

## Mackenzie District Council

### Report on resource consent application RM160209

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<b>Application Number:</b>	RM160209
<b>Applicant:</b>	Grant Payne
<b>Site address:</b>	North West Arch
<b>Legal Description:</b>	Lot 2 DP 52249
<b>Zoning:</b>	<b>Residential 4</b>
<b>Activity Status:</b>	<b>Subdivision:</b> Non-complying activity <b>Land Use:</b> Non-complying activity
<b>Description of Application:</b>	<p>Subdivision consent to create 54 residential lots that do not comply with minimum lot size provisions of Residential 4 Zone</p> <p>Subdivision of Recreation P (Passive) zoned land</p> <p>Land use consent to establish buildings on proposed Lots 5-68 in accordance with coverage and setback rules that apply in the Residential 1 Zone rather than the Residential 4 zone rules and non-compliance with road boundary setback on proposed lots 1-4.</p> <p>Land use consent to enable residential use and structures and a public road within the Recreation P zone.</p>

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## A. The Proposal

1. The applicant seeks resource consent to undertake a fee simple subdivision of Lot 1 of RM160165 (refer **Appendix B**). Subdivision consent RM160165 (refer **Appendix C**) was recently approved by Mackenzie District Council and created two residential development lots (Lots 1 and 2), reserves over current Recreation P zoned land (Lots 5 and 6), a residual lot containing part of the Council's Twizel Closed Landfill (Lot 3) and legalised a formed length of North West Arch (Lot 4) which connects with Ohau Road. In addition the consent approved stage 2 of the subdivision involving subdivision of Lot 2 into 10 Residential 4 lots of approximately 4000m<sup>2</sup> (refer **Appendix B**). The subdivision of Lot 1 now proposed is stage 3 of the subdivision.
2. The subdivision proposed seeks to create four Residential 4 lots (lots 1 to 4) with areas ranging from 4143-4471m<sup>2</sup>. These lots adjoin three existing Residential 4 lots on the western boundary of the site and five lots on Totara Drive in the Residential 1 zone on the northern boundary. The remaining 63 lots (Lots 5 to 67) are designed to Residential 1 standards with areas ranging from 644m<sup>2</sup> to 917m<sup>2</sup>. A small part of the Residential 1 type lots falls within the Recreation P zone. Access to the site is to be gained by new roads, one off Ohau Road and one off North West Arch.
3. The applicant is also seeking land use consent to enable buildings to be established on these lots in accordance with rules that apply in the Residential 1 Zone controlling site coverage and setbacks. The standards proposed for Lots 5 to 67 are a maximum building and hardsurface coverage of 50% and a setback from all boundaries of 2m. With regard to Lots 1 to 4, which are all over 4000m<sup>2</sup> in area, the applicants are seeking a reduced road setback of 5m rather than the required 10m setback in the Residential 4 zone.
4. Lot 1 of RM160165 gains legal access from the North West Arch to the south. The proposed subdivision of Lot 1 now proposes to also gain road access from Ohau Road, which involves use of Recreation P zoned land that is to be vested as Recreation Reserve. Lot 2 DP 52249 is the underlying title and has legal access to North West Arch and Ohau Road, Twizel. All land within the underlying title, and now Lot 1, is owned by the Mackenzie District Council and the applicant is in the process of purchasing Lots 1 and 2 of RM160165 for the purpose of residential development.
5. An information request was made on 16 January 2017 requesting a number of technical changes to the subdivision plans and information regarding the appropriate location of stormwater flowpaths, treatment and disposal, provision of a second water connection, and the feasibility of providing for a reticulated gravity system. The applicant supplied the requested information on 17 March 2017.
6. After public notification of the application and following detailed assessment of the proposed subdivision it was clear that the boundaries of existing Lot 1 created by RM160165 and the proposed subdivision of that lot by the current application did not match. In particular the cul-de sac and slivers of land of proposed lots 8, 12, 13 and 16 sat outside Lot 1 and were therefore also in the Recreation P zone. In addition the proposed road off Ohau Road into the subdivision was within Lot 5 of the current subdivision, which is to be vested

as recreation reserve. This creates issues both in terms of not being aligned with the underlying lot and also with finding a mechanism to provide legal access across the recreation reserve.

7. In response to my queries regarding these matters on 22 June the applicants have amended both the plans for the stage 3 development and have applied for a variation of the subdivision approved as RM160165 (refer **Appendix D**). The variation to the underlying zoning (which is being processed as a separate consent from this consent) changes the shape of the northern boundary of Lot 1. Rather than following the Recreation P/Residential 4 zone boundary the new boundary is pulled back to avoid the narrow ends of the reserve areas that sit south of properties on Rata Road. In addition, the area of land where there is to be a road into the development off Ohau Road is now included on Lot 1 and consequently taken out of what was lot 5, which is recreation reserve to vest. There are now therefore two separate areas of land to vest as recreation reserve within the block north of North West Arch. These are lot 5 which includes land between Rata Road and Totara Drive and which comes through to Ohau Road and extends down the Ohau Road frontage to the new road into the development and Lot 6 which continues down the Ohau Road frontage from the southern edge of the new road through to the North West Arch.
8. The revised stage 3 plans provided for this application (dated 10/07/2017) revise the layout slightly by reducing the cul-de-sac in length so it fits fully inside the Residential 4 zone, rather than intruding into the Recreation P zone. These plans are contained in **Appendix B**.

## **B. Planning Framework**

### **Mackenzie District Plan**

9. The site is zoned Residential 4 and Recreation P (Passive), with the adjoining land zoned Recreation P (Passive) and Residential 1. The site is not subject to any overlays or designations.
10. The proposal requires resource consent under the following rules in the Mackenzie District Plan:

### **Subdivision**

11. **Subdivision rule 3(a)** of the Plan states that any subdivision which complies with all primary and secondary subdivision standards shall be a Controlled activity. If Primary standards are not met then the subdivision is a Non-complying activity under **Subdivision rule 5.a**. If Secondary standards are not meet then the subdivision is a Discretionary activity with Council's discretion limited to the matter of non-compliance.
12. The subdivision application does not comply with **Primary Subdivision Standard 6a.i.(d)** as 63 of the proposed 67 residential allotments have an area less than the required minimum of 4000m<sup>2</sup>. Primary **Subdivision Standard 6f Concept Plan** requires a concept plan showing the overall concept for development where there is subdivision of Residential 4 zoned land. The concept plan is to detail roads, services, recreation areas, walkways and stormwater management. The subdivision plan originally lodged showed some of these features but did

not contain servicing detail. The revised plans however now have detailed stormwater, water supply and sewerage matters and so appear to satisfy this standard.

13. There are no primary or secondary subdivision standards relating to the Recreation P zone so technically subdivision of this land is a **Controlled Activity**.
14. Regarding carriageway widths, the subdivision consent plan contains a note that these are to be 7-8m wide. **Secondary Subdivision Standard 7.b.i** specifies the minimum width of 8m. This non-compliance results in **Restricted Discretionary status**.
15. The subdivision is therefore a **Non-complying activity** under Rule 5.a.

#### Land Use

16. The applicant is also seeking land use consent to enable buildings to be established on proposed Lots 5-67 on the basis of Residential 1 standards. In particular, they seek consent to have a maximum building and hard surfacing coverage of 50% and boundary setbacks of 2m for each site. They are also seeking land use consent for proposed lots 1 to 4 for a reduced road boundary setback from 10m to 5m. As proposed use of Lots 1-67 would not comply with the setback standards for the Residential 4 zone this aspect of the proposal is a **Discretionary Activity under Rule 3.3.2**.
17. With regard to coverage, Rule 3.4.3 (iv) specifies that residential activities with a building coverage of more than 30% on the net site area are a **Non-complying activity**. Although the applicants are applying for an increased building **and** hardsurface coverage of 50%, I consider it can be assumed that this will involve a building coverage in excess of 30%. On this basis the breach of the bulk and location standards within Section 6 - Residential Zone Rules causes the proposal to become a **Non-complying Activity**.
18. The eastern 40m of the access road from Ohau Road and a small sliver of land on the northern edges of Lots 8, 12, 13 and 16 are (probably) within the Recreation P (Passive) zone. Any (northern) boundary fencing of these lots would be a non-complying activity as they are structures that are not associated with passive recreation. While pedestrian pathways are provided for as Controlled Activities, there is no provision for vehicle access within the Recreation P zone. There is also no provision for residential use. Under rule 4.7.1 in the Recreation P zone the road and residential use are therefore Non-complying activities.
19. Overall, the application has been assessed as a **Non-complying activity**. For the application to be granted consent it must therefore, first satisfy the test in section 104D of the RMA which requires either that the adverse effects on the environment are minor or that the activity will not be contrary to the relevant objectives and policies of the District Plan.

#### NES

20. The application site was assessed as part of the original application RM160165 as to whether consent was required under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations. The applicant's agent researched Council and Environment Canterbury records in relation to the area north of

North West Arch and after consideration concluded that it was unlikely that a HAIL activity has occurred in this area. Accordingly, the subdivision over that part of the site was assessed as not being subject to the NES. This assessment is directly relevant to the current application which further subdivides Lot 1. I consider the information supplied for the previous application is sufficient to determine that this application site is not a “piece of land” on which hazardous activities are being, have been, or are more than likely to have been undertaken. Accordingly it is considered that the site is not subject to the NES and therefore no additional consent is required.

