



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

LAND USE AND CHANGE OF CONSENT CONDITIONS

NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

OF THE RESOURCE MANAGEMENT ACT 1991

| | |
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| Applicant: | Arrowsouth Properties Limited |
| RM reference: | RM181358 |
| Application: | Application under Section 88 of the Resource Management Act 1991 (RMA) for signage. Application under section 127 of the RMA to vary Condition 1 and 23(a) of resource consent RM161093 to update the scheme plan and allow the Arrowfields subdivision waste water network to be a full pressure network. |
| Location: | McDonnell Road, Wakatipu Basin |
| Legal Description: | Lot 29 Deposited Plan 369201 held in Record of Title 281292 |
| Operative District Plan Zoning: | Arrowtown South Special Zone |
| Proposed District Plan (Stage 1 – Decisions Version 2018) Zoning: | NA |
| Proposed District Plan (Stage 2) Zoning: | NA |
| Activity Status: | Discretionary |
| Date | 11 March 2019 |

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the Resource Management Act 1991 (**RMA**) the application will be processed on a **non-notified** basis given the findings of Section 5 of this report. This decision is made by Paula Costello, Senior Planner, on 11 March 2019 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 108 of the RMA. An updated set of conditions of RM161093 is provided in Appendix 2 of this decision for the variation to consent conditions. This consent can only be implemented if the conditions in Appendix 1 are complied with by the consent holder. The decision to grant consent was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Paula Costello, Senior Planner as delegate for the Council.

1. SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Land use consent is sought for a subdivision entry sign. The entry signage proposed is located in the southern corner of Lot 1, within the boundary of the Roadside Planting Strip, at the entry road to Arrowfields.

The sign is 2820mm long by 1330mm – 1950mm tall (2.99m² in total surface area above ground), constructed of varying lengths of vertical hardwood sleepers. The sleepers are arranged side by side to create a gently curving vertical surface for the sign. 'Arrowfields' lettering is 180mm – 330mm high in black powdercoated, hot dipped galvanised steel, mounted just above the centre of vertical face, spaced 20mm from the surface of the timber.

A variation of consent conditions is also sought to change condition 1 and condition 23(a) of RM161093 to allow the Arrowfields subdivision wastewater network to be a full pressure network. The current consent wording anticipates a part pressure part gravity network.

Originally the applicant proposed to run the pressure sewer through Lot 7 and into a Council manhole within the neighbouring property (Lot 34 DP 20153). On 11 February 2019 this design was updated so that the pressure sewer will now run through Lot 7 into Lot 6 and connect into the gravity sewer network at a lower point within the McDonnell Road pump station site.

The proposal is to amend condition 1 and 23(a) of RM161093 as follows (changes shown in **underline** and ~~strikethrough~~)

1. That the development must be undertaken/carried out in accordance with the following plans:

Queenstown Lakes District Council (revised by C Hughes & Associates Ltd):

- Arrowsouth Properties Ltd – Location Plan, dated February 2016

C Hughes & Associates Ltd:

- ~~Proposed Subdivision of Lot 29 DP 369201 (Sheet 1 – Overlay on Arrowsouth Structure Plan & Indicative Subdivision Layout Plan), Plan No C1212 Issue I (dated 19 May 2017).~~
- ~~Proposed Subdivision of Lot 29 DP 369201 (Sheet 2 – Proposed Subdivision Layout), Plan No C1212 Issue I (dated 19 May 2017).~~
- **Proposed Subdivision of Lot 29 DP 369201 (Sheet 1 – Overlay on Arrowsouth Structure Plan & Indicative Subdivision Layout Plan), Plan No C1212 Issue K (dated 6 March 2019)**
- **Proposed Subdivision of Lot 29 DP 369201 (Sheet 2 – Proposed Subdivision Layout), Plan No C1212 Issue K (dated 6 March 2019)**
- Arrowsouth – Prelim. Engineering Design Rooding Layout & Typical Cross Sections, Plan # C1244_01, Issue B dated 26/10/16
- Arrowsouth – Prelim. Engineering Design Road Longitudinal Sections, Plan # C1244_02, dated October 2016
- Arrowsouth – Prelim. Engineering Design Trails Layout & Typical Cross Section, Plan # C1244_03, Issue D dated 28/02/17
- Arrowsouth – Lower Escarpment Detail Existing Ground Profile Sections, Plan # C1256 dated 28 Nov 2016
- Arrowsouth – Prelim. Engineering Design Trail Longitudinal Sections, Plan # C1244_04, Issue B dated 28/02/17
- Arrowsouth – Prelim. Engineering Design Services Layout, Plan # C1244_05, Issue B dated 27/10/16
- Arrowsouth – Prelim. Engineering Design Certified Fill Earthworks Layout, Plan # C1244_06, dated February 2017
- Private Open Space Management Plan, updated March 2017 (to be updated in accordance with Condition 22)

- Overarching Open Space Management Plan, updated March 2017 (to be updated in accordance with Condition 22)

stamped as approved on 5 July 2017 **and 11 March 2019** (with the exception of the Private Open Space Management Plan and Overarching Open Space Management Plan which are to be updated) and the application as submitted, with the exception of the amendments required by the following conditions of consent.

23. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles referred to in this condition by way of Consent Notice pursuant to s.221 of the Act.
- a) At the time a dwelling is constructed on Lots 1 - ~~2~~ and ~~Lots 12~~ - 20, the owner for the time being will require individual low pressure sewage pumps to discharge wastewater from the lot to the reticulated network. The lot owner shall be responsible for all associated costs for the installation and maintenance of all aspects of the system located within the lot boundary. The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected in accordance with the Council low pressure sewer policy. Council Resource Management Engineering department can provide guidance regarding the policy as required.

