, on behalf of Environment Southland.
- Various resource consents in Picton, Havelock and Shakespeare Bay for port and marina related activities.
- Preparation of various resource consent applications and consent notice variations for the development of a sustainable life style farm at Ayrburn, Lake Hayes.
- Presentation of expert planning evidence at Council hearing for coastal permits for marine farm expansion in Marlborough.
- Planner advising the Board of Enquiry for New Zealand Transport Agency's Basin Bridge project involving notice of requirement and resource consents, Wellington, including hearing appearance in front of the Board and expert witness conferencing.
- Preparation of resource consent applications for a student accommodation facility at Logan Park, Dunedin on behalf of Dunedin City Council, Ngai Tahu Property Limited and Otago Polytechnic.
- Preparation of Plan Change 51 to extend Peninsula Bay low density residential zone in Wanaka, on behalf of Peninsula Bay Joint Venture including Council hearing and Environment Court mediation.
- Preparation of resource consent application for public jetty in Lake Wakatipu for Queenstown Lakes District Council.
- Preparation of numerous submissions to proposed district and regional plans and policy statements, along with plan changes and variations on behalf of clients nationally, including presentation of expert planning evidence at Council hearings and assisting at Environment Court mediations.
- Peer review role in preparation of Otago Regional Council Pest Management Plan.
- Provision of resource management advice, including the preparation of resource consent applications and the management of specialist experts for various residential, subdivision and commercial activities in Central Otago and the Queenstown Lakes, including Bendemeer, Damper Bay, Lake Hayes and Roys Peninsula.
- Preparation of Notice of Requirement for Dunedin City Council to designate the Mosgiel Community and Recreation Area.

- Preparation of Plan Change 50, to extend the town centre in Queenstown on behalf of Queenstown Lakes District Council.
- Planner advising the Board of Enquiry for New Zealand Transport Agency's Christchurch Southern Motorway notice of requirement and resource consents, Canterbury, including hearing appearance in front of the Board and expert witness conferencing.
- Sole Hearing Commissioner for water take application for irrigation purposes for Southland Regional Council.
- Presentation of planning evidence to the Board hearing Plan Change 3 to the Waitaki Catchment Water Allocation Regional Plan, on behalf of Waitaki Irrigators Collective Limited and others.
- Presentation of planning evidence for Plan Change 6A to the Otago Regional Water Plan on behalf of Waitaki Irrigators Collective Limited and others.
- Preparation of various resource consent applications on behalf of Otago Regional Council for structures to control flood risk.
- Preparation of proposed private plan change to create a Mercy Hospital Zone, and presentation of planning evidence, on behalf of Mercy Hospital, Dunedin.
- Preparation of various resource consents for works at Mercy Hospital, on behalf of Mercy Hospital, Dunedin.
- Preparation of resource consent application for a multi-level car parking building at Wellington Airport, a café within the Wellington Airport Retail Park, signage and a new at grade carpark on behalf of Wellington Airport Limited.
- Preparation of resource consent applications and hearing attendance for commercial re-development of heritage buildings in Dunedin.
- Presentation of planning evidence for a child care centre in Dunedin.
- Preparation of various resource consents for retirement villages in Canterbury on behalf of Ryman Healthcare Limited.
- Preparation of resource consent application for Observatory Retirement Village, Oamaru on behalf of Waitaki District Health Limited.
- Preparation of Assessment of Environmental Effects, including management of a team of specialist inputs for a Concession application from the Department of Conservation for a monorail linking Queenstown and Te Anau Downs.
- Project managing the process for obtaining Environment Canterbury and Waimakariri District Council resource consents required to develop Pegasus, a new town in Canterbury, including the management of specialist input.

## Appendix B

## Chapter 24 Wakatipu Basin

### 24.4 Rule

#### Table 24.2 – Activities in the Wakatipu Basin Lifestyle Precinct

**24.4.5** The construction of buildings including exterior alteration to existing buildings including buildings located within an existing approved/registered building platform area. (RD)

Discretion is restricted to:

- Building location scale and form.
- External appearance including materials and colours.
- Accessways.
- Servicing and site works including earthworks.
- Retaining structures.
- Infrastructure (e.g. water tanks).
- Fencing and gates.
- External lighting.
- Landform modification, landscaping and planting (existing and proposed).
- Natural hazards.

Excludes farm buildings as provided for in Rule 24.4.8

Excludes buildings outside the development nodes within the Arrowburn Structure Plan as provided for in Rule 24.4.25.

### New Rule 24.4.25 Non farming buildings in the Building Restriction Area in the Arrowburn Structure Plan

24.4.25 Within the Building Restriction Area in the Arrowburn Structure Plan, the construction of buildings, other than farm buildings as provided for in Rule 24.4.7. NC

### 24.5 Rules - Standards

#### Table 24.3 Standards

**24.5.1 Building coverage** (excluding the Arrowburn Structure Plan)

The maximum building coverage for all buildings shall be 15% of lot area, or 500m<sup>2</sup> gross floor area whichever is the lesser.

Discretion is restricted to:

- Building location, character, scale and form.
- External appearance including materials and colours.
- Landform modification/planting (existing and proposed)

#### **24.5.2 Setback from internal boundaries (excluding the Arrowburn Structure Plan)**

The minimum setback of any building from internal boundaries shall be 10m.

Discretion is restricted to:

- Building location, character, scale and form.
- External appearance including materials and colours.
- Landform modification/planting (existing and proposed).

## Chapter 27 Subdivision

### 27.4 Rules – Subdivision

#### **27.4.2 The following shall be non-complying activities:**

- a Subdivision that does not comply with the standards in Part 27.5 and location specific standards in part 27.8. Except within the following zone where any non-compliance shall be a discretionary activity.
  - Jacks Point Zone
- b The further subdivision of an allotment that has previously been used to calculate the minimum average densities for subdivision in the Rural Lifestyle Zone and Rural Residential Zone.
- c The subdivision of a building platform.
- d The subdivision of a residential flat from the residential unit it is ancillary to, except where this is permitted in the Low Density Residential Zone.
- e A subdivision under the Unit Titles Act where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.
- f For avoidance of doubt, a Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use resource consent shall be a discretionary activity.
- g. The further subdivision of an allotment that has previously been used to calculate the minimum and average lot size for subdivision in the Wakatipu Basin Lifestyle Precinct.
- h. The subdivision of an existing or approved residential flat from the residential unit it is ancillary to, or the subdivision of a second residential unit on any allotment in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.