### **C. Processing of Consent**

21. This application was lodged with the Mackenzie District Council in late November 2016. A request for further information was made in 16 January 2017 relating to elements of the subdivision consent plan and servicing. In particular the applicants were requested to provide detailed contour information to assist in determining the appropriate location of secondary flow paths for stormwater and the feasibility of gravity sewer reticulation. In addition, investigation was requested regarding the feasibility of sewer connections through land associated with the Combined Services Club on the east side of Ohau Road such that pumping would not be required as originally proposed. This information was provided on 17 March 2017.
22. A notification report and recommendation was then prepared by Patricia Harte of Davie Lovell-Smith. This report and recommendation was provided to Darryl Millar the independent Commissioner appointed by Mackenzie District Council to consider and decide on this application. The Commissioner then made the decision to publicly notify the application and that the following people were potentially adversely affected by the proposals and so should be given specific notification of the proposal:
  - Environment Canterbury
  - Te Rūnanga o Ngāi Tahu
  - Te Rūnanga o Arowhenua
  - New Zealand Transportation Agency
  - Owners and occupiers of 26,28-33, 35,37,39,41,43,45,47,49 & 51 Rata Road
  - Owners and Occupiers of 37,39, 41, 43, 45, 47, 49 & 51 Totara Drive
  - Owners and occupiers of 39 North West Arch and rear sections (Lots 1,2 and3 DP 470662)
  - Owner and occupier of 52 North West Arch
  - Owner and occupier of the Marae and Meeting House on the Ohau Road
23. The application was publicly notified on Saturday 22nd April, with submissions closing on Monday 22<sup>nd</sup> May. Six submissions were received.
24. Further revised plans were provided by the applicants dated 10/7/2017 to align the residential subdivision with the underlying Lot 1.

### **D. Submissions**

25. Of the six submissions received, none of the submitters appear to be neighbours of the application site. The submissions are as follows:

**Coralie Reid** (Twizel) - **Supports** the proposal but is concerned about the lack of a landscape plan. She also comments that there should be footpaths on both sides of the street and that the road needs to be wide enough to enable cars to park and traffic to flow easily. She suggested that Totara Reserve be tidied up and made usable. She did not wish to be heard.

**Neville Lane** (Wanaka) – **Supports** the proposal as there is a demand for sections in the District. He does not want to be heard.

**Francis Hocken** (Twizel) – **Opposes** the proposal as he considers the site *“Ideally should be a retirement village as it is in close proximity to the club and golf course and has very easy access to the village for mobility scooters.”* He also considers the Council have not done due diligence in marketing this property and that it has been “under-sold”. He requests that this land is not sold and that it is kept for a retirement village. Mr Hocken wishes to be heard.

**Scott Mitchell** (Christchurch) - This submission contains no wording and only ticks the “Neutral” box. He does not want to be heard.

**Grant McIntyre** (Prebbleton) – This submission **supports** the application. The submitter advises that he has been looking for a section for 6 months and that anything on the market has sold very quickly. The new subdivision will provide a number of sections and give people a chance to secure the location. The subdivision will serve people who wish to move to Twizel, such as the submitter. He does not want to be heard.

**Mackenzie Properties Limited** - This submission states that the *“Mackenzie Properties Ltd is not opposed to the development occurring in this location, but rather are concerned that the proposal might proceed without sufficient consideration given to ensuring there are no adverse effects on the environment.”* The matters of concern are:

- That the old land fill site may have extended beyond the area identified in LLUR and that therefore there needs to be an assessment for this site.
- Given possible historical use of site for land fill activities the ground conditions may not be suitable for intensive residential use. A geotechnical report should therefore be required including consideration of subsidence.
- No real information on the screening of this area given the density proposed is much greater than that anticipated in the zone. Need more information on landscaping, footpaths and lighting to achieve a high quality environment.
- Concern that owners of lots adjoining the reserve could orientate their houses away from the reserve or include large fences and so no opportunity for passive surveillance.
- Insufficient detail provided on stormwater management and possible flooding and inundation.
- There will be greater pressure on the sewerage and water supply system than anticipated
- Application does not specifically address the objectives and policies with respect to servicing of subdivisions

## E. The existing environment

26. The site is located within the Twizel Township and sits between Ohau Road on its eastern boundary, the southern extent of Totara Drive, Rata Road on the northern boundary and Ostler Road on the southern boundary. The western boundary borders the developed portion of the Residential 4 zoning of North West Arch. The site has no buildings and is vacant. Lot 4 of RM 160165 contains the existing formed south-eastern extent of North West Arch that is to be vested in Council as Road as part of RM 160165 subdivision. Lots 5 and 6 of RM 160165 incorporate land zoned Recreation P (Passive) which extends along the western side of Ohau Road and onto land lying between Totara Drive and Rata Road. There are numerous trees throughout the whole of the application site, which is generally flat. I understand that clearance of these trees has now commenced.
27. To the south of the newly consented 10 Residential 4 lots is land that is zoned Deferred Industrial. The deferral exists *“until services including reticulated water supply, wastewater, and stormwater are available to the site.”* (Refer Section 5 Rule 3.6.2.i). Removal of the deferral requires a resolution of Council that they are satisfied that the required services have been, or can be, provided. In the meantime the Rural zone standards apply to this land. At the southern end of this land is the now closed Twizel landfill.



Aerial showing the site and the surrounding environment, source: Canterbury Maps

## F. Assessment of effects on the environment

28. As a Non-complying activity, assessment of the application is unrestricted and all actual and potential effects on the environment of this proposal must be considered. I have considered the relevant issues and it is my view that they fall broadly into the following categories:

- Character and amenity
- Traffic
- Impacts on Recreation P zoned land
- Infrastructure

#### **Character and amenity and impacts on Recreation P land**

29. The Residential 4 Zone provides for low-density residential lifestyle in Twizel Township that has semi-rural characteristics with adequate services. The Zone also has the purpose of providing a buffer between higher density residential areas such as the Residential 1 Zone to the north and the adjacent rural-residential, industrial and rural zones. The proposed subdivision will create a more intensive subdivision with a greater number of smaller lots and significantly reduced open space on sites as compared to the form of development provided for by Residential 4 zone standards. The net area of lots 5 to 67, with the 4 Residential 4 lots and the road area deducted, is approximately 5.0410ha. Based on this area I estimate that a maximum of 12 Residential 4 lots could be created on this land.
30. In addition, the amount of hard surfacing and building coverage will be significantly greater than anticipated in the Residential 4 zone. It is not possible to make a direct comparison of likely coverage between the proposal and development to Residential 4 standards as the Residential 1 standards set a maximum percentage coverage for buildings **and** hardsurfacing of 50%, whereas the Plan's standard for the Residential 4 zone only control building coverage (15%). If it is assumed that the Residential 1 type lots have a building coverage of 35% then 15% of the site can be hardsurfacing including driveways. In my estimation the amount of hardsurfacing is likely to be greater in absolute terms for Residential 4 zoning because of the need for longer driveways and generally larger areas devoted to parking of vehicles. However, in my estimation this would generally not constitute more than say 5% of a site. On this basis I estimate that the comparative percentages for building and hardsurfacing are 50% for Residential 1 style development compared to 20-25% for Residential 4 type development. This is well below the coverage proposed for lots 5-67.
31. With regard to setbacks from boundaries in the Residential 4 zone, the minimum building setback from all boundaries is 10m. In addition, there is a standard in Rule 3.1.1.d iii (b) requiring a 20m building setback where a boundary is adjacent to a Residential 1 zone. This rule will apply to the northern boundaries of Lots 3 and 4 which adjoin the rear boundaries of the Totara Drive Residential 1 zone. However, as the Residential 1 type development (Lots 6-8, 12, 13, 16 and 17) are separated from the Residential 1 zone by the Recreation P zone reserve, this standard does not apply. In this case with a reserve area of (generally) 20m plus a 10m setback, the closest any building can be to the Residential 1 zone boundary is 30m.
32. By adopting the Residential 1 standards for the new sites facing Rata Road, the minimum building setback will be 22m (20m reserve plus 2m building setback from lot boundary). Given that the majority of these lots (lots 9, 10, 12, 15, 16 & 17) are rear lots there is no particular need for the houses on these lots to face the street. I would expect owners to take advantage of this and locate their house towards the southern boundary, thereby providing a larger northern facing outdoor area. So while it is unlikely that a 30m setback will result



from most sites, it is my opinion that most of these properties would achieve a 25m setback from the Residential 1 zone boundary south of Rata Road. I also note that most of the dwellings on the Rata Road properties appear to be set back from their rear boundary/the Residential 1 zone boundary, by at least 7m.