A variation to the resource consent RM161093 is appropriate as the proposal does not change the activity consented, and the scale is deemed to remain within the scope.

Site Description

The site is a roughly rectangular shaped allotment, located on the northeast side of McDonnell Road, Arrowtown. The site topography consists of a uniform, gradually sloping lower plane, and a large escarpment leading up to the existing residential properties on Advance Terrace and Cotter Avenue.

Relevant Site History

RM161093 was issued on 3 August 2017 approving 25 allotments consisting of 20 residential freehold titles, one road, and one stormwater allotment to be vested in Council and three private open space allotments (the balance of the site).

The consent anticipated a part pressure part gravity network for sewage.

Lots 1, 4 - 6 and Lot 20 include an area designated as "Roadside Planting Strip" known as R-RPS as per the structure plan for the Arrowtown South Special zone. This area is proposed to be maintained by each individual lot owner as a consent notice.

2. ACTIVITY STATUS

The proposal requires consent for the following reasons:

2.1 OPERATIVE DISTRICT PLAN (ODP)

The subject site is zoned Arrowtown South Special Zone in the ODP and the proposed activity requires resource consent for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 18.2.5 to construct a sign which does not comply with Table 2- Residential Areas and Table 4 – District Wide standards for a free-standing sign with an area greater than 2m².

PROPOSED DISTRICT PLAN - STAGE 1 APPEALS

Council notified its decisions on Stage 1 of the Proposed District Plan (Stage 1 Decisions Version 2018) on 5 May 2018. Following receipt and summary of all appeals, Council produced an annotated version of the Decision document (**Stage 1 Appeals Version 2018**). The subject site is not part of the Stage 1 plan review therefore there are no relevant provisions to this proposal.

PROPOSED DISTRICT PLAN - STAGE 2 NOTIFIED VERSION

Council notified Stage 2 of the Proposed District Plan (Stage 2 Notified Version 2017) on 23 November 2017. The subject site is not part of the Stage 2 plan review therefore there are no provisions with immediate legal effect relevant to this proposal.

Overall, the application for land use consent is considered to be a **discretionary** activity under the ODP.

2.2 RESOURCE MANAGEMENT ACT 1991

The proposed activity requires resource consent for the following reasons:

- 1 A **discretionary** activity consent pursuant to section 127(3)(a) of the RMA, which deems any application to change or cancel consent conditions to be a discretionary activity. It is proposed to change/cancel Conditions 1 and 23(a) of resource consent RM161093 to allow the Arrowfields subdivision wastewater network to be a full pressure network and update the scheme plan to reflect new easement areas.

Overall, the application for variation of consent conditions is considered to be a **discretionary** activity under the RMA.

3. SECTION 95A – PUBLIC NOTIFICATION

Section 95A of the RMA requires a decision on whether or not to publicly notify an application. The following steps set out in this section, in the order given, are used to determine whether to publicly notify an application for a resource consent.

3.1 Step 1 – Mandatory public notification

The applicant has not requested public notification of the application (s95A(3)(a)).

Public Notification is not required as a result of a refusal by the applicant to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the RMA (s95A(3)(b)).

The application does not involve exchange to recreation reserve land under section 15AA of the Reserves Act 1977 (s95A(3)(c)).

3.2 Step 2 – Public notification precluded

Public notification is not precluded by any rule or national environmental standard (s95A(5)(a)).

The proposal is not a controlled activity; or a restricted discretionary or discretionary subdivision or residential activity; or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB; therefore, public notification is not precluded.

The proposal is not a prescribed activity (s95A(5)(b)(i-iv)).

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

Public notification is not specifically required under a rule or national environmental standard (s95A(8)(a)).

A consent authority must publicly notify an application if it decides, in accordance with s95D, that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(8)(b)).

An assessment in this respect is therefore made in section 3.3.2 below:

3.3.1 Effects that must be disregarded (s95D(a)-(e))

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- B: *An adverse effect of the activity if a rule or national environmental standard permits an activity with that effect (s95D(b), a permitted baseline assessment is undertaken (if applicable) in section 3.3.3 below).*
- C: *Trade competition and the effects of trade competition (s95D(d)).*
- D: *The following persons have provided their **written approval** and as such adverse effects on these parties have been disregarded (s95D(e)).*

| Person (owner/occupier) | Address (location in respect of subject site) |
|-------------------------|---|
| Regan Adam Cooper | Proposed Lot 1, Arrowfields Subdivision |

3.3.1.1 Permitted Baseline (s95D(b))

The consent authority **may** disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect. In this case within residential areas one sign with a maximum area of 0.5m² is permitted per site. Further regarding district wide free-standing signs, a sign is permitted provided it doesn't qualify for consent under the following provisions:

- a) The sign exceeds 3.5m in height; and/or
- b) The sign is less than 2.5m above the footpath; and/or
- c) The sign extends more than 1 metre over any footpath
- d) The sign has an area greater than 2m²

The permitted baseline is considered relevant and has been taken into consideration in the assessment below.

3.3.2 Assessment: Effects On The Environment

Taking into account sections 3.4 above, the following assessment determines whether the proposed activity will have, or is likely to have, adverse effects on the environment that are more than minor that will require public notification (s95A(8)(b)).

Land use - Signage

The relevant assessment matters are found in Section 18 of the Operative District Plan and have been considered in the assessment below.

Design, location and size

The sign proposed is located at the entry road to the Arrowfields subdivision along McDonnell Road, on the outskirts of Arrowtown. The sign, which reads 'Arrowfields', is located just within the boundary of the Roadside Planting Strip of Lot 1, and faces onto the road. The location is considered appropriate as a means of way-finding and is strategically nestled within the planting approved via RM161093.