### 27.4.3 The following shall be Restricted Discretionary activities:

- a Subdivision undertaken in accordance with a structure plan or spatial layout plan that is identified in the District Plan. Discretion is restricted to the matters specified in the Location Specific Objectives, Policies and Provisions in Part 27.7.
- b. Any subdivision in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct not meeting the minimum and/or average lot sizes specified in Rule 27.5.

## 27.5 Rules - Standards for Subdivision Activities

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

| Zone            |   | Minimum Lot Area  |
|-----------------|---|---|
| Rural           | Wakatipu Basin Rural Amenity Zone   | 80ha  |
|                 | Wakatipu Basin Lifestyle Precinct,<br><u>(excluding Arrowtown Structure Plan)</u> | 6000m <sup>2</sup> minimum/1.0ha average  |
|                 | <u>Arrowburn Structure Plan.</u>  | <u>1.0ha average</u>  |
| Rural Lifestyle | Rural Lifestyle Deferred A and B  | No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments. |
|                 | Rural Lifestyle Buffer.   | The land in this zone shall be held in a single allotment   |

### 27.7.6

|          |   |
|----------|---|
| 27.7.6.1 | <b><u>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct</u></b>  |
|          | <b><u>Restricted Discretionary Activities</u></b>   |
|          | <p><u>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct:</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <li>a. <u>Location of building platforms and accessways</u></li> <li>b. <u>Subdivision design and lot layout including the location of boundaries, lot sizes and dimensions;</u></li> <li>c. <u>Location, scale and extent of landform modification, and retaining structures;</u></li> <li>d. <u>Property access and roading;</u></li> <li>e. <u>Esplanade provision;</u></li> <li>f. <u>Natural and other hazards;</u></li> <li>g. <u>Firefighting water supply and access;</u></li> <li>h. <u>Water supply;</u></li> <li>i. <u>Network utility services, energy supply and telecommunications;</u></li> <li>j. <u>Open space and recreation provision;</u></li> <li>k. <u>Ecological and natural landscape features;</u></li> <li>l. <u>Historic Heritage features;</u></li> <li>m. <u>Easements;</u></li> <li>n. <u>Vegetation removal and proposed plantings;</u></li> </ol> |

|                        |  |
|------------------------|--|
|                        | <p><u>o. Fencing and gates;</u></p> <p><u>p. Wastewater and stormwater management;</u></p> <p><u>q. Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks.</u></p>   |
| <p><b>27.7.6.2</b></p> | <p><b><u>Assessment Matters - Restricted Discretionary Activities</u></b></p> <p><u>General</u></p> <p><u>a. The extent to which the proposal is consistent with relevant objectives and policies including those in Chapter 27 Subdivision, Chapter 24 Wakatipu Basin and Chapter 6 Landscapes.</u></p> <p><u>b. The extent to which the subdivision provides for low impact design that avoids or mitigates adverse effects on the environment.</u></p> <p><b><u>Subdivision Design</u></b></p> <p><u>c. The extent to which the location of future buildings and ancillary elements and the landscape treatment complements the existing landscape character, visual amenity values and wider amenity values of the Zone or Precinct, including consideration of:</u></p> <ul style="list-style-type: none"> <li><u>i. the retention of existing vegetation and landform patterns;</u></li> <li><u>ii. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;</u></li> <li><u>iii. earth mounding, and framework planting to integrate buildings and accessways;</u></li> <li><u>iv. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8;</u></li> <li><u>v. riparian restoration planting;</u></li> <li><u>vi. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement;</u></li> <li><u>vii. the incorporation of development controls addressing such matters as building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed plantings;</u></li> <li><u>viii. the integration of existing and provision for new public walkways and cycleways/bridlepaths.</u></li> </ul> <p><u>d. 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 delivers optimal landscape character and visual amenity outcomes</u></p> <p><u>e. The extent to which the development maintains visual amenity from public places and neighbouring properties.</u></p> <p><u>f. Whether clustering of future buildings would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform and vegetation patterns.</u></p> <p><u>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.</u></p> <p><u>h. The extent to which development adversely affects other Identified Landscape Features as identified on the planning maps, and in particular the visual amenity values of those features in views from public places outside of the Precinct.</u></p> <p><u>i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds and consent notices.</u></p> <p><u>j. Whether the layout of reserves and accessways provides for adequate public access and use.</u></p> |

**Access and Connectivity**

- k. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.
- l. Whether the location and design of any proposed pedestrian, cycle, bridlepaths and vehicle accessways on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.
- m. Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect to reserves (existing or proposed), roads and existing rural walkways.
- n. Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.
- o. Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.

**Infrastructure and Services**

- p. Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.
- q. Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.
- r. Whether any subdivision proposal demonstrates how any natural water system on the site will be managed, protected or enhanced.
- s. Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.
- t. Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.
- u. Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.
- v. Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.
- w. Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.
- x. Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.
- y. Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.

**Natural Environment and Cultural values**

- z. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.
- aa. Assessing the extent to which the subdivision and subsequent land use on the proposed site(s) adversely affects the historical, cultural or spiritual significance of any site or waahi tapu of significance to iwi.



- bb. Assessing the extent to which the subdivision design and layout preserves and enhances areas of archaeological, cultural or spiritual significance.
- cc. Assessing the extent to which the integrity of any identified heritage feature(s) is maintained and enhanced.

**Earthworks and Hazards**

- dd. Considering how earthworks can be undertaken in a manner which mitigates and remedies adverse effects from soil erosion and the generation of sediments into receiving environments.
- ee. Considering whether earthworks are likely to have adverse effects on landscape character or visual amenity values which cannot be avoided, remedied or mitigated.
- ff. Considering the extent to which subdivision will increase the risks associated with any natural hazard and/or how the subdivision avoids, remedies or mitigates any hazard prone area.
- gg. Considering the extent to which contaminated or potentially contaminated soil is able to be treated or disposed of.
- hh. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.
- ii. Considering whether consent notices or other protective instruments are needed to ensure that any hazard or contamination remediation measures and methodologies are implemented at the time of development.

|     |          |                |
|-----|----------|----------------|
| No. | Date     | Issue Notes    |
| 3   | 08/06/18 | Merge setbacks |
| 2   | 23/05/18 | Revise Zones   |
| 1   | 23/05/18 | Draft          |