33. I consider the degree of setback, is significant in an urban context and I note it is greater than could occur between two neighbouring Residential 4 properties. The main difference then between what could occur and what is proposed to occur is the proposed number of properties. There will be more houses facing the southern properties on Rata Drive and the new Residential 4 lots on the opposite (south) side of North West Arch (Stage 2). My estimate is that in both cases development at Residential 4 standards would result in 4 lots along each of these boundaries as compared to the 8 proposed.
33. With regard to the effect of the proposal on residents of the neighbouring Residential 1 zone, I note that none of the property owners made a submission which would seem to indicate that they are okay with the greater density of housing proposed by this application.
34. Reserves that will be created as part of the underlying subdivision consent RM 160165 sit between the application site and the existing Residential 1 area to the north, north-east, east and south-east boundaries based around Rata Road and Totara Drive. These reserves retain the buffer intended by the current Recreation P zoning of this land. In general the reserve is a minimum of 20m from the rear of the Rata Road properties/Residential 1 zone boundary. They also, of course provide for recreation and green linkages that occur throughout Twizel and which are highly valued by residents in particular, as well being well used by the many visitors to the town. To avoid the edge of the reserve areas being dominated by tall fences and to enable passive surveillance of the reserve areas by residents, it is recommended that any fences be limited to a height of 1.2m.
35. These reserves will provide a buffer between the existing Residential 1 and 4 zone to the north, northwest and west. However it is not a wide buffer and the more dense residential development will be easily seen from the adjoining areas. With regard to the very minor intrusions of the northern edges of Lots 8, 12, 13 and 16 into the Recreation P zone, the effects of this, in my opinion, will be imperceptible to residents and people using the reserves. I note that the proposed cul-de-sac, while legally within the Residential 4 zone, will appear, at least in part, to be within the reserve. The length of this cul-de-sac has in fact been reduced in the latest plans to ensure it is fully within the Residential 4 zone. At this stage it is not known what form of landscaping is proposed in this vicinity in terms of street trees or other landscaping. This is something the Council will finalise when landscaping plans are received. However I consider that well designed planting in this area could reduce any adverse visual impact experienced by people using the reserve.
36. To the east is the Recreation P strip running the length of Ohau Road which has a depth of approximately 38m. This strip will become a recreation reserve vested in the Council once the titles for the underlying lots are obtained. Across Ohau Road is the golf course which provides an extensive area of open space area which will be enjoyed the residents of the future lots and which provides a very substantial buffer from other built development.

36. The location and depth of proposed lots 1 to 4 along the north western and western boundaries of the application site will largely retain the character of these areas as experienced by neighbouring properties, although they will be aware of the more intensive development beyond these lots.
37. To the south of the North West Arch there will be 10 Residential 4 lots that comply with the minimum net site area of 4000m<sup>2</sup>. I consider these will act as a buffer from the Industrial (Deferred) Zone to further south and Rural Residential Zone to the south-west, although currently this land is treed and largely vacant.
38. On the basis of the above assessment it is my opinion that the undersized allotments with dwellings built to Residential 1 Zone standards will definitely be of a different character to that anticipated in the Residential 4 zone. The increased number of houses from 12 (permitted in Residential 4) to 63 and the intensity of the development in terms of houses, accessory building's and hardsurfacing will be in considerable contrast to typical Residential 4 development. While the same buffer distances will be maintained between the Residential 1 zones on Rata Road and Totara Drive and this development as is permitted, the outlook will be less open and more built up and the increase in activity and traffic generated the development will be noticeable. However, with regard to traffic this is expected to be experienced primarily on Ohau Road and in a position where it will have no amenity impact on residents.
39. As assessed in the notification report on this proposal, the effect of this change on the environment of this part of Twizel will be significant. It was on this basis that the application was publicly notified and all immediate neighbours specifically notified of the proposal. From my understanding of the submissions received, none are from owners or occupiers of neighbouring properties. In addition, none of the submissions specifically raise issues in relation to impacts on neighbouring properties or others in the vicinity. I consider this is significant. While there can be recognition that the more intensive use of residential land in this location is logical this does not necessarily mean the people living in the area will find it acceptable, given their outlook onto a currently undeveloped block of land zoned for low intensity residential development. However, the lack of submissions indicates that the proposal is acceptable to the people most likely to be affected.

#### **Non-residential activities and Reverse Sensitivity**

40. I consider there is limited potential for activities on the new Residential 1 type lots in the development to create adverse impacts on the amenity of neighbouring properties, such as noise impacts or result in reverse sensitivity issues from the location of the Residential 4 lots (Lots 1-4) adjoining the Residential 1 type lots. This is because the range of non-residential activities that can establish on these lots is the same, with the only real difference being that more land is available on each Residential 4 lot. This creates the potential for additional activities such as visitor accommodation to establish whereas that is far less likely on the proposed smaller lots in the subdivision. I also note that as the zoning will still be Residential 4 that any visitor accommodation will be required to be setback 20m from all site boundaries. This will effectively prevent visitor accommodations being established on lots 5 to 67 as of right.

## Traffic

41. There will be increased traffic generation in the general area as the number of lots and dwellings that will be built will be significantly greater than what is provided for in the Residential 4 Zone rules. In particular the residents of Ohau Road and North West Arch will experience a noticeable increase in vehicle movements both during the day and at night time. This increase however is not expected to result in adverse impacts of residents on these two roads. The reason for this is firstly, that the properties along Ohau Road effectively turn their back on the road and are setback with a Recreation P buffer between them and the road. With regard to North West Arch, the increase in traffic will only be on the first section of this road that commences from the Ohau Road intersection. While some residents of Rata Road and Totara Drive will be aware of increased traffic, the direct impact is expected to be minimal given the respective layouts of these subdivisions in relation to the proposed development.

## Infrastructure

42. The proposed subdivision will be served by internal roads and will have connections to reticulated sewer, potable water supply, electricity and telecommunications. The site as a whole generally slopes from north-west to south-east. Details of the proposed servicing are shown on Sheet 2 of 4 (which has a plain version and one with underlying topographical information). In addition the sewer line options are shown on Sheet 3 of 4 overlain on an aerial photo.
43. With regard to sewage disposal, the applicants specified in their original application that they expected that with the lie of the land that some parts of the site may require pumping to achieve sufficient flow into the Council system. In response to a further information request the applicants provided more detailed contour information which indicated that in fact the whole of this site is able to be reticulated by gravity sewer, thereby avoiding the cost of establishing a pumping station and the operational costs of pumping. The sewer line will feed out of the subdivision via the eastern road directly across Ohau Road and then around the northern edge of the golf course where one of two routes are available. Council's Asset Department have requested that the option involving connecting to a sewer main at the rear of 54 Omahau Crescent be accepted.
44. The proposed water reticulation has also been amended as a result of a further information request. Initially only one connection off North West Arch was proposed for the whole subdivision, which was considered by the Asset Department to provide insufficient security of supply. The applicants now propose to have two water connections, with the second coming from an existing main in Ohau Road.
45. The proposed approach to dealing with stormwater has also been improved through requests for more details of the system, including secondary flowpaths. The applicants are proposing that the road network will have kerb and channel which will drain to roadside swales and a series of ground soakage systems. Secondary flow from the roading network and sites will be overland and into a proposed drainage area within a reserve area immediately south east of the site. The details of this system and the required consents from

Environment Canterbury will need to be obtained and provided to Council for engineering approval prior to development of the site.

#### **Positive effects**

46. In my opinion there are considerable benefits in developing land within walking distance of the Village Centre to higher densities than are provided for in the Residential 4 zone. This enables more people to live near and enjoy the benefits of being near the centre and a range of facilities. The proposed development will effectively be an extension of the existing Residential 1 zone areas of Rata Road and Totara Drive while retaining the open space buffers created by the Recreation P zones in the area. It makes economic sense to provide housing at higher density on this land both in terms of creating more cost-effective supporting infrastructure such as roading and reticulated services and in terms of making good use of well-located available land. By comparison development at Residential 4 densities would result in a much reduced yield with a maximum of 16 (12 + 4) lots compared to 67 (63 + 4) lots.
47. I understand that larger lots were provided for in the Residential 4 zone in the Plan along North West Arch for the purpose of providing a buffer between more intensive residential development and the rural area and because these areas were not able to be serviced as efficiently as was desired. In particular, they were not able to connect by gravity to the Council's sewerage system. This particular block is at the very end of North West Arch and sits close to the main Residential 1 area. It is not therefore, required for buffer purpose. In addition more efficient servicing options for this area have been developed since its original zoning. For these reasons I consider that development of the application site for 4 Residential 4 lots and 63 "Residential 1" lots is a positive effect on the environment as it provides for much needed lots for residential development in Twizel and is located within the existing residential and in particular adjoins the Residential 1 zone.

#### **Conclusion regarding effects**

48. In determining whether this application should be notified it was considered that the adverse effects of this proposal on the environment were potentially more than minor. This conclusion was in large-part based on the potential for neighbouring landowners and residents to be concerned and impacted by the increase in residential use being requested by the applicants. However, no such concerns have been raised. I consider this to be significant. In summary, it is my opinion that adverse effects on the environment of the subdivision and the land use consent that will allow establishment of dwellings to the density standards of the Residential 1 zone will be minor and that there will be a positive benefit for the community with the additional sections created.