The sign is 2.82m in length and constructed of varying lengths of vertical hardwood sleepers. The maximum height will be 1.95m tall. The lettering will be black powder coated steel and will be fixed centrally to the sign. The proposed sign is modest and well-designed to be sympathetic to the surrounding environment. The proposed colours are recessive and materials in keeping with a natural finish. The sign will be nestled within planting (approved by RM161093) creating a backdrop within which the sign may be absorbed.

Overall, in terms of design, location and size the proposal is considered to have a less than minor effect on the environment.

Character and Amenity

The proposed lot within which the sign is located is part of the Arrowtown South Special zone. The purpose of the zone is to enable a comprehensively planned residential living environment with a predominantly low density residential character. The sign will not detract from the wider character of the rural zone on the adjacent side of the road given the use of natural materials and recessive colours. Its location within the approved road boundary planting will further lessen its dominance on the road side. The entry-way previously consented by RM161093 highlights the presence of the development therefore the sign will not appear out of character.

Overall, it is considered the proposed signage is compatible with the character of the surrounding environment, and will have less than minor effects on the environment.

Traffic and Pedestrian Safety

The sign is located fully within proposed Lot 1 of the underlying subdivision. The size and design is appropriate and will not distract road users.

It is considered effects on the environment will be less than minor.

Section 127 Variation

RM161093 concluded the overall adverse effects on the environment of the proposed subdivision activity were considered to be no more than minor. The appropriate comparison is between any adverse effects which there may have been from the activity in its original form, and any adverse effects which would arise from the proposal in its varied form.

Consent is sought to vary condition 23(a) to allow the Arrowfields subdivision wastewater network to be a full pressure network. Originally only Lots 1-2 and 12-20 were required to install low pressure pumps at the time of dwelling construction however because of the newly proposed design, to ensure the pipeline functions effectively; all of the proposed Lots 1-20 will now require low pressure wastewater pumps at the time a residential unit is constructed.

Council Resource Management Engineer Mr Mike Pridham had reviewed the application to vary the ongoing consent notice condition. Mr Pridham is satisfied the proposed wastewater scheme and connection point for Arrowfields Subdivision is technically feasible and detailed design can be adequately assessed prior to Engineering Acceptance. Mr Pridham concludes the variation proposal is necessary to provide adequate reticulated wastewater connections to Lots 1-20.

The scheme plan has been updated accordingly to include a 3m easement area over Lots 6 and 7 for the sewage line in favour of Council.

Overall, it is considered effects on the environment will be less than minor.

3.3.3 Decision: Effects On The Environment (s95A(8))

On the basis of the above assessment, overall the proposed activity is not likely to have adverse effects on the environment that are more than minor. Therefore, public notification is not required under Step 3.

3.4 Step 4 – Public Notification in Special Circumstances

There are no special circumstances in relation to this application.

4. LIMITED NOTIFICATION (s95B)

Section 95B(1) requires a decision on whether there are any affected persons (under s95E). The following steps set out in this section, in the order given, are used to determine whether to give limited notification of an application for a resource consent, if the application is not publicly notified under section 95A.

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

Limited notification is not required under Step 1 as the proposal does not affect customary rights groups, customary marine title groups nor is it on, adjacent to or may affect land subject to a statutory acknowledgement (s95B(2)-(4)).

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

Limited notification is not precluded under Step 2 as the proposal is not subject to a rule in the District Plan or is not subject to a NES that precludes notification (s95B(6)(a)).

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity (s95B(6)(b)).

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

If limited notification is not precluded by step 2, a consent authority must determine, in accordance with section 95E, whether the following are affected persons:

The proposal is not a boundary activity where the owner of an infringed boundary has provided their approval, and it is not a prescribed activity (s95B(7)).

The proposed activity falls into the 'any other activity' category (s95B(8)), and the effects of the proposed activity are to be assessed in accordance with section 95E.

4.3.1 Effects That May Be Disregarded

4.3.1.1 Permitted Baseline (s95E(2)(a))

The consent authority **may** disregard an adverse effect of the activity on a person if a rule or national environmental standard permits an activity with that effect. In this case the permitted baseline is found within section 3.3.1.1 above.

4.3.1.2 Persons who have provided written approval (s95E(3))

The following persons have provided written approval for the proposed activity and therefore are not an affected person:

| Person (owner/occupier) | Address (location in respect of subject site) |
|-------------------------|---|
| Regan Adam Cooper | Proposed Lot 1, Arrowfields Subdivision |

4.3.2 Assessment: Effects on Persons

Taking into account the exclusions in section 95E(2) and (3) as set out in section 4.3.1 above, the following outlines an assessment as to whether the activity will have or is likely to have adverse effects on persons that are minor or more than minor.

Signage

Proposed Lot 1

The owner of future Lot 1 has provided affected party approval, effects on this party are therefore disregarded.

Other Persons

The proposed signage is well-designed and in keeping with the surrounding environment of the site utilising natural materials and recessive colours. The existing environment consists of the consent for a 20 lot low density living environment subdivision, the entrance to which already highlights the presence of the development. The sign therefore will not appear out of character and no person is considered adversely affected.

Section 127 Variation

Proposed Lot 6 and Lot 7

Prior to Council approval of the Survey Plan for subdivision all necessary easements are to be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. Easements in Gross may be required in favour of Council for accessing infrastructure for maintenance purposes, identified through the Engineering Acceptance process. Such easements are often determined after resource consent approval is obtained.

The scheme plan approved under RM161093 contains an easement area in favour of Council to convey water through Lot 6. This easement area is situated further within the Lot whilst the proposed sewage easement is adjacent to the boundary. Given the location of the existing approved easement area for water, effects on future lot owners of a proposed additional easement over the lot for the sewer system, are considered to be less than minor.