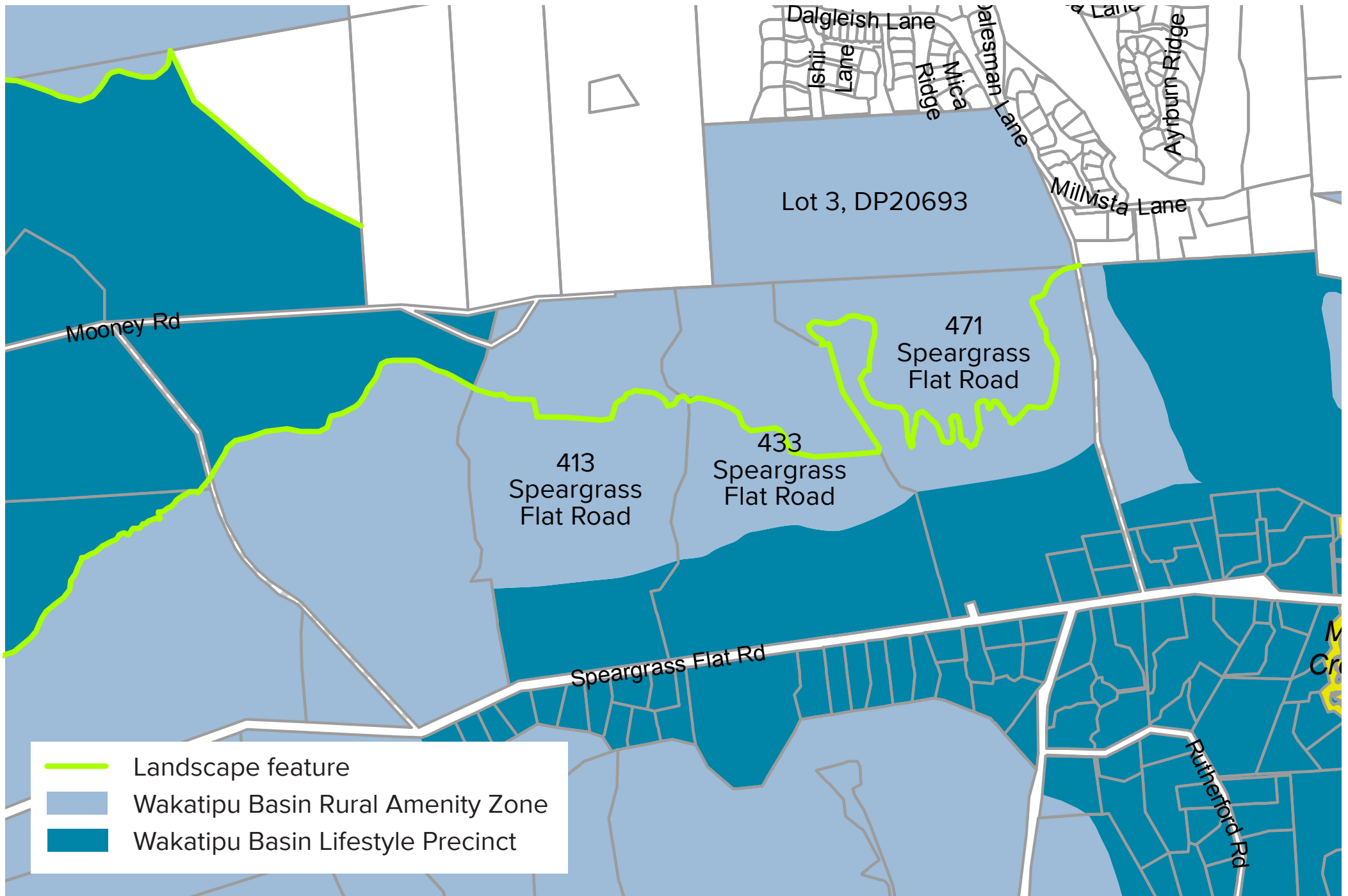
  

|                           |  |
|---------------------------|--|
| Client                    | X-Ray Trust & Avenue Trust                     |
| Project Title             | Proposed Zoning<br>Speargrass Flat             |
| Sheet Title               | Arrowburn Structure Plan<br>(Without Contours) |
| Project Manager           | Project ID                                     |
| Drawn By                  | Scale  |
| Reviewed By               | Sheet No.                                      |
| Date                      | of   |
| CAO File Name             | 2  |
| Backup-20180608150536.vwx |  |

**BLAKELY WALLACE ASSOCIATES**  
 Landscape Architecture and Planning  
 PO Box 121, Arrowtown  
 Tel : 03 442 0303 Fax : 03 442 0307  
 Email : office@blakelywallace.co.nz



| Legend |                           |
|--------|---------------------------|
|        | Building Restriction Area |
|        | Development Nodes         |



Mooney Rd

Dalglish Lane  
Ishii Lane  
Mica Ridge  
Jalesman Lane  
Millmista Lane  
Ayrburn Ridge

Lot 3, DP20693

413  
Speargrass  
Flat Road

433  
Speargrass  
Flat Road

471  
Speargrass  
Flat Road

Speargrass Flat Rd

Rutherford Rd

M  
Cr

## Appendix C

### Relevant Objectives and Policies from the Operative Otago Regional Policy Statement

#### **Chapter 5 Land**

##### **5.4 Objectives**

5.4.1. *To promote the sustainable management of Otago's land resources in order:*

- (a) *To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and*
- (b) *To meet the present and reasonably foreseeable needs of Otago's people and communities.*

5.4.2. *To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.*

##### **5.5. Policies**

5.5.3 *To maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, amongst other adverse effects:*

- (a) *Reduce the soil's life supporting capacity*
- (b) *Reduce healthy vegetative cover*
- (c) *Cause soil loss*
- (d) *Contaminate soils*
- (e) *Reduce productivity*
- (f) *Compact soils*
- (g) *Reduce soil moisture holding capacity.*

5.5.4 *To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.*

#### **Chapter 9 Urban Environment**

##### **9.4 Objectives**

9.4.1. *To promote the sustainable management of Otago's built environment in order to:*

- (a) *Meet the present and reasonably foreseeable needs of Otago's people and communities; and*
- (b) *Provide for amenity values; and*
- (c) *Conserve and enhance environmental and landscape quality; and*
- (d) *Recognise and protect heritage values.*