#### **G. Comments on Submissions**

49. **Coralie Reid** (Twizel) - **Supports** the proposal but is concerned about the lack of a landscape plan. She considers there should be footpaths on both sides of the street and that the road

needs to be wide enough to enable cars to park and traffic to flow easily. She suggested that Totara Reserve be tidied up and made usable.

Comments: At this stage there is no landscape plan associated with the subdivision. This is common as the landscaping that is to occur will be on the legal road which is vested in the Council. It is therefore the Council's long term responsibility to maintain any plantings on the road berms. It is for this reason that subdivisions, including this one, are subject to a requirement to prepare a landscape plan showing proposed street planting and to have this plan approved by the Council.

The application does not state what the design of the roads will be as this will be specified by the Council in the conditions of consent. The normal standard for roads local roads is to have footpaths on both sides.

50. **Neville Lane** (Wanaka) and **Grant McIntyre** (Prebbleton) both support the proposal as there is a demand for sections in the District, which sell very quickly when available.
51. **Francis Hocken** (Twizel) – **Opposes** the proposal as he considers the site *“Ideally should be a retirement village as it is in close proximity to the club and golf course and has very easy access to the village for mobility scooters.”* He also considers the Council have not done due diligence in marketing this property and that it has been “under-sold”. He requests that this land is not sold and that it is kept for a retirement village.

Comment: I agree with the suggestion that this site would be ideal for a retirement village due to its location. It is also in my opinion well suited to the proposed Residential 1 type development.

52. **Mackenzie Properties Limited** - This submission states that the *“Mackenzie Properties Ltd is not opposed to the development occurring in this location, but rather are concerned that the proposal might proceed without sufficient consideration given to ensuring there are no adverse effect on the environment.”* The matters of concern are:
- Concern that the old land fill site may have extended beyond d area identified in LLUR and that therefore need an assessment for this site.
  - Given possible historical use of site for land fill activities the ground conditions may not be suitable for intensive residential use. A geotechnical report should therefore be required including consideration of subsidence.
  - No real information on the screening of this area given the density proposed is much greater than that anticipated in the zone. Need more information on landscaping, footpaths and lighting to achieve a high quality environment.
  - Concern that owners of lots adjoin the reserve could orientate their houses away from the reserve or include large fences and so no opportunity for passive surveillance.
  - Insufficient detail provided on stormwater management and possible flooding and inundation.
  - There will be greater pressure on the sewerage and water supply system than anticipated

- Application does not specifically address the objectives and policies with respect to servicing of subdivisions

53. Comments: Firstly, I note the submitter is not opposed to the proposed development occurring in this location. From this I assume that the higher density of development proposed is not of concern. Regarding the risk of soil contamination from the operation of the old landfill, the proposed subdivision is a considerable distance away from the landfill site. On the basis of this distance and no information indicating that landfill activities extended close to the site it is considered appropriate to assume there is very limited, if any, risk and that no consent is required. I understand work is currently being undertaken in relation to obtaining an NES resource consent for the land containing the landfill site and Stage 2 though to North West Arch.
54. I am not sure what type of screening is being suggested by this submitter for the higher density development and why it would be needed as this does not occur elsewhere in Twizel. As discussed in this report the buffer effect of the surrounding reserves and four Residential 4 lots will provide green space around the development and keep it well back from the adjoining roads.
55. Regarding landowners turning their back on the reserve, while that is possible, it seems unlikely given the views and access to sunlight gained from a northern orientation. With regard to passive surveillance a maximum fence height limit of 1.2m is recommended.
56. The stormwater requirements for this site will be contained in a comprehensive set of conditions as occurs for all subdivisions. In addition to the Council's requirements which are based on considerable experience, the applicant is likely to have to obtain discharge consent for stormwater from Environment Canterbury which will ensure that the stormwater is adequately treated before being discharged to ground. In addition erosion and sediment control requirements will be placed on the construction of the subdivision. Regarding water and sewer the Council has not indicated a problem with servicing the subdivision.

## H. Objectives and Policies

57. ***Residential - Objective 1 Amenity***  
*Maintenance of the pleasantness, amenity and safety of residential areas and maintenance and protection of the surrounding natural and physical environment.*
58. This is the main objective in the District Plan relating to residential areas in general. With regard to the proposed subdivision and development, which is primarily based on Residential 1 zone standards, I consider it will have a similar level of residential amenity as the neighbouring Residential 1 zone. There will be ample open space adjoining the area to give it a similar feel to the various loop road Residential 1 areas that are characteristic of Twizel. There will be reasonably easy access to the Village Centre and the golf course to the east provides a large green area across Ohau Road.

59. With regard to the safety, again it is expected that this will not be a particular issue when compared to the adjoining Residential 1 zoned areas. The fact that some of the lots adjoin the Recreation P areas which are to become reserve areas creates a potential issue if these reserve areas are narrow and if there is little visibility of the reserves from the residential properties. However visibility can be achieved by specifying fence heights along the relevant boundaries. With regard to the width, the reserve land is approximately 20m wide at its narrowest point. I note there appears to be relatively few trees on this strip of land currently that would interfere with viewing of this area. Also relevantly the proposed layout of the subdivision is such that the properties overlooking the reserve area closest to the Rata Road Residential 1 properties are rear sections and so would have no particular need to “face the street”. They are more likely therefore to orient their house to the north for solar advantage and in doing so will be viewing this reserve area.
60. Overall I consider the proposal meets this Objective.
61. ***Residential Policy 1A - Bulk And Location Of Buildings***  
*To permit flexibility in building design while ensuring that buildings on sites in residential areas do not adversely affect the pleasantness and amenity enjoyed on neighbouring sites.*  
***Explanation and Reasons***
  - *Buildings on sites in residential areas may adversely affect sunlight admission, privacy, spaciousness, views and outlook, pleasantness and visual amenity and consequently these effects need to be considered.*
  - *An increased setback is provided for residential buildings in the Residential 3 and 4 Zones where property boundaries are adjacent to an Industrial Zone. This setback is intended to protect the amenity of those zones and minimise reverse sensitivity affects arising from permitted activities in the Industrial zone.*
62. This policy is about enabling people to have flexibility to build a house on any new lots created by subdivision such that they can orientate their house to provide easy access, good views and access to sunlight. The layout and orientation of the lots in the proposed subdivision is unusual in that most of the lots have more frontage width than depth. We queried this with the applicants as we were concerned these lots may not provide the degree of flexibility sought by this policy. The applicants in response altered the layout slightly by creating a larger internal block with less rear lots facing Ohau Road, but still retaining the lots with a wider frontage than depth. They advised they had designed the subdivision specifically to enable houses to be built to take advantage of sunlight. In terms of having the longest section of the house facing north this may be correct, but this may result in some compromise in relation to privacy and the location of garages and outdoor living areas. This of course would not be the case if the site was subdivided into Residential 4 lots with areas greater than 4000m<sup>2</sup> which provide a greater degree of flexibility in house siting. However, overall it could be expected that with the smallest lot being 664m<sup>2</sup> and with the proposed uniform 2m yard setback that the sites would provide a sufficient degree of flexibility in design and layout to satisfy Policy 1A.
63. ***Residential Policy 1B - Density And Scale: Residential 1 Zones***  
*To enable land in Residential 1 Zones to be used efficiently while maintaining ample open space and the existing scale and medium density of these areas.*

**Explanation and Reasons**

- *The activities and buildings occurring on individual sites in an area contribute to the general amenity of the area. Generally, people living in residential areas in Mackenzie District wish to maintain the current medium density*

64. Policy 1B is not strictly relevant as the land involved in the subdivision and land use application is Residential 4 and Recreation P. However it is a touchstone for the type of development proposed by the applicant. The applicant is proposing a Residential 1 zone type development so that the land can be used more efficiently than if Residential 4 style development was proposed. Overall 67 residential properties are to be created rather than 16 permitted Residential 4 lots. This is better use of the land as more properties will be available to meet growth requirements and they are a medium residential density which still provided ample space for residential use of the properties. In addition they are significant areas of open space either adjoining or in the vicinity of the development.

65. **Residential Policy 1D - Residential 3 & 4 Zones**

*To provide for low-density residential areas in the Twizel township that:*

- (a) *offer a spacious urban character and high quality living environment;*
- (b) *reflect the character of Twizel and the surrounding area;*
- (c) *ensure an essentially low density, low scale suburban living environment, with plantings where appropriate;*
- (d) *protect areas of amenity and linkages with adjacent zones;*
- (e) *are healthy, environmentally sustainable, and functionally efficient.*

**Explanation and Reasons**

- *Providing for low-density development in the Residential 3 and 4 zones allows a choice of living environments for residents, with associated amenity values and spaciousness. Predominant characteristics of the zones include low-scale, low density buildings, with building styles, materials and colours which reflect the existing character of the town and surrounding environment. The zones provide a buffer between the higher density residential areas of the town, and the adjacent rural-residential zones and surrounding rural area.*
- *Connectivity to adjacent zones provides for integration within the township, and supports community coherence. It is intended that these zones will promote development around the existing town close to the town's centre, with associated proximity to community facilities and services. This promotes energy-efficiency and ensures efficient use of infrastructure.*

66. Clearly the proposed development is not consistent with this policy as it is not low density. While the development will be functionally effective and provide for amenity and linkages it will not offer a spacious high quality living environment and there will more limited opportunities for on-site planting as compared to complying Residential 4 lots. However, due to the development being close to the Rata Road and Totara Drive and having some similarities in layout, I consider that it is largely in keeping with the character of Twizel and the immediate surrounding area.