Proposed Lot 7 currently contains an easement area in favour of Council to convey water approved under RM161093. The same easement area will be utilised for the sewage line. Given this, effects on future lot owners are considered to be less than minor as the expectation for an easement area is existing.

Other Persons

Regarding the variation to ongoing consent notice conditions; RM161093 concluded the overall adverse effects on persons from the proposed subdivision activity were considered to be no more than minor. Mr Pridham concludes the variation proposal is necessary to provide adequate reticulated wastewater connections Lots 1-20. Therefore, no person is considered adversely affected.

No other person is considered effected.

4.3.3 Decision: Effects on Persons (s95B(1))

In terms of section 95E of the RMA, no person is considered to be adversely affected.

4.4 Step 4 – Further Limited Notification in Special Circumstances (s95B(10))

Special circumstances do not apply that require limited notification.

5. OVERALL NOTIFICATION DETERMINATION

In reliance on the assessment undertaken in sections 3 and 4 above, the application is to be processed on a non-notified basis.

6. S104 ASSESSMENT

6.1 EFFECTS ON THE ENVIRONMENT (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 3 and 4 of this report. Conditions of consent can be imposed under s108 of the RMA as required to avoid, remedy or mitigate adverse effects.

6.2 RELEVANT DISTRICT PLAN PROVISIONS (s104(1)(b)(vi))

Operative District Plan

The relevant operative objectives and policies are contained within Part 18 *Signage* of the ODP.

Objective 1 – Signs

Signs which convey necessary information and assist in creating a sustainable and vibrant community, while avoiding or mitigating any adverse effects on public safety, convenience and access and on the District's important landscape, streetscape, cultural heritage and water area visual amenity values.

Objective 1 and the accompanying policy suite aim to promote availability of information to the general public and to assist to create a sustainable and vibrant community. Emphasis is placed on visual amenity and appropriateness considering the surrounding area.

The sign is designed to fit within the natural surroundings of the area, constructed with solid wood sleepers and black lettering. The location is well-thought out nestling the sign within previously approved planting. Given this and the above assessment at section 3.3.2 it is considered the proposal is aligned with the objectives and policies in Part 18.

Proposed District Plan (Stage 1 – Appeals Version 2018)

The subject site was not part of the Stage 1 Proposed District Plan Review therefore no provisions are relevant.

Proposed District Plan (Stage 2 Notified Version)

Council notified Stage 2 of the Proposed District Plan on 23 November 2017, which contains objective and policies with immediate legal effect. The objectives and policies within Chapter 31 *Signs* are relevant to this proposal. The objectives and policies of Chapter 31 focus on amenity, public safety and design values of surrounding developments. Given the assessment above it is considered the subdivision entry sign proposed is aligned with the objectives and policies of Chapter 31. It is considered given the minimal extent to which the Proposed District Plan has been exposed to testing and independent decision-making, minimal weight will be given to these provisions at this stage. Notwithstanding, it is considered the proposal would be in general accordance with the relevant objectives and policies.

6.3 PART 2 OF THE RMA

Part 2 outlines the purpose of the RMA is to promote the sustainable management of natural and physical resources. The proposed development provides for an entry sign to a consented subdivision and variation to ensure reticulated sewage system is available to development lots. It is considered the proposed development is aligned with the Purpose and Principles set out in Part 2 of the RMA. The development will result in sustainable management of natural and physical resources, whilst also not affecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

6.4 DECISION A ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** for signage subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

6.5 **DECISION B ON VARIATION PURSUANT TO SECTION 127 OF THE RMA**

Consent is **granted** for the application by Arrowsouth Properties Limited to change Conditions 1 and 23(a) of resource consent RM161093, such that:

1. That the development must be undertaken/carried out in accordance with the following plans:

Queenstown Lakes District Council (revised by C Hughes & Associates Ltd):

- Arrowsouth Properties Ltd – Location Plan, dated February 2016

C Hughes & Associates Ltd:

- **Proposed Subdivision of Lot 29 DP 369201 (Sheet 1 – Overlay on Arrowsouth Structure Plan & Indicative Subdivision Layout Plan), Plan No C1212 Issue K (dated 6 March 2019)**
- **Proposed Subdivision of Lot 29 DP 369201 (Sheet 2 – Proposed Subdivision Layout), Plan No C1212 Issue K (dated 6 March 2019)**
- Arrowsouth – Prelim. Engineering Design Rooding Layout & Typical Cross Sections, Plan # C1244_01, Issue B dated 26/10/16
- Arrowsouth – Prelim. Engineering Design Road Longitudinal Sections, Plan # C1244_02, dated October 2016
- Arrowsouth – Prelim. Engineering Design Trails Layout & Typical Cross Section, Plan # C1244_03, Issue D dated 28/02/17
- Arrowsouth – Lower Escarpment Detail Existing Ground Profile Sections, Plan # C1256 dated 28 Nov 2016
- Arrowsouth – Prelim. Engineering Design Trail Longitudinal Sections, Plan # C1244_04, Issue B dated 28/02/17
- Arrowsouth – Prelim. Engineering Design Services Layout, Plan # C1244_05, Issue B dated 27/10/16
- Arrowsouth – Prelim. Engineering Design Certified Fill Earthworks Layout, Plan # C1244_06, dated February 2017
- Private Open Space Management Plan, updated March 2017 (to be updated in accordance with Condition 22)
- Overarching Open Space Management Plan, updated March 2017 (to be updated in accordance with Condition 22)

stamped as approved on 5 July 2017 and 11 March 2019 (with the exception of the Private Open Space Management Plan and Overarching Open Space Management Plan which are to be updated) and the application as submitted, with the exception of the amendments required by the following conditions of consent.

23. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles referred to in this condition by way of Consent Notice pursuant to s.221 of the Act.
 - a) At the time a dwelling is constructed on Lots 1 - 20, the owner for the time being will require individual low pressure sewage pumps to discharge wastewater from the lot to the reticulated network. The lot owner shall be responsible for all associated costs for the installation and maintenance of all aspects of the system located within the lot boundary. The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected in accordance with the Council low pressure sewer policy. Council Resource Management Engineering department can provide guidance regarding the policy as required.

Advice note

- All other conditions of RM161093 shall continue to apply.

7.0 DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS

Local Government Act 2002: Development Contributions

This proposal is not considered a "Development" in terms of the Local Government Act 2002 as it will not generate a demand for network infrastructure and reserves and community facilities.

Administrative Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further costs have been incurred.

The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or if all conditions have been met.

This resource consent is not a building consent granted under the Building Act 2004. A building consent must be obtained before construction can begin.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of section 125 of the RMA.

If you have any enquiries please contact Joanne Skuse on phone (03) 441 0499 or email joanne.skuse@qldc.govt.nz.

Report prepared by



Joanne Skuse
PLANNER

Decision made by



Paula Costello
SENIOR PLANNER

APPENDIX 1 – Consent Conditions

APPENDIX 2 – Updated conditions of RM161093

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Entrance Reference Plan' Drawing No. L DD 2.0 Rev C, Rough & Milne Landscape Architects dated 02/10/18
 - 'Entry Sign Details' Drawing No. L DD 2.1 Rev B, Rough & Milne Landscape Architects dated 21/06/18
 - 'Entry Sign Details' Drawing No. L DD 2.2 Rev B, Rough & Milne Landscape Architects dated 21/09/18

stamped as approved on 11 March 2019

and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.
3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991.

For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link. <http://www.qldc.govt.nz/planning/development-contributions/> If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/> And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>

APPENDIX 2- UPDATED CONSENT CONDITIONS of RM161093

General Conditions

1. That the development must be undertaken/carried out in accordance with the following plans:

Queenstown Lakes District Council (revised by C Hughes & Associates Ltd):

- Arrowsouth Properties Ltd – Location Plan, dated February 2016

C Hughes & Associates Ltd:

- Proposed Subdivision of Lot 29 DP 369201 (Sheet 1 – Overlay on Arrowsouth Structure Plan & Indicative Subdivision Layout Plan), Plan No C1212 Issue K (dated 6 March 2019)
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stamped as approved on 5 July 2017 and 11 March 2019(with the exception of the Private Open Space Management Plan and Overarching Open Space Management Plan which are to be updated) and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.

General

3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 3rd June 2015 and subsequent amendments to that document up to the date of issue of any resource consent.

Note: The current standards are available on Council's website via the following link:
<http://www.qldc.govt.nz>

4. All trail works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being QLDC's Cycle Trail Design Standards and Specifications dated 27 August 2015 and subsequent amendments to that document up to the date of issue of any resource consent unless otherwise agreed by the Parks and Reserves Manager.

Note: The current standards are available on Council's website via the following link:
<http://www.qldc.govt.nz/assets/Uploads/Council-Documents/2015-Full-Council-Agendas/29-October-2015/Item-4/4a-QLDC-Cycle-Trail-Design-Standard-2015-Attachment-A.PDF>

To be completed prior to the commencement of any works on-site

5. At least 5 working days prior to commencing work on site the consent holder shall advise the Principal Resource Management Engineer at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Conditions (6 to 12) below shall be demonstrated.
6. The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.
7. Prior to commencing works within the McDonnell Road reserve boundary, the consent holder shall submit a traffic management plan to the Road Corridor Engineer at Council for approval. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Principal Resource Management Engineer at Council prior to works commencing.
8. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The crossing shall be located at the proposed Road 01 intersection with McDonnell Road. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends 10m into the site. The construction traffic crossing shall be upgraded with the road and intersection formations and improvements.
9. Prior to the commencement of any works on the land being developed the consent holder shall provide to the Queenstown Lakes District Council for review and acceptance, copies of design certificates in the form of Schedule 1A of QLDC's Land Development and Subdivision Code of Practice, specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following engineering works required:
 - a) The provision of a water supply to Lots 1 - 20 in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated August 2015. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Lots 1 - 20 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The connections shall be designed to reflect either gravity or pressure systems. The costs of the connections shall be borne by the consent holder.