9.4.2. *To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.*

9.4.3. *To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.*

## **9.5 Policies**

9.5.1 *To recognise and provide for the relationship Kai Tahu have with the built environment of Otago through:*

- (a) *Considering activities involving papatipu whenua that contribute to the community and cultural development of Kai Tahu; and*
- (b) *Recognising and providing for the protection of sites and resources of cultural importance from the adverse effects of the built environment.*

9.5.2 *To promote and encourage efficiency in the development and use of Otago's infrastructure through:*

- (a) *Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and*
- (b) *Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and*
- (c) *Encouraging a reduction in the use of non-renewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and*
- (d) *Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.*

9.5.4 *To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:*

- (a) *Discharges of contaminants to Otago's air, water or land; and*
- (b) *The creation of noise, vibration and dust; and*
- (c) *Visual intrusion and a reduction in landscape qualities; and*
- (d) *Significant irreversible effects on:*
  - (i) *Otago community values; or*
  - (ii) *Kai Tahu cultural and spiritual values; or*
  - (iii) *The natural character of water bodies and the coastal environment; or*
  - (iv) *Habitats of indigenous fauna; or*
  - (v) *Heritage values; or*
  - (vi) *Amenity values; or*
  - (vii) *Intrinsic values of ecosystems; or*
  - (viii) *Salmon or trout habitat.*

9.5.5 *To maintain and, where practicable, enhance the quality of life for people and communities within Otago's built environment through:*

- (a) *Promoting the identification and provision of a level of amenity which is acceptable to the community; and*
- (b) *Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and*
- (c) *Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.*

## **Chapter 11 Natural Hazards**

### **11.4 Objectives**

11.4.2 *To avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels.*

## Appendix D

### Relevant Objectives and Policies from the Proposed Otago Regional Policy Statement (incorporating Council decisions, 1 October 2016)

**Objective 1.1** *Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago.*

**Policy 1.1.2** *Economic wellbeing*

*Provide for the economic wellbeing of Otago's people and communities by enabling the use and development of natural and physical resources only if the adverse effects of those activities on the environment can be managed to give effect to the objectives and policies of the Regional Policy Statement.*

**Policy 1.1.3** *Social and cultural wellbeing and health and safety*

*Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:*

- a) *Recognising and providing for Kāi Tahu values;*
- b) *Taking into account the values of other cultures;*
- c) *Taking into account the diverse needs of Otago's people and communities;*
- d) *Promoting good quality and accessible infrastructure and public services;*
- e) *Avoiding significant adverse effects of activities on human health.*

**Objective 2.1** *The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions*

**Objective 3.1** *The values of Otago's natural resources are recognised, maintained and enhanced.*

**Policy 3.1.7** *Soil values* *Manage soils to achieve all of the following:*

- a) *Maintain or enhance their life supporting capacity;*
- b) *Maintain or enhance soil biological diversity;*
- c) *Maintain or enhance biological activity in soils;*
- d) *Maintain or enhance soil function in the storage and cycling of water, nutrients, and other elements through the biosphere;*
- e) *Maintain or enhance soil function as a buffer or filter for contaminants resulting from human activities, including aquifers at risk of leachate contamination;*
- f) *Maintain or enhance soil resources for primary production;*
- g) *Maintain the soil mantle where it acts as a repository of historic heritage objects unless an archaeological authority has been obtained;*
- h) *Avoid the creation of contaminated land;*
- i) *Control the adverse effects of pest species, prevent their introduction and reduce their spread.*

**Policy 3.1.8** *Soil erosion* Minimise soil erosion resulting from activities, by undertaking all of the following:

- a) *Using appropriate erosion controls;*
- b) *Maintaining vegetative cover on erosion prone land;*
- c) *Remediating land where significant soil erosion has occurred;*
- d) *Encouraging activities that enhance soil retention.*

**Policy 3.1.9** *Ecosystems and indigenous biological diversity* Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to achieve all of the following:

- a) *Maintain or enhance ecosystem health and indigenous biological diversity;*
- b) *Maintain or enhance biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;*
- c) *Maintain or enhance areas of predominantly indigenous vegetation;*
- d) *Recognise and provide for important hydrological services, including the services provided by tussock grassland;*
- e) *Recognise and provide for natural resources and processes that support indigenous biological diversity;*
- f) *Maintain or enhance habitats of indigenous species and the habitat of trout and salmon that are important for recreational, commercial, cultural or customary purposes;*
- g) *Control the adverse effects of pest species, prevent their introduction and reduce their spread.*

**Policy 3.1.10** *Natural features, landscapes, and seascapes* Recognise the values of natural features, landscapes and seascapes are derived from the biophysical, sensory and associative attributes in Schedule 3.

**Objective 3.2** *Otago's significant and highly-valued natural resources are identified, and protected or enhanced.*

**Policy 3.2.5** *Identifying highly valued natural features, landscapes and seascapes* Identify natural features, landscapes and seascapes, which are highly valued for their contribution to the amenity or quality of the environment but which are not outstanding, using the attributes in Schedule 3.

**Policy 3.2.6** *Managing highly valued natural features, landscapes and seascapes* Protect or enhance highly valued natural features, landscapes and seascapes by all of the following:

- a) *Avoiding significant adverse effects on those values which contribute to the high value of the natural feature, landscape or seascape;*
- b) *Avoiding, remedying or mitigating other adverse effects;*
- c) *Recognising and providing for positive contributions of existing introduced species to those values;*
- d) *Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;*
- e) *Encouraging enhancement of those values which contribute to the high value of the natural feature, landscape or seascape.*



**Objective 4.1** Risk that natural hazards pose to Otago's communities are minimised.

**Policy 4.1.2** Natural hazard likelihood

Using the best available information, assess the likelihood of natural hazard events occurring, over no less than 100 years.

**Policy 4.1.4** Assessing activities for natural hazard risk.

Assess activities for natural hazard risk to people and communities, by considering all of the following:

- a) The natural hazard risk identified, including residual risk;
- b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;
- c) The long term viability and affordability of those measures;
- d) Flow-on effects of the risk to other activities, individuals and communities;
- e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.

**Policy 4.1.5** Natural hazard risk

Manage natural hazard risk to people and communities, with particular regard to all of the following:

- a) The risk posed, considering the likelihood and consequences of natural hazard events;
- b) The implications of residual risk, including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures;
- c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;
- d) The changing nature of tolerance to risk;
- e) Sensitivity of activities to risk.