67. I also note in my assessment of effects regarding whether this site needs to provide a buffer as referred to in the explanation to Policy 1D. I concluded firstly, that the new Residential 4 lots on the south side of North West Arch will act as a sufficient barrier from the, as yet, undeveloped area of Deferred Industrial land. Retaining the Recreation P areas as permanent reserves will maintain a green buffer from Rata Road and the four large lots will provide a sufficient buffer for the Residential 1 and 4 areas to the west and north west. In addition, connectivity between the green spaces will be retained and an additional route provided through this subdivision accessed via the cul-de-sac.

68. **Subdivision Objective 1** aims for *“the provision of necessary services including safe and efficient access to subdivided allotments in anticipation of the likely effects of land use on those allotments.”*

The relevant policies associated with this objective are:

*To require that water supplies to subdivided allotments are of a sufficient capacity and drinkable standard. (Policy 5)*

*To require upon subdivision that all new lots be provided with a means of connection to a reticulated water supply system, where water from such a system is available. (Policy 6)*

*To require that stormwater is disposed of in a manner that avoids inundation of land within or adjoining the subdivision. (Policy 9)*

*To require, upon subdivision, that anticipated development is provided with a means of disposing of sanitary sewage in a manner which is consistent with maintaining public health and minimises adverse effects on the environment. (Policy 13)*

*To require upon subdivision that all new lots be provided with a means of connection to a reticulated sanitary system, where such a system is available. Where a reticulated system is not available, on site or standalone communal treatment system may be installed, subject to any discharge consents required.*

*To require that adequate provision is made for the supply of reticulated energy and communication facilities and the method of reticulation is appropriate to the amenities of the area (Policy 16).*

69. The site is served by Ohau Road and North West Arch. The lots created in this Stage 3 will have access off the eastern end of North West Arch and Ohau Road. The location of these new roads is in accordance with the required sight distances and distances from intersections.
70. There is no provision for reticulated stormwater within the surrounding area. The applicants have therefore proposed a system of the roads and hardstand draining to the kerb and channel and sites draining to roadside swales and soakholes. Provision is made for secondary flows to drain to a swale and drainage area on the reserve area to the south east of the subdivision. The details

of this approach will be worked through engineering approval and any required discharge consent. It is expected therefore that there will be no offsite effects of stormwater associated with this subdivision.

71. Stage 3 is able to be reticulated by gravity sewer and will link through to a manhole at the rear of Omahau Crescent near the golf course. This will avoid pumping and so is a more efficient method. Water supply is available from an existing 150mm water main running under the eastern section of North West Arch and one in Ohau Road. This will provide sufficient security of supply to stage 3.
72. On the basis of this servicing I consider that the application satisfies Subdivision Objective 1 and its policies.
73. **Subdivision Objective 2** requires that

*The costs of the provision of services within subdivisions or the upgrading of services necessitated by that subdivision, is to be met by the subdividers*

All these allotments will be serviced with separate connections to Council's reticulated water and sanitary sewage systems. Accordingly, financial contributions in the form of capital works contributions will be required to be paid for these connections at the time of section 224 certification. These contributions are in the recommended conditions on this subdivision consent.

74. **Subdivision Objective 5 - Avoidance of Natural Hazards** – *The avoidance of subdivision in localities where there are significant natural hazards, unless these can be mitigated without significant adverse effects on the environment.*

There are no known natural hazards for this site. No section 106 matters are considered relevant to the proposed subdivision.

75. **Subdivision Objective 6 – Design and Location** – *The avoidance of adverse environmental effects associated with subdivision design and location.*

*The relevant policy is as follows:*

*To require that the creation of new allotments take into account as far as possible underlying topography and the maintenance of the integrity of any significant nature conservation site; and that any adverse effect on landscape, nature conservation values and amenity are avoided or mitigated. (Policy 1)*

There are no particular topographical or natural features which need to be taken into account in the design of this subdivision.

76. On the basis of the above I consider that the application satisfies Subdivision Objectives 2, 5 and 6.
77. The subdivision and consequential residential use of the application site is not consistent with Residential Policy 1D (a) due to the small size and greater density of lots not creating a "spacious character". However, the proposal satisfies or

meets all other relevant objectives and policies. In my opinion therefore, I consider the proposal is not contrary to the objectives and policies of the Mackenzie District Plan.

## **I. Implementation of land use controls**

78. The applicants have applied to have the Residential 1 zone standards for building setbacks and building and hardsurface coverage apply to lots which have been created for Residential 1 type development. Specifically they have requested that;
- For Lots 5 to 67 there will be a maximum building and hardsurface coverage of 50% and a setback from all boundaries of 2m.
  - For Lots 1 to 4 (which are all over 4000m<sup>2</sup> in area) the minimum road setback will be reduced from 10m to 5m.
79. With regard to the proposed building and hardsurface coverage standard of 50%, this proposal is exactly what applies in the Residential 1 zone and in my opinion is appropriate for the smaller lots in this subdivision. The 2m building setback is the Residential 1 and 2 zones setback but there are a number of exemptions that apply relating to accessory buildings, where an internal boundary adjoins an access and where there is a common wall. The applicants consider these exemptions would not apply to this subdivision and so have proposed the simple setback. This means that no accessory buildings can be within 2m of a boundary. I consider that is not satisfactory and therefore recommend that the exception for accessory buildings be included in the conditions of consent.
80. With regard to the reduction from 10m to 5m for the building setback from the road for lots 1 to 4, the applicants state that this reduction will *“allow a dwelling of respectable proportions to be established on each site whilst respecting the rear yard provisions, which means the amenity for existing neighbours is preserved.”* Given lots 1 to 4 have a depth between 39 and 69 meters I am not convinced a reduction in the road setback is necessary. In my opinion these are Residential 4 lots and should retain the characteristics of such lots which include a noticeably larger building setback from the road.
81. The method to implement the different coverage and setback requirements for Lots 5 to 67 is firstly, by a condition on the land use consent. This condition will then be the subject of a consent notice which will be put on title of each of these lots to ensure all owners are aware of this special situation.

## **J. Part 2 of the RMA**

82. Part II of the Resource Management Act defines the purposes and principles of the Act, which are the overarching matters that should be taken into account when considering a resource consent application. In terms of this application it is considered that the most relevant sections of Part II are sections 5 and 7. There are no relevant matters of national importance that are relevant to this proposal, and as such no assessment against this section has been made.
83. With regard to Section 5 of the Act, this proposal provides for the efficient use of land resource, in that it is effectively an expansion of the residential

development in Twizel in a location that will enable future residential to easily access community facilities and the village centre. This increase in housing supply within Twizel, with both Residential 1 and 4 size lots will provide for a variety of housing thereby enabling the social and economic wellbeing of the community to be maintained and enhanced.

84. In relation to section 7 matters, the amenity of the neighbours and future residents has been taken into account by retaining buffer areas and open space and by setting appropriate bulk and location standards for the smaller lots. This includes providing for four lower density allotments where they adjoin existing Residential 1 zoned land and providing for high density Residential 1 style lots and development in areas further away. Ensuring integration between the existing residential area and this new area is expected to result in efficient use of existing infrastructure and other resources.

## K. Conclusion

85. In conclusion I consider the proposed Stage 3 subdivision of this land passes both gateway tests in section 104D of the Act and can therefore be granted.
86. It is my recommendation that consent be granted for this subdivision and land use application subject to the conditions listed in **Appendix A**. The reasons for this recommendation are as follows:
- the greater density of residential development on this site than is anticipated by the District Plan is not expected to create any adverse effects of significance for existing or future residents of the area. This is in large part due to retaining the reserve areas that run through and around this land. The reserve areas provide a buffer such that there will still be a considerable separation between the new and existing properties and the dwellings on these. This degree of separation is similar to what would occur with a complying subdivision.
  - The new development will have its own new access roads and so traffic generated by the development will generally only use Ohau Road and the first section of North West Arch, thereby avoiding travelling through more “local” streets.
  - The development will provide an additional 67 lots as compared to 12 if the site was developed to current Residential 4 zone standards. These additional properties will assist in meeting the demand for new sections being experienced in Twizel.
  - The site is very well sited in relation to proximity to the Village Centre, adjoining already well used roads, and very well supplied with adjoining green spaces and open space.
  - The site is close to the Residential 1 one areas of Rata Road and Totara Drive and so is effectively a continuation of this zoning.
  - The development includes four Residential 4 lots on the northwest and western edge of the subdivision which ensures that none of the smaller lots adjoin existing Residential 4 zone land. In this way no existing residents will experience any change on their immediate boundaries.