- c) The provision of a 'Low Impact Design' stormwater reticulation and disposal system in general accordance with the application. The system shall include the provision of a connection from all future impervious areas in Lots 1 - 20 to the Council reticulated stormwater disposal system. The system design shall include consideration of an intercepting cut off drain and swale above the buildable areas to Lots 7 – 18 as mitigation against overland flows and the provision of a consent notice protecting the intercepting drain/swale, if incorporated into the designs. Roding swales shall be grassed instead of planted along internal development areas. The low impact design stormwater system shall be able to drain the entire area of each lot. The costs of the connections shall be borne by the consent holder.
- d) The provision of fire hydrants with adequate pressure and flow to service the development with a minimum Class FW2 fire fighting water supply in accordance with the NZ Fire Service Code of Practice for Firefighting Water Supplies SNZ PAS 4509:2008(or superseding standard). Any alternative solution must be approved in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service.
- e) The provision of a sealed vehicle crossing that shall be constructed to Lots 1, 4, 6, 7, 12, 18 & 20 to Council's standards. Specifically this shall include compliant breakover angles over any swales.
- f) The formation of a sealed access extending through to the nett area of Lot 4.
- g) The provision of road lighting on in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. The lighting shall extend from existing McDonnell Road lighting to the intersection with Road 01 and into the proposed development. Any road lighting installed on private roads/rights of way/access lots shall be privately maintained and all operating costs shall be the responsibility of the lots serviced by such access roads. Any lights installed on private roads/rights of way/access lots shall be isolated from the Council's lighting network circuits.
- h) The formation of Road 01 and Road 02, in accordance with Figure E12 of the Land Development and Subdivision Code of Practice, except that the minimum legal road width may be reduced to 12m minimum and indented parking provided adjacent to Lot 102 for 4 vehicles. Each road shall be provided with a 1.5m wide sealed footpath, cul-de-sac turning areas and grassed stormwater swales.
- i) The formation of intersections, in accordance with the latest Austroads intersection design guides. These designs shall be subject to review and acceptance by Council with any associated costs met by the consent holder.
- j) The extension and formation of McDonnell Road kerb and channel (K&C) and sealed footpath located west of the site to across the site frontage and beyond the intersection of proposed Road 1 with McDonnell Road. For clarity both the road, footpath and K&C shall be continuous from existing urban areas.
- k) The formation of unsealed Trails 1 and 2 across Lot 103 in general accordance with Council standards and as shown in preliminary engineering designs submitted with the application.
- l) The provision of Design Certificates for all engineering works associated with this subdivision/development submitted by a suitably qualified design professional (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.

10. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with QLDC's Land Development and Subdivision Code of Practice and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council. Specifically the applicant shall prevent silt from earthworks entering the creek in the form of a cut off drain feeding into a sump with surface water pumped through either a hay or cloth filter prior to being allowed to discharge into the stream. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall be subject to ongoing weekly monitoring reports back to Council. The measures shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
11. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the Geosolve Limited report titled: '*Slope Stability Assessment, Lot 29 DP 369201, McDonnell Road Arrowtown*', dated 21 October 2016 and who shall supervise the track excavations and associated retaining wall constructions and ensure compliance with the recommendations of this report. This engineer shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.
12. At least 7 days prior to commencing excavations, the consent holder shall provide the Principal Resource Management Engineer at Council with the name of a suitably qualified geotechnical professional as defined in Section 2 of QLDC's Land Development and Subdivision Code of Practice and who shall supervise the earthworks and fill certification. This shall include the issue of a Completion Report and Schedule 2A certificate to the Principal Engineer for Council on completion of works and prior to subdivision completion. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to s224(c) of the RMA.

To be monitored throughout earthworks

13. The earthworks, batter slopes and retaining shall be undertaken in accordance with the recommendations of the report by Geosolve Limited report titled: '*Slope Stability Assessment, Lot 29 DP 369201, McDonnell Road Arrowtown*', dated 21 October 2016.
14. The site management controls installed in Condition (10) above shall be monitored for effectiveness on a weekly basis by the consent holder during earthworks and/or immediately following heavy/prolonged rainfall events, in their ability to prevent silt laden stormwater from entering the potable water source,. Should measures not be entirely effective the consent holder shall immediately implement any measures necessary to eliminate further silt laden contaminants from entering the water source. The monitoring shall include a brief email report on system effectiveness with supporting photographs sent through to the Principal Engineer of Council at engineeringapprovals@qldc.govt.nz.
15. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at his/her expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
16. No earthworks, temporary or permanent, are to breach the boundaries of the site except for the Council reviewed and accepted works within existing or proposed road reserves and connections to Council infrastructure assets.

To be completed before Council approval of the Survey Plan

17. Prior to the Council signing the Survey Plan pursuant to Section 223 of the Resource Management Act 1991, the consent holder shall complete the following:
- a) All necessary easements shall be shown in the Memorandum of Easements attached to the Survey Plan and shall be duly granted or reserved. All Council services within private land shall be provided with 3m wide service easements in gross.
 - b) The names of all roads, private roads & private ways which require naming in accordance with Council's road naming policy shall be shown on the survey plan.

[Note: the road naming application should be submitted to Council prior to the application for the section 223 certificate]

Amalgamation Conditions

18. The following shall be registered with Land Information New Zealand (CSN XXXXX):
- *"That Lots 102 & 103 hereon be held in the same Computer Freehold Register"*
 - *"That Lot 104 hereon be held as to twelve undivided one-twelfth shares by the owners of Lots 7 - 18 hereon as tenants in common in the said shares and that individual Computer Freehold Registers be issued in accordance therewith"*

To be completed before issue of the s224(c) certificate

19. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
- a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision/development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Roads (including right of ways and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (9) above.
 - c) The submission of a Geotechnical Completion Report and Schedule 2A certificate to the Principal Engineer for Council. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to s224(c) of the RMA.
 - d) The submission of a completion certificate for the completion of the trail in the form of NZS 4404:2010 Schedules 1B & 1C which demonstrates the trail achieves the needs of the Grade 3 trail user unless otherwise agreed by the Parks and Reserves Manager.
 - e) Written confirmation shall be provided from the electricity network supplier responsible for the area, that provision of an underground electricity supply has been made available (minimum supply of single phase 15kva capacity) to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.
 - f) Written confirmation shall be provided from the telecommunications network supplier responsible for the area, that provision of underground telephone services has been made available to the net area of all saleable lots created and that all the network supplier's requirements for making such means of supply available have been met.