**Objective 4.3** Infrastructure is managed and developed in a sustainable way

**Policy 4.3.1** Managing infrastructure activities Manage infrastructure activities, to achieve all of the following:

- a) Maintaining or enhancing the health and safety of the community;
- b) Avoiding, remedying or mitigating adverse effects of those activities on existing land uses, including cumulative adverse effects on natural and physical resources;
- c) Supporting economic, social and community activities;
- d) Improving efficiency of use of natural resources;
- e) Protecting infrastructure corridors for infrastructure needs, now and for the future;
- f) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events;
- g) Protecting the functional and operational requirements of lifeline utilities and essential or emergency services.

## **Appendix E**

### **Relevant Objectives and Policies Queenstown Lakes District Council Proposed District Plan**

#### **Objectives**

##### **Strategic Directions**

*Objective 3.2.3 A quality built environment taking into account the character of individual communities.*

*Objective 3.2.4 The distinctive natural environments and ecosystems of the District are protected.*

*Objective 3.2.5 The retention of the District's distinctive landscapes.*

*Objective 3.2.6 The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.*

##### **Rural Amenity Zone**

*24.2.1 Objective - Landscape and visual amenity values are protected, maintained and enhanced.*

*24.2.2 Objective – Non-residential activities are compatible with infrastructure, and maintain and enhance landscape character and amenity values.*

*24.2.4 Objective - Subdivision and land use development maintains and enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.*

##### **Lifestyle Precinct Overlay**

*24.2.5 Objective - The landscape character and visual amenity values of the Precinct are maintained and enhanced in conjunction with enabling rural residential living opportunities.*

#### **Policies**

*24.2.1.2 Ensure subdivision and developments are designed (including accessways, services, utilities and building platforms) to minimize modification to the landform, and maintain and enhance the landscape character and visual amenity values.*

*24.2.1.1 Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to protect landscape character and visual amenity values.*

*24.2.3 Ensure that subdivision and development maintains and enhances the Wakatipu Basin landscape character and visual amenity values identified for the landscape character units as described in Schedule 24.8.*

*24.2.1.4 Maintain and enhance the landscape character and visual amenity values associated with the Zone and Precinct and surrounding landscape context by controlling the colour, scale, form, coverage, location (including setbacks from boundaries and from Identified Landscape Features) and height of buildings and associated infrastructure, vegetation and landscape elements.*

*24.2.1.8 Ensure land use activities protect, maintain and enhance the range of landscape character and visual amenity values associated with the Zone, Precinct and wider Wakatipu Basin area.*

*24.2.1.9 Provide for activities that maintain a sense of openness and spaciousness in which buildings are subservient to natural landscape elements.*

*24.2.1.10 Facilitate the provision of walkway, cycleway and bridle path networks.*

*24.2.5.1 Provide for rural residential subdivision, use and development only where it protects, maintains or enhances the landscape character and visual amenity values as described within the landscape character unit as defined in Schedule 24.8.*

*24.2.5.2 Promote design-led and innovative patterns of subdivision and development that maintain and enhance the landscape character and visual amenity values of the Wakatipu Basin overall.*

*24.2.5.4 Implement minimum and average lot size standards in conjunction with building coverage and height standards so that the landscape character and visual amenity qualities of the Precinct are not compromised by cumulative adverse effects of development.*

*24.2.5.5 Maintain and enhance a distinct and visible edge between the Precinct and the Zone.*

*24.2.5.6 Retain vegetation where this contributes to landscape character and visual amenity values of the Precinct and is integral to the maintenance of the established character of the Precinct*