**Patricia Harte, Consultant Planner**

## APPENDIX A – Proposed Conditions

### SUBDIVISION

#### General

1. All activities authorised by this consent shall be in general accordance with the Paterson Pitts Group Plans "Grant Payne, North West Arch, Four Lakes– Stage 3, Residential Development, Sheets 1,2,3 & 4 dated 10/7/2017, unless inconsistent with any of the conditions below. This subdivision scheme plans is attached as Appendix 'A'
2. Where there is any conflict between the information provided with the application and any condition of consent, the conditions shall prevail.
3. The subdivision shall be undertaken in the following stages as shown on Sheet 1 of 4 –Proposed Staging Plan with a balance lot for each stage other than the last:
  - Stage 3A – Lots 5-19, 38, 39, 48 & 49 (16 lots)
  - Stage 3B – Lot 30, Lots 44 to 47, Lots 50-52, Lot 56-59 & Lots 64-65 (14 lots)
  - Stage 3C – Lots 20-29, Lots 31- 37 & Lots 40-43 (21 lots)
  - Stage 3D – Lots 53-55, Lots 60-63 & Lots 66-6 (9 lots)
  - Stage 3E – Lots 1-4 (4 lots)

These stages may be undertaken in any order and/or concurrently in accordance with the approved stage plans.
4. New roads being lots 100, 200, 300 and 400 are to be vested in the Council/.

#### Engineering

5. All engineering works shall be carried out in accordance with the Mackenzie District Council's policies and standards. The Council's engineering department shall review and approve the engineering drawings, specifications and calculations prior to any physical work commencing. An engineering fee of 2% (including GST) of the estimated value of the physical works is payable when the plans and specifications are submitted for approval.
6. Prior to the commencement of any works for the servicing of the land being developed, the consent holder shall provide to the Mackenzie District Council for approval, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following engineering works required:

#### Water Supply

- a) A full water model of the site is to be undertaken by the applicant, to prove the proposed pipe sizing. The model is to include for the development of further stages to the south-west along Ohau Road. The water supply is to perform to the Council Standards. The engineering designs shall provide for sufficient capacity to meet the possible future demand generated by the lots created by this subdivision and, in addition, the irrigation requirements of the proposed landscaping. Fire hydrants are to be designed and installed in accordance with the Fire Service Code of Practice (NZS PAS 4509:2008) for Fire Fighting Water Supplies to the satisfaction of the Asset Manager.

PE pipework may be able to be used on the development but all welding is to be undertaken in terms of the Christchurch City Council standard's including for all pre construction weld testing.

Water to be connected to the existing main in North West Arch at a minimum of two locations.

#### Sewer

- b) The development is to connect to the Council's reticulated system in accordance with Council's standards. The cost of the connection shall be borne by the consent holder.

The development site is to connect to the existing sewer manhole on the golf course at the rear of 54 Omahau Cres, Twizel. All new pipework within the golfcourse is permitted to be laid at a grade of 1:250. The system is to be manually flushed once a month until Stages 3A, 3B and 3C are complete with title. This will allow for an adequate cover to the pipe across Ohau Road.

The main sewer pipe is to be a 150mm dia uPVC SN16.

The sanitary sewer connections are to be laid to at least 600mm inside the development lots. The laterals are to be installed at a sufficient depth to ensure fall is available to serve the furthestmost part of the development or whatever pumping system may be provided within the development. The engineering designs shall provide for sufficient capacity to meet the likely future demand generated by the development. The connections shall meet the durability requirements of the building code (i.e. have a minimum life of 50 years). The consent holder shall contribute towards any upgrading of the Council's networks needed to allow the networks to manage the additional demand placed upon it by this development. The maximum contribution shall be the actual cost of upgrading the network to the extent that the upgrading is undertaken to allow servicing of the application site.

#### Stormwater

- c) The consent holder shall forward with the engineering plans and specifications, copies of any consents required or granted in respect of this subdivision, including certificates of compliance or consent required by Environment Canterbury.

Stormwater from within the development shall be discharged in accordance with the resource consent requirements of the Discharge Permits authorised by Environment Canterbury. The design of stormwater and infiltration areas shall be carried out by a competent person who shall provide to the Mackenzie District Council a design report for approval. A certification will also be required following construction, confirming that the system and infiltration areas were constructed in accordance with the design report and consent.

The road network is to act as a secondary flow path. All building platforms are to be a minimum of 200mm above the critical 1% AEP flood event less the soakage provided on site. Consideration is to be taken into the existing zoning of the upstream catchment in the design of the road cross sections.

All proposed new lots are to be protected from upstream overland flood flows. In particular there is a natural flow pattern across Lot 2. Any building on Lot 2 is to be constructed clear of the natural flow channel. A consent notice to that effect is to be placed on the new title of Lot 2.

#### Roading and Access

- d) Plans and specification of all roading construction and all accesses to the development in accordance with Council's standards, including the following additional requirements:
  - (i) The intersections with North West Arch and Ohau Road require a full traffic assessment and specific design prior to Engineering Approval.
  - (ii) Road to be designed to Cul De Sac Standards.
  - (iii) Footpaths to be provided to Council standards including the existing frontage of North West Arch.
  - (iv) All other internal roads to be designed and built to Local Road Standards.

#### Earthworks

- e) Details and plans of any earthworks. All earthworks undertaken on the site shall be in accordance with NZS 4431:1989 and the Environment Canterbury Erosion and Sediment Control Guidelines.

All new lots must fall towards the street.

#### Lighting

- f) Details of any street and outdoor lighting are to be included with the engineering plans submitted to Council for approval. Certification by an appropriately qualified person that any proposed outdoor lighting complies with the requirements of the Mackenzie District Plan is required prior to the illumination of the outdoor lighting, other than for the purposes of testing the effectiveness of the lighting.

#### Landscaping

- g) The consent holder shall liaise with the Council's Community Facilities Manager prior to preparation of the site for subdivision to ascertain which trees are to be retained within the areas to vest as reserves or roads and the works required by the consent holder in relation to these trees. The consent holder shall then provide the Council with a landscaping plan detailing which trees are to be retained within Lot 1 RM160165 and any new trees or plants that are to be established within the subdivision for certification. In particular the landscaping plan shall include a planting plan in the vicinity of the cul de sac to provide some visual mitigation of this area when viewed from the reserve. The consent holder shall undertake planting as required by the certified landscape plan.

#### Telecommunication and Electricity

- h) That each new lot within the development be provided with a connection to a telecommunications and electrical supply network at the boundary of the net area of the allotment that meets the demands of the proposed development.
- i) All electricity and telephone lines servicing the subdivision shall be underground and in terms of the standards of the applicable Utility Company.

#### Other Matters

- j) The submission of 'as-built' plans in accordance with Council's 'as-built' standards, and information required to detail all engineering works completed in relation to or in association with this development.

- k) Noise from excavation and traffic (on site machineries / trucks) must be limited to comply with requirements of NZS 6803 “Acoustic – Construction Noise” (See Table 3, page 11 from NZS 6803).
- 7. The consent holder shall give the network utility operator five working days’ notice of intention to connect to existing services. New services shall be tested in the presence of an authorised Council officer.
- 8. Upon completion of the development the consent holder shall provide the Council with As Built plans of all infrastructure and earthworks in both paper form and electronic form compatible with Council GIS. Evidence that all testing has been carried out and complies with the requirements shall also be provided.

#### **Easements**

- 9. Service easements required to protect services crossing other lots shall be duly granted or reserved, including an easement to protect the proposed new sewer line adjacent to the western boundary of Lot 1 which connects to the existing foul sewer manhole on land fronting Totara Drive.
- 10. Any unused utility or services connections across boundaries are to be fully abandoned, unless protected by easement.
- 11. Any other easements deemed necessary for the purposes of the subdivision shall be duly reserved or granted.

#### **Access**

- 12. All lots shall have an access with a minimum width of 3.5m and shall be provided with vehicle crossings onto North West Arch or the roads to vest.

#### **Financial Contributions**

- 13. The consent holder shall pay the Council a water supply capital works contribution for the additional allotments specified below for each stage prior to approval under section 224 of the Resource Management Act. The amount of the capital works contribution payable is the amount specified for water in the Council’s schedule of fees and charges for the financial year that section 224 approval is sought and granted.
  - Stage 3A: 15 additional allotments (note credit of one allotment given for underlying allotment)
  - Stage 3B: 14 additional allotments
  - Stage 3C: 21 Additional allotments
  - Stage 3D: 9 additional allotments
  - Stage 3E: 4 additional allotments
- 14. The consent holder shall pay the Council a sanitary sewage capital works contribution for the additional allotments specified below for each stage prior to approval under section 224 of the Resource Management Act. The amount of the capital works contribution payable is the amount specified for water in the Council’s schedule of fees and charges for the financial year that section 224 approval is sought and granted.
  - Stage 3A: 15 additional allotments (note credit of one allotment given for underlying allotment)
  - Stage 3B: 14 additional allotments
  - Stage 3C: 21 Additional allotments
  - Stage 3D: 9 additional allotments
  - Stage 3E: 4 additional allotments



15. The consent holder shall pay the Council a contribution towards the provision of land for open space and recreational facilities for the additional allotments specified below for each stage prior to approval under section 224 of the Resource Management Act. This contribution shall be payable at the rate of 5% each of the average cash land value of the lots. The value of the lots shall be determined by a valuation from a registered valuer. This valuation can either be provided by the consent holder or the Council can obtain this on the consent holder's behalf. Where the Council does obtain the valuation upon request, the cost of the valuation will be met by the consent holder. The valuation used to determine the reserves contribution must be no older than six months from when the Council receives and decides the section 224 application

### **Costs**

16. All actual and reasonable costs incurred by the Council in monitoring, enforcement and administration of this resource consent shall be met by the consent holder.