- g) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (9) for all engineering works completed in relation to or in association with this subdivision/development (for clarification this shall include all Roads, Water, Wastewater and Stormwater reticulation). The certificates shall be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- h) All newly constructed foul sewer and stormwater mains shall be subject to a closed circuit television (CCTV) inspection carried out in accordance with the New Zealand Pipe Inspection Manual. A pan tilt camera shall be used and lateral connections shall be inspected from inside the main. The CCTV shall be completed and reviewed by Council before any surface sealing.
- i) The submission of an operation and maintenance manual for the stormwater soakage device that outlines adequate maintenance instructions and frequencies.
- j) The consent holder shall enter into a developer's agreement between the developer and Council. This agreement shall bind the developer to its requirements in relation to the internal stormwater disposal systems. It shall outline to Councils satisfaction the ongoing requirements of the developer to undertake, for a period of five years, the on-going monitoring and maintenance of the internal stormwater disposal systems associated with the subdivision created under RM161093 in accordance with an approved operations and maintenance manual and monitoring of the water quality of discharge from that system. The agreement shall provide for:
 - (i) A maintenance period for the stormwater soakage devices in accordance with an approved operation and maintenance manual that shall extend for a total of five years following 224(c) certification prior to the asset being accepted for maintenance by Council.
 - (ii) Periodic monitoring of water quality at the boundary of the site downstream from the stormwater soakage devices. This shall include 6 monthly tests and/or immediately after 2 storm events each year until the defects period lapses.
 - (iii) Prepare a brief report annually detailing results of monitoring conclusions and present said report to QLDC.
 - (iv) The developer's agreement shall be checked and approved by the Council's solicitors at the consent holder's expense to ensure that all of the Council's interests and liabilities are adequately protected.
- k) All signage shall be installed in accordance with Council's signage specifications and all necessary road markings completed on all public or private roads (if any), created by this subdivision.
- l) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- m) All earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
- n) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- o) Provide a solicitors undertaking that the land covenant referred to in Condition 24 be registered on Lots 7-18 immediately upon issue of those titles.

20. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall provide for review a covenant to be registered on Lots 7 – 18 that sets out management responsibilities of those lot owners to ensure the maintenance obligations contained in the consent notice on Lot 104 (owned by them in equal shares) are complied with. The terms of this covenant shall be checked and approved by the Council's solicitors at the consent holder's expense to ensure that a framework is in place requiring the lot owners to comply with the requirements of the consent notice on Lot 104 in a uniform and consistent manner and must include the following essential terms:
- a) Lot 104 shall at all times be held in the ownership of all the Lot Owners as tenants in common of undivided one-twelfth shares.
 - b) The Lot Owners will be the 12 owners of lots 7-18 as shown on the scheme plan.
 - c) The Lot Owners shall be liable to make a fair and reasonable contribution towards the maintenance obligations (as required by the Lot 104 consent notice and resource consent conditions) relating to Lot 104 on a proportionate basis.
 - d) The Lot Owners will all be members of the Owners Group.
 - e) The Owners Group will have the following powers and obligations:
 - (i) To meet as required but at least annually and pay such levies as are required to fund the maintenance obligations as required by the resource consent conditions (through the Private Open Space Management Plans and consent notice on Lot 104).
 - (ii) Elect one or more of the Lot Owners (Owner's Representatives) to determine and collect maintenance levies and engage and pay contractors on behalf of the other Lot Owners to ensure the obligations in the covenant are complied with.
 - (iii) The Owners Representatives must be elected prior to the original developer ceasing maintenance obligations in relation to Lot 104 DP [xxxxx].
 - (iv) These maintenance levies are payable to the Owner's Representatives (if elected) to pay contractors on behalf of the other Lot Owners to ensure the obligations in the covenant are complied with.
 - (v) Levies shall be payable within 21 days of the decision by the Lot Owners (or the Owner's Representatives) to collect the levies from the Lot Owners.
 - (vi) The Lot Owners or Owner's Representatives may elect to open a bank account to hold levies.
 - (vii) The Lot Owners or Owner's Representatives must engage a third party to carry out the maintenance obligations and the Lot Owners are collectively responsible for paying any associated costs.
 - (viii) If levies are not paid the Lot Owners may make claim and take such legal proceedings as are necessary to recover unpaid levies as a civil debt due and not right of set off or dispute or contest such levy shall accrue to the lot owner defaulting on payment when levies are due. Such a lot owner is also responsible for any additional costs, bank fees, charges, interest or otherwise incurred as a result of the short payment.
 - (ix) Where payment by a lot owner in any 12 month period exceeds the costs incurred to carry out the maintenance, the amount of the excess shall stand as a credit to that lot owner.
 - (x) Any dispute between the Lot Owners shall be determined by a simple majority of votes by the Lot Owners.
 - (xi) Where an individual lot owner is responsible for a deliberate act or omission in relation to Lot 104 they shall be responsible for the payment of all costs attributable to that act or omission.
 - f) Lot 104 may be used jointly and severally by the Lot Owners, their families, guests and invitees in such a manner as is consistent with the Arrowsouth Properties Limited Private Open Space Management Plan dated March 2017.

NOTE: The Arrowsouth Properties Limited Private Open Space Management Plan dated March 2017 is to be updated in accordance with Condition 22.

- g) The obligations within the covenant do not take effect until growing season 3 following the establishment of the planting.

Staging

21. The approved Private Open Space Management Plan(s) for Private Open Space Activity Areas E1, E5 and W1 and the Roadside Planting Strip shall be implemented prior to the subdivision receiving certification under section 224(c) of the Act. The term 'Implemented' shall be deemed to be when:
- a) Planting identified within the Private Open Space Management Plan has occurred;
 - b) Fencing identified within the Private Open Space Management Plan of waterways has occurred;
 - c) The trail which traverses any part of the Activity Area or the corresponding Private Open Space Activity Area shall be completed to a suitable standard for public use and its ongoing access for public use is legally secured.
22. Prior to certification pursuant to section 224 of the Resource Management Act 1991 the Consent Holder shall provide to the Manager – Planning Practice an updated Private Open Space Management Plan and Overarching Open Space Management Plan based on the revised scheme plans identified in Condition (1) above.