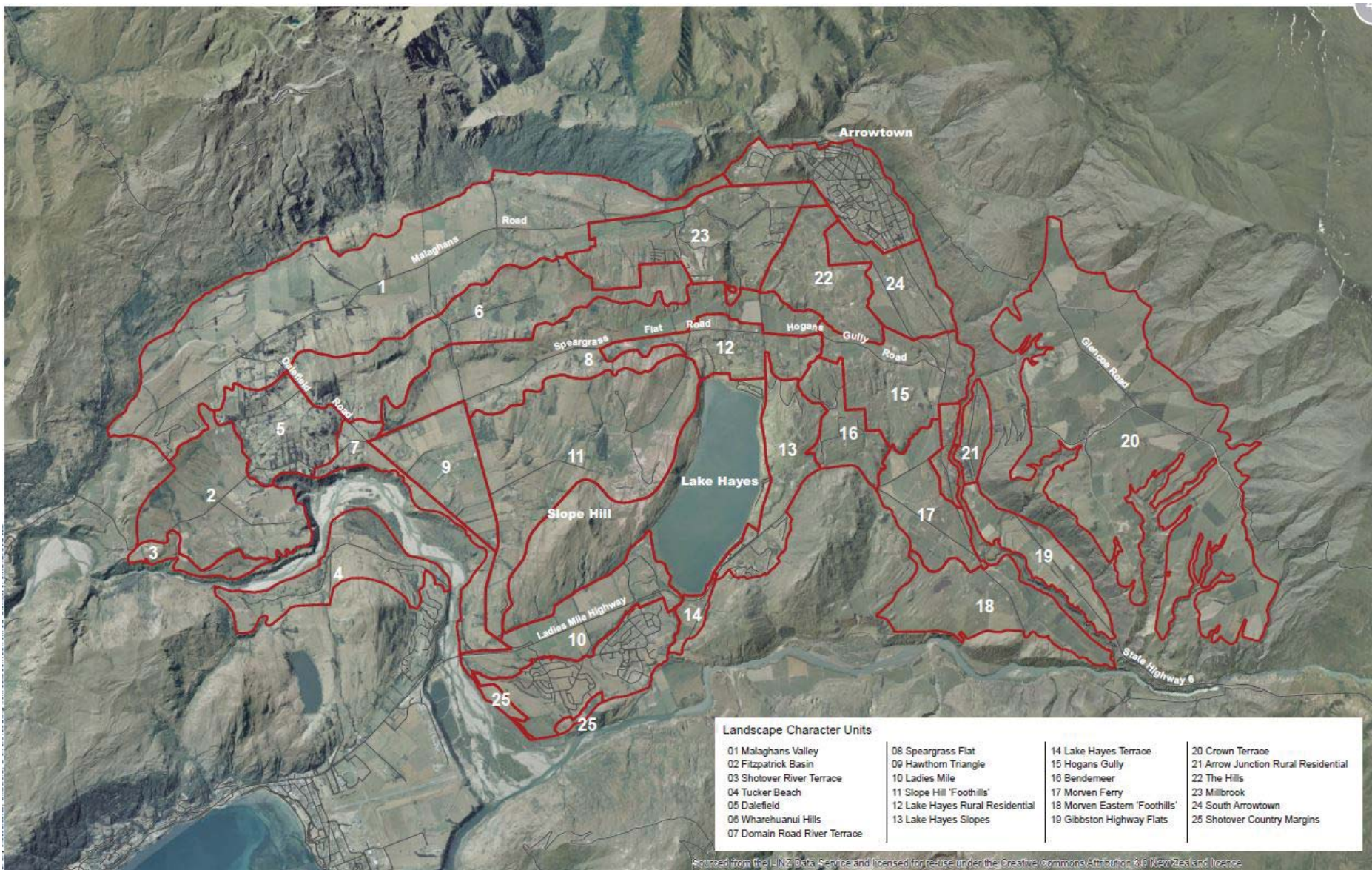
## **Appendix F**

### **Landscape Character Units (Schedule 24.8)**

#### **Queenstown Lakes District Council Proposed District Plan**

# 24.8

## Schedule 24.8 - Landscape Character Units



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|  |   |
|--|---|
| <b>Landscape Character Unit</b>  | <b>5: Dalefield</b>   |
| <b>Environmental characteristics and visual amenity values to be maintained and enhanced</b> | Unobtrusiveness of buildings and their integration via planting.                        |
| <b>Capability to absorb additional development</b>   | <b>High</b><br>(Potentially limited by existing building, vegetation and lot patterns.) |

## 6: Wharehuanui Hills

|                                  |   |
|----------------------------------|---|
| <b>Landscape Character Unit</b>  | <b>6: Wharehuanui Hills</b>   |
| <b>Landform patterns</b>         | Elevated moraine landform with plateaus, hummocky hills, and remnant kettle lakes.<br>Many of the latter have been converted into amenity pond features.  |
| <b>Vegetation patterns</b>       | Scattered exotic shelterbelts and shade trees throughout pastoral areas.<br>Exotic shelterbelts and park-like amenity plantings throughout rural residential lots with native vegetation to pond and watercourse margins.<br>Patches of scrub in gullies.<br>Mix of grazed and mown grass.  |
| <b>Hydrology</b>                 | Numerous pond and wetland areas together with short watercourses and overland flow paths.   |
| <b>Proximity to ONL/ONF</b>      | Unit does not adjoin ONL or ONF; however, has open, longer-range views to the surrounding ONL mountain context.   |
| <b>Character Unit boundaries</b> | North: Ridgeline crest defining Malaghans Valley LCU.<br>East: Millbrook Structure Plan area.<br>South: Ridgeline crest defining Speargrass Flat LCU.<br>West: Dalefield Road.  |
| <b>Land use</b>                  | A mix of rural and rural residential land uses evident.   |
| <b>Settlement patterns</b>       | Generally, dwellings are located clear of wet areas, positioned to enjoy long-range mountain views and sited to optimise the screening/privacy benefits of the localised hummock landform patterning and vegetation patterns.<br>Relatively few consented but unbuilt platforms (9).<br>Typical lot sizes: predominantly 20-50ha lots with pockets of 4-10ha and < 4ha. |
| <b>Proximity to key route</b>    | Located away from key vehicular route, i.e. accessed via a dead-end road (Mooney Road) or via long driveways off Speargrass Flat Road, Dalefield Road or Lower Shotover Road.   |
| <b>Heritage features</b>         | No heritage buildings / features identified in PDP.   |
| <b>Recreation features</b>       | No walkways / cycleways etc. through the area.  |
| <b>Infrastructure features</b>   | No reticulated sewer, water or stormwater.  |

| <b>Landscape Character Unit</b>  | <b>6: Wharehuanui Hills</b>   |
|--|---|
| <b>Visibility/prominence</b>   | <p>The elevated and hummocky character of the central portion of the unit is not particularly prominent in terms of the wider basin landscape.</p> <p>The hills and escarpments along the north and south edges of the unit are however highly visible from the surrounding lower lying areas (noting that these areas have been included in the adjacent Landscape Character Units i.e. LCU1 and LCU 8).</p> <p>The area is visible from the (ONL) mountain tracks to the north however the diminishing influences of distance/ relative elevation in conjunction with the relative unimportance (visually) of the unit within the wider panorama reduces the unit's prominence.</p> |
| <b>Views</b>   | <p>The unit affords attractive long-range views to the surrounding ONL mountain setting.</p> <p>The containment of localised hummocks means that few dwellings within the unit are visible from the surrounding area (excepting the more distant areas at a higher elevation).</p> <p>In views from the mountain tracks to the north, the unit reads as part of a broad swathe of relatively low lying undulating land that extends in a west - east direction across the basin.</p>  |
| <b>Enclosure/openness</b>  | <p>A variable sense of openness and containment.</p> <p>Smaller lots tend to exhibit a more enclosed and contained character as a consequence of vegetation patterns.</p> <p>The hummocky landform pattern also serves to create a sense of containment.</p>  |
| <b>Complexity</b>  | <p>Generally, a relatively complex landscape as a consequence of the landform and vegetation patterns.</p> <p>The configuration of smaller lots and their associated boundary plantings adds to the complexity.</p>   |
| <b>Coherence</b>   | <p>Vegetation patterns generally do not reinforce landform features (excepting pond and stream plantings), which results in the perception of a landscape lacking coherence.</p> <p>This is reinforced by the varying character of plantings evident on individual properties and the wide range of architectural styles evident.</p>   |
| <b>Naturalness</b>   | <p>Generally, a limited perception of naturalness as a consequence of the level of rural residential development evident, and the relatively contrived (albeit in the main, attractive) character of plantings.</p>   |
| <b>Sense of Place</b>  | <p>Generally, the area reads as a rural residential landscape in which buildings are reasonably well integrated by landform and vegetation.</p> <p>Whilst larger more 'rural' lots are evident, overall the amenity plantings throughout tend to contribute a parkland rather than a working rural landscape impression.</p>  |
| <b>Potential landscape issues and constraints associated with additional development</b> | <p>Poor drainage/wet areas.</p> <p>Potential visibility of development along the north and south ridgeline edges of the unit.</p> <p>Accessways and large-scale buildings have the potential to compromise the distinctive hummocky landform pattern.</p>   |

| Landscape Character Unit   | 6: Wharehuanui Hills  |
|--|---|
| <b>Potential landscape opportunities and benefits associated with additional development</b> | <p>Relatively visually discreet nature of the majority of the unit (due to landform and, to a lesser degree, vegetation patterns).</p> <p>Integration potential of landform pattern.</p> <p>Large-scaled lots suggest potential for subdivision.</p> <p>Riparian restoration potential.</p> <p>Potential to integrate walkways/cycleways.</p> |
| <b>Environmental characteristics and visual amenity values to be maintained and enhanced</b> | <p>Landform patterning.</p> <p>Integration of buildings with landform and planting.</p> <p>Set back of buildings from the ridgeline crests to the north and south edges of the unit.</p>  |
| <b>Capability to absorb additional development</b>   | <b>High</b>   |