### **LAND USE CONSENT**

1. All activities authorised by this consent shall be in general accordance with the Paterson Pitts Group Plans "Grant Payne, North West Arch, Four Lakes– Stage 3, Residential Development, Sheets 1,2,3 & 4 dated 10/7/2017, unless inconsistent with any of the conditions below. This subdivision scheme plans is attached as Appendix 'A'. In particular consent is granted for the use of Residential P zoned land for residential activity and fencing associated with residential lots created by the subdivision and use of Recreation P zoned land for access to the subdivision from Ohau Road as shown on the scheme plans.
2. Where there is any conflict between the information provided with the application and any condition of consent, the conditions shall prevail.
3. Any boundary fences which adjoin Council reserve areas shall have a maximum height of 1.2metres.
4. Notwithstanding the Residential 4 zone standards, the maximum building and hardsurface coverage within Lots 5 to 67 shall be 50%.
5. Notwithstanding the Residential 4 zone standards, the minimum building setback from all internal and road boundaries shall be 2m except that accessory buildings for residential activities, other than buildings used for the housing of animals, may be located within the setback from internal boundaries where the total length of walls with the setback do not exceed 7.5m and do not contain windows.
6. This consent shall be considered to have been given effect to in relation to section 125(1A)(a) of the Resource Management Act 1991 when the first dwelling is erected on a lot within the subdivision.

## **APPENDIX B – Proposed Subdivision**



**PROVISIONAL ONLY**  
Detail, Areas & Dimensions  
Subject to Final Survey

**Legend:**

Stage 3 A	(19 Lots)	
Stage 3 B	(14 Lots)	
Stage 3 C	(21 Lots)	
Stage 3 D	(9 Lots)	
Stage 3 E	(4 Lots)	
Lot Boundaries		
Stage 2 Allotments		
Stage 1 Reserves		

**Note:**

1. Proposed roading corridors to contain 7-8m carriageway with kerb & channel, drainage swales and 2m footpath either side. Specific design to be determined in conjunction with stormwater treatment/disposal.

Proposed Easements			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right of Way	(A)	Lot 17	Lot 16
	(B)	Lot 13	Lot 12
	(C)	Lot 40	Lot 41
	(D)	Lot 56	Lot 52&57

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Client/Location:

**Grant Payne**  
**North West Arch**  
**Twizel**

**Four Lakes - Stage 3**  
**Residential Development**  
**Proposed Staging Plan**

Surveyed by:	N/A	Original Size:  <b>A3</b>	Scale:  <b>1:1500</b>	
Designed by:	LRH			
Drawn by:	LRH			
Checked by:	LRH			
Approved by:	LRH			
Job Ref: <b>15681</b>		Sheet No: <b>1 of 4</b>	Revision No: <b>B</b>	Date Created: <b>10/07/2017</b>
<b>DO NOT SCALE</b>				



**PROVISIONAL ONLY**  
Detail, Areas & Dimensions  
Subject to Final Survey

**Legend:**

- Existing FS
- Proposed FS
- Existing Water
- Proposed Water
- Proposed SW
- Secondary Flow Paths
- Major Contours
- Minor Contours

**Note:**

1. Roding network to be serviced for stormwater via kerb and channel, draining to mudtanks which connect to a series of ground soakage systems. The number and location of soakage devises is subject to specific design and approval.
2. Secondary flow from the roding network and sites is overland to the proposed swale and drainage area within the reseve as shown.
3. Foul Sewer may gravity drain into existing system to the east as shown on Sheet 3. Existing ground topography within the subject site slopes up at approximately 1 in 100 from east to west enabling the proposed development to drain all sites towards Ohau Road as shown. Final levels subject to specific design and approval.

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Client/Location:  
**Grant Payne  
North West Arch  
Twizel**

**Four Lakes - Stage 3  
Residential Development  
Proposed Servicing**

Surveyed by:	N/A	Original Size:	Scale:
Designed by:	LRH	A3	1:1500
Drawn by:	LRH		DO NOT SCALE
Checked by:	LRH		
Approved by:	LRH		
Job Ref:	15681	Sheet No:	2 of 4
		Revision No:	B
		Date Created:	10/07/2017



PROVISIONAL ONLY  
Detail, Areas & Dimensions  
Subject to Final Survey

Legend:

- Existing FS
- Proposed FS
- Existing Water
- Proposed Water
- Proposed SW
- Secondary Flow Paths
- Major Contours
- Minor Contours

Note:

- Roadng network to be serviced for stormwater via kerb and channel, draining to mudtanks which connect to a series of ground soakage systems. The number and location of soakage devises is subject to specific design and approval.
- Secondary flow from the roading network and sites is overland to the proposed swale and drainage area within the reseve as shown.
- Foul Sewer may gravity drain into existing system to the east as shown on Sheet 3. Existing ground topography within the subject site slopes up at approximately 1 in 100 from east to west enabling the proposed development to drain all sites towards Ohau Road as shown. Final levels subject to specific design and approval.

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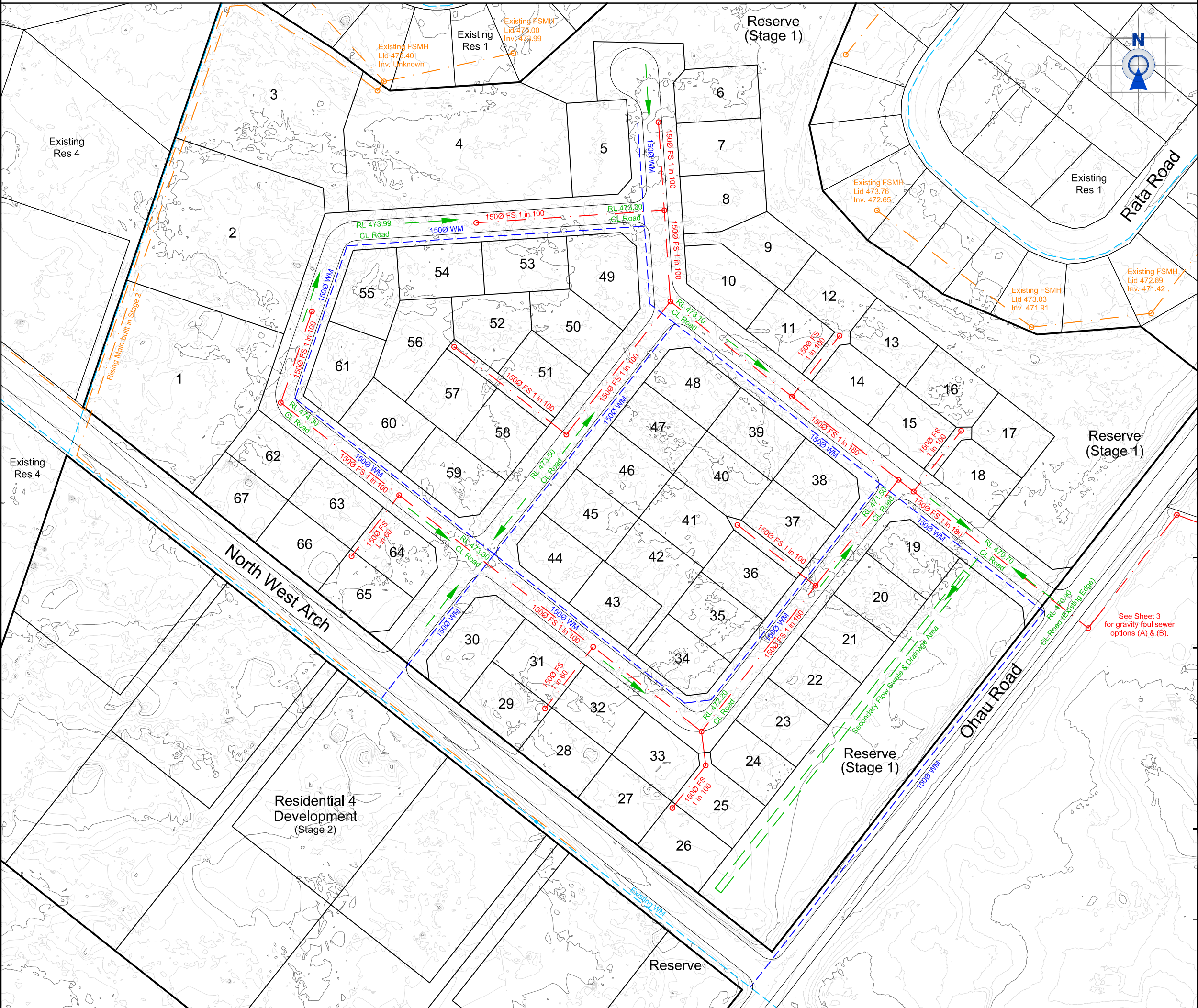
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Client/Location:  
**Grant Payne  
North West Arch  
Twizel**

**Four Lakes - Stage 3  
Residential Development  
Proposed Servicing**

Surveyed by:	N/A	Original Size:	Scale:
Designed by:	LRH	A3	1:1500
Drawn by:	LRH		
Checked by:	LRH		
Approved by:	LRH		DO NOT SCALE
Job Ref:	15681	Sheet No:	2 of 4
		Revision No:	B
		Date Created:	10/07/2017







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Subject to Final Survey

**Legend:**

Existing FS ————  
Proposed FS ————

**Note:**

1. Foul Sewer may gravity drain into the existing system via one of the options (A) for (B) shown. Option (A) results in invert levels approximately 0.11m higher than option (B).
2. Minimum cover for the proposed system is where it crosses Ohau Road. This is approximately 0.60m for option (A) and 0.70m for option (B).
3. Once into the subject site, the system achieves more cover due to the site topography. The remainder of the system shown on Sheet 2 can service the proposed allotments by gravity. Final levels subject to specific design and approval.
4. Approximate invert levels shown are based on minimum grade of 1 in 180 from existing manholes until within the subject site.
5. Invert and Lid levels for existing manholes obtained from MDC GIS. Levels will need to be verified by survey prior to final design.