## 7: Domain Road Shotover Terrace

| Landscape Character Unit         | 7: Domain Road Shotover Terrace   |
|----------------------------------|---|
| <b>Landform patterns</b>         | Flat alluvial river terrace edged by steep vegetation-clad river cliffs to the west.  |
| <b>Vegetation patterns</b>       | <p>Predominantly exotic vegetation and weeds throughout steep river cliffs (outside of LCU).</p> <p>Scattered exotic shade trees, shelterbelts and amenity plantings around buildings.</p> <p>Mix of grazed and mown grass.</p>                   |
| <b>Hydrology</b>                 | No streams, ponds or wetlands evident.  |
| <b>Proximity to ONL/ONF</b>      | Western boundary adjoins Shotover River ONL (WB).   |
| <b>Character Unit boundaries</b> | <p>North: the toe of the Wharehuanui / Dalefield hill slopes, vegetation / cadastral patterning.</p> <p>East: Domain Road, the Hawthorn Triangle hedging and Lower Shotover Road.</p> <p>South: SH6 cutting.</p> <p>West: Shotover River ONL.</p> |
| <b>Land use</b>                  | <p>Rural residential and rural lifestyle/hobby farming uses dominate.</p> <p>Some tourist accommodation.</p>  |



| Landscape Character Unit       | 7: Domain Road Shotover Terrace  |
|--------------------------------|--|
| <b>Settlement patterns</b>     | <p>Generally, dwellings are located to enjoy close-range views of the Shotover River corridor and wider mountain views.</p> <p>Several consented but unbuilt platforms along the south and north end of Domain Road (8 in total).</p> <p>Dwellings accessed from Spence Road (towards the south end of the unit) generally well integrated by plantings.</p> <p>Typical lot sizes: predominantly &lt; 4ha or 4-10ha.</p> |
| <b>Proximity to key route</b>  | <p>The southern end of the unit is close to SH6, a key route between Queenstown, Arrowtown, Wanaka, Cardrona, the Gibbston Valley and Cromwell.</p>  |
| <b>Heritage features</b>       | <p>Two heritage buildings/features identified in PDP, including the Old Shotover River Bridge at the southern end of the unit.</p>   |
| <b>Recreation features</b>     | <p>A council walkway/cycleway runs along the western edge of the south portion of the unit (i.e. along the Shotover). This forms part of the Queenstown Trail 'Countryside Ride' route.</p>  |
| <b>Infrastructure features</b> | <p>No reticulated sewer or stormwater.</p> <p>Reticulated water in north and central parts of the unit.</p>  |
| <b>Visibility/prominence</b>   | <p>The dense plantings associated with the Hawthorn Triangle to the east means that visibility is limited to the Shotover corridor, the elevated hills to the east (Slope Hill ONF environs), Quail Rise/LCU4 to the west and Lower Shotover Road to the east.</p> <p>The area is generally not visible from SH6 (highway in substantial cutting), although is visible in part from the Shotover Bridge.</p>             |
| <b>Views</b>                   | <p>The unit affords highly attractive views of the Shotover corridor and ONL mountain backdrop beyond.</p> <p>The unit is of importance in views from the river corridor, the walkway/cycleway route, Quail Rise, the highway Shotover Bridge (in part) and the Old Shotover River Bridge.</p>   |
| <b>Enclosure/openness</b>      | <p>There is a variable sense of enclosure throughout the unit as a consequence of vegetation patterns.</p> <p>The central portion of the unit is generally more open in character.</p>   |
| <b>Complexity</b>              | <p>The terrace landform patterning, together with the limited vegetation patterning throughout the central portion of the unit, results in a relatively low level of complexity.</p> <p>The more varied topography and vegetation in the north and south makes these areas more complex.</p>   |
| <b>Coherence</b>               | <p>A relatively low level of coherence as a consequence of the variance between landform and vegetation patterns.</p>  |
| <b>Naturalness</b>             | <p>A limited sense of naturalness as a consequence of the level of rural residential development, the proximity of the southern part of the unit to SH6, and the proximity to development within LCU 4 (Tucker Beach) and the Quail Rise Structure Plan Area.</p> <p>This is countered to a degree by the scale and undeveloped character of the Shotover River corridor in very close proximity.</p>                    |
| <b>Sense of Place</b>          | <p>Generally, the area reads as a part of the river 'fringe', distinct from the densely-planted and inhabited units of Dalefield and the Hawthorn Triangle (to the north and east respectively), and the more open and elevated landscape associated with Slope Hill to the east.</p>  |

| Landscape Character Unit   | 7: Domain Road Shotover Terrace   |
|--|---|
| <b>Potential landscape issues and constraints associated with additional development</b>     | <p>The relatively open and exposed nature of the central portion of the unit, within a high value landscape context, makes it sensitive to landscape change.</p> <p>Proximity of popular walkway/cycleway route.</p> <p>The relatively close proximity of visible urban development (Quail Rise) to the southern portion of the unit and proximity of the intensively developed Hawthorn Triangle to the east suggests a reduced sensitivity. The complex patterning of vegetation throughout this portion of the unit also serves to reduce its sensitivity.</p> <p>Integration with consented but unbuilt development - potential for adverse cumulative effects.</p> |
| <b>Potential landscape opportunities and benefits associated with additional development</b> | <p>Larger-scaled lots suggest potential for subdivision.</p> <p>Close proximity to Queenstown.</p> <p>'Developed' context.</p> <p>Easy topography.</p>  |
| <b>Environmental characteristics and visual amenity values to be maintained and enhanced</b> | <p>Connection with riverscape.</p> <p>Set back of buildings from river cliff/ONL edges.</p> <p>Integration of buildings with plantings.</p>   |
| <b>Capability to absorb additional development</b>   | <b>Moderate-High</b>  |