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Client/Location:  
**Grant Payne  
North West Arch  
Twizel**

**Four Lakes - Stage 3  
Residential Development  
Proposed Foul Sewer Extension**

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Drawn by:	LRH		DO NOT SCALE
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Approved by:	LRH		
Job Ref:	15681	Sheet No:	3 of 4
		Revision No:	B
		Date Created:	10/07/2017





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**Note:**  
1. See Sheets 1 - 3 for proposed staging and servicing.

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Client/Location:  
**Grant Payne  
North West Arch  
Twizel**

**Four Lakes - Stage 3  
Residential Development  
Aerial Overlay**

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Designed by:	LRH	A3	1:1500
Drawn by:	LRH		DO NOT SCALE
Checked by:	LRH		
Approved by:	LRH		
Job Ref:	15681	Sheet No:	4 of 4
		Revision No:	B
		Date Created:	10/07/2017



**APPENDIX C – Granted Subdivision RM 160165**





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Detail, Areas & Dimensions  
Subject to Final Survey

**Legend:**

- Boundary ————
- Existing FS ————
- Proposed FS ————
- Existing WM ————

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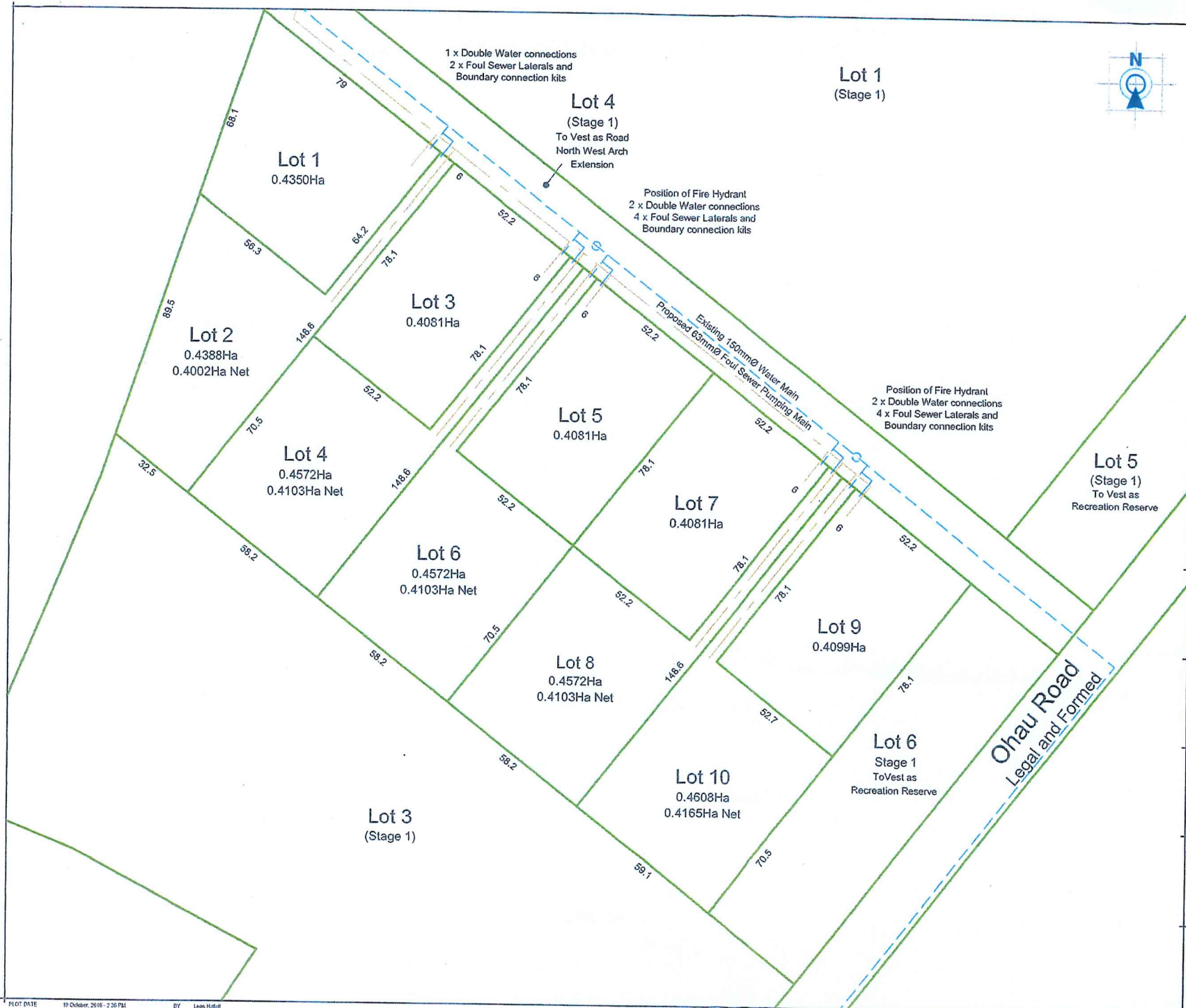
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Client/Location  
**Grant Payne**  
**North West Arch, Twizel**  
**Lot 2 DP 52249**

**Lots 1 - 6 Being a Proposed**  
**Subdivision of Lot 2 DP 52249**  
**CT: 31F/174**  
**(Stage 1 of 2)**

Surveyed by	N/A	Original Size	Scale
Designed by	LRH	A3	1:3500
Drawn by	ARR		
Checked by	LRH		
Approved by	LRH		DO NOT SCALE
Job File	D15681 Scheme	Sheet No	1/2
		Revision No	A
		Date Created	12/10/2016



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Detail, Areas & Dimensions  
Subject to Final Survey

**Legend:**

Boundary	
Existing FS	
Proposed FS	
Existing WM	

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Client/Location  
**Grant Payne**  
North West Arch, Twizel  
Lot 2 DP 52249

**Lots 1 - 10 Being a Proposed  
Subdivision of Lot 2  
(Stage 2 of 2)**

Surveyed by:	NA	Original Size	Scale
Designed by:	LPH	A3	1:1250
Drawn by:	APH		
Checked by:	LPH		
Approved by:	LPH		<b>DO NOT SCALE</b>
Job Ref	Sheet No	Revision No	Date Created
D15681 Scheme	2/2	A	12/10/2016

**APPENDIX D – Variation application to RM 160165**





**PROVISIONAL ONLY**  
 Detail, Areas & Dimensions  
 Subject to Final Survey

- Legend:**
- Boundary ———
  - District Plan - - - - -
  - Reserve Boundary - - - - -
  - Existing FS - - - - -
  - Proposed FS - - - - -
  - Existing WM - - - - -

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Client/Location:  
**Grant Payne**  
**North West Arch, Twizel**  
**Lot 2 DP 52249**

**Lots 1 - 6 Being a Proposed Subdivision of Lot 2 DP 52249**  
**CT: 31F/174**  
**(Stage 1 of 2)**

Surveyed by:	N/A	Original Size:	Scale:
Designed by:	LRH	A3	1:3500
Drawn by:	ARH		
Checked by:	LRH		
Approved by:	LRH		<b>DO NOT SCALE</b>
Job Ref:	D15681 Scheme	Sheet No:	1/2
		Revision No:	B
		Date Created:	10/07/2017



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Detail, Areas & Dimensions  
Subject to Final Survey

- Legend:**
- Boundary
  - Existing FS
  - Proposed FS
  - Existing WM

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Client/Location:  
**Grant Payne**  
**North West Arch, Twizel**  
**Lot 2 DP 52249**

**Lots 1 - 10 Being a Proposed Subdivision of Lot 2 (Stage 2 of 2)**

Surveyed by:	N/A	Original Size:	Scale:
Designed by:	LRH	A3	1:1250
Drawn by:	ARH		
Checked by:	LRH		
Approved by:	LRH		DO NOT SCALE
Job Ref:	D15681 Scheme	Sheet No:	2/2
		Revision No:	B
		Date Created:	10/07/2017