## 8: Speargrass Flat

| Landscape Character Unit         | 8: Speargrass Flat   |
|----------------------------------|--|
| <b>Landform patterns</b>         | Relatively open pastoral flat framed by the south-facing slopes of the Wharehuanui Hills to the north, and the steep margins of the Slope Hill 'Foothills' to the south.   |
| <b>Vegetation patterns</b>       | Scattered exotic shelterbelts and patches of mixed scrubland in gullies. Isolated bush fragment to eastern end. Exotic pasture grasses dominate.   |
| <b>Hydrology</b>                 | A series of watercourses and overland flow paths drain southwards across Speargrass Flat from the Wharehuanui Hills to Lake Hayes.   |
| <b>Proximity to ONL/ONF</b>      | Unit does not adjoin ONL or ONF; however, has open longer-range views to surrounding ONL mountain context.   |
| <b>Character Unit boundaries</b> | <p>North: ridgeline crest, Millbrook Structure Plan area.</p> <p>East: crest of hill slopes, Lake Hayes Rural Residential landuse pattern/cadastral boundaries, Speargrass Flat Road.</p> <p>South: ridgeline crest, Hawthorn Triangle hedging.</p> <p>West: vegetation patterns/stream.</p> |

| Landscape Character Unit   | 8: Speargrass Flat   |
|--|--|
| <b>Land use</b>  | Predominantly pastoral land use with sparsely scattered rural residential lots.  |
| <b>Settlement patterns</b>   | Dwellings tend to be well separated and framed by plantings, or set into localised landform patterns. Generally dwellings are located on the flat land adjacent the road although a very limited number of consented but unbuilt platforms located on elevated hill slopes to the south (that enjoy northern aspect).<br><br>Overall very few consented but unbuilt platforms (3).<br><br>Typical lot sizes: the majority of lots are over 50ha.   |
| <b>Proximity to key route</b>  | Located away from a key vehicular route.   |
| <b>Heritage features</b>   | Two heritage buildings/features identified in PDP.   |
| <b>Recreation features</b>   | Speargrass Flat Road is identified as a Council walkway/cycleway. Forms part of Queenstown Trail 'Countryside Ride'.   |
| <b>Infrastructure features</b>   | No reticulated sewer or stormwater.<br><br>Reticulated water in places.  |
| <b>Visibility/prominence</b>   | The relatively open character of the unit makes it highly visible from the public road network and the elevated hills to the north and south.  |
| <b>Views</b>   | Key views relate to the open and spacious pastoral outlook from Speargrass Flat Road (including the walkway/cycleway route) across to the escarpment faces and hillslopes flanking the valley, backdropped by mountains.   |
| <b>Enclosure/openness</b>  | The landform features to the north and south providing a strong sense of containment to the relatively open valley landscape.  |
| <b>Complexity</b>  | The hillslopes and escarpment faces to the north and south display a reasonably high degree of complexity as a consequence of the landform and vegetation patterns.<br><br>The valley floor itself displays a relatively low level of complexity as a consequence of its open and flat nature.   |
| <b>Coherence</b>   | The relatively simple and legible bold valley landform pattern, in combination with the predominantly open pastoral character, contributes an impression of coherence. Gully vegetation patterning serves to reinforce the landscape legibility in places.   |
| <b>Naturalness</b>   | The area displays a reasonable degree of naturalness as a consequence of the relatively limited level of built development evident.  |
| <b>Sense of Place</b>  | Generally, the area displays a predominantly working rural landscape character with scattered and for the most part, relatively subservient rural residential development evident in places.<br><br>Whilst Hawthorn Triangle and Lake Hayes Rural Residential LCUs form part of the valley landscape, their quite different character as a consequence of relatively intensive rural residential development sets them apart from the Speargrass Flat LCU, with the latter effectively reading as 'breathing space' between the two. To the eastern end of the unit, there is the perception of the Lakes Hayes Rural Residential area sprawling into Speargrass Flat. |
| <b>Potential landscape issues and constraints associated with additional development</b> | Absence of a robust edge to the Lake Hayes Rural Residential LCU makes Speargrass Flat vulnerable to 'development creep'.<br><br>Open character, in combination with walkway / cycleway, makes it sensitive to landscape change.   |

| Landscape Character Unit  | 8: Speargrass Flat   |
|---|--|
| Potential landscape opportunities and benefits associated with additional development | Larger-scaled lots suggest potential for subdivision.<br>Subdivision around the edges of the Lake Hayes Rural Residential Unit suggest the potential to consolidate the existing rural residential 'node' and integrate a defensible edge.<br>Riparian restoration potential.<br>Easy topography.  |
| Environmental characteristics and visual amenity values to be maintained and enhanced | Sense of openness and spaciousness as a 'foil' for the more intensively developed rural residential areas nearby.<br>Views from Speargrass Flat Road to the largely undeveloped hillslopes and escarpment faces to the north and south.<br>Integration of buildings with landform and/or planting. |
| Capability to absorb additional development   | <b>High:</b> around Lake Hayes Rural Residential LCU 12 edges.<br><b>Low:</b> Elsewhere.   |

## 9: Hawthorn Triangle

| Landscape Character Unit  | 9: Hawthorn Triangle   |
|---------------------------|--|
| Landform patterns         | Flat alluvial river terrace landform.<br>Localised (man-made) mounding within the triangle to assist the integration of dwellings and provide privacy.                                       |
| Vegetation patterns       | Tall hawthorn hedging around almost all three sides of the triangle. Elsewhere exotic shelterbelt plantings.<br>Extensive parkland and amenity plantings within the triangle.<br>Mown grass. |
| Hydrology                 | Sporadic amenity ponds and truncated streams.  |
| Proximity to ONL/ONF      | Unit does not adjoin ONL or ONF; however, has mid and longer-range views above the hedging and tree plantings to the ONL mountain context.   |
| Character Unit boundaries | North: Speargrass Flat Road and shelterbelt/hawthorn hedging.<br>East/South: Domain Road and hawthorn hedging.<br>West/South: Lower Shotover Road and hawthorn hedging.                      |
| Land use                  | Rural residential.   |