Ongoing Conditions - Consent Notices

23. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles referred to in this condition by way of Consent Notice pursuant to s.221 of the Act.
- a) At the time a dwelling is constructed on Lots 1 - 20, the owner for the time being will require individual low pressure sewage pumps to discharge wastewater from the lot to the reticulated network. The lot owner shall be responsible for all associated costs for the installation and maintenance of all aspects of the system located within the lot boundary. The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected in accordance with the Council's low pressure sewer policy. Council's Resource Management Engineering department can provide guidance regarding the policy as required.
 - b) At the time a dwelling is constructed the owner for the time being shall construct a concrete vehicle crossing to the site to Council's standards and as constructed for Lots 1, 4, 6, 7, 12, 18 and 20. The design of the vehicle crossing shall be subject to approval by Council under a 'Connection to Council Service Application'. The approval should be obtained and construction of the crossing approved by a Council Inspector prior to occupation of the dwelling.
 - c) No direct vehicle access onto McDonnell Road shall be provided from Lots 1, 4, 5, 6 & 20.
 - d) In the event that the Schedule 2A certificate issued under Condition (19) contains limitations or remedial works required to support dwelling development and not cross boundaries, then a consent notice shall be registered on the relevant Computer Freehold Registers. The consent notice condition shall read;
"Prior to any dwelling construction work (other than work associated with geotechnical investigations, the owner for the time being shall submit to Council for certification, plans prepared by a suitably qualified engineer detailing the proposed foundation design, earthworks and/or other required works in accordance with the Schedule 2A certificate attached. All such measures shall be implemented prior to occupation of any building."

- e) Any stormwater cut off drains/swales designed in Condition (9)(c) above that require permanent protection and/or maintenance within the lot boundaries shall be maintained by the individual lot owners. The final wording of the consent notice instrument shall be checked and approved by the Council's solicitors at the consent holder's expense prior to registration to ensure that all of the Council's interests and liabilities are adequately protected.
- f) All private open space areas, building/fencing restriction and landscaping maintenance areas labelled on the plans identified in Condition (1) shall be managed in perpetuity in accordance with the Private Open Space Management Plan and Overarching Open Space Management Plan required under Condition 22.
- g) With regard to Lot 103, all building and earthworks are prohibited within the area shown as POS-E5 on the Structure Plan from the Arrowtown South Special Zone in the Operative District Plan.

Ongoing Conditions – Covenants

24. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles of Lots 7 – 18 upon issue by way of a covenant being entered into in favour of the Queenstown Lakes District Council pursuant to section 108(2) of the Resource Management Act 1991 [volunteered condition]:
- a) Lot 104 shall at all times be held in the ownership of all the Lot Owners as tenants in common of undivided one-twelfth shares.
 - b) The Lot Owners will be the 12 owners of lots 7 - 18 as shown on the scheme plan.
 - c) The Lot Owners shall be liable to make a fair and reasonable contribution towards the maintenance obligations (as required by the Lot 104 consent notice and resource consent conditions) relating to Lot 104 on a proportionate basis.
 - d) The Lot Owners will all be members of the Owners Group.
 - e) The Owners Group will have the following powers and obligations:
 - (i) To meet as required but at least annually and pay such levies as are required to fund the maintenance obligations as required by the resource consent conditions (through the Private Open Space Management Plans and consent notice on Lot 104).
 - (ii) Elect one or more of the Lot Owners (Owner's Representatives) to determine and collect maintenance levies and engage and pay contractors on behalf of the other Lot Owners to ensure the obligations in the covenant are complied with.
 - (iii) The Owners Representatives must be elected prior to the original developer ceasing maintenance obligations in relation to Lot 104 DP [xxxxx].
 - (iv) These maintenance levies are payable to the Owner's Representatives (if elected) to pay contractors on behalf of the other Lot Owners to ensure the obligations in the covenant are complied with.
 - (v) Levies shall be payable within 21 days of the decision by the Lot Owners (or the Owner's Representatives) to collect the levies from the Lot Owners.
 - (vi) The Lot Owners or Owner's Representatives may elect to open a bank account to hold levies.
 - (vii) The Lot Owners or Owner's Representatives must engage a third party to carry out the maintenance obligations and the Lot Owners are collectively responsible for paying any associated costs.
 - (viii) If levies are not paid the Lot Owners may make claim and take such legal proceedings as are necessary to recover unpaid levies as a civil debt due and not right of set off or dispute or contest such levy shall accrue to the lot owner defaulting on payment when levies are due. Such a lot owner is also responsible for any additional costs, bank fees, charges, interest or otherwise incurred as a result of the short payment.

- (ix) Where payment by a lot owner in any 12 month period exceeds the costs incurred to carry out the maintenance, the amount of the excess shall stand as a credit to that lot owner.
 - (x) Any dispute between the Lot Owners shall be determined by a simple majority of votes by the Lot Owners.
 - (xi) Where an individual lot owner is responsible for a deliberate act or omission in relation to Lot 104 they shall be responsible for the payment of all costs attributable to that act or omission.
- f) Lot 104 may be used jointly and severally by the Lot Owners, their families, guests and invitees in such a manner as is consistent with the Arrowsouth Properties Limited Private Open Space Management Plan dated March 2017.
- g) The obligations within the covenant do not take effect until growing season 3 following the establishment of the planting.

Accidental Discovery Protocol

25. If the consent holder:

- a) discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
 - (i) notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police.
 - (ii) stop work within the immediate vicinity of the discovery to allow a site inspection by the Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, the New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.
- b) discovers any feature or archaeological material that predates 1900, or heritage material, or disturbs a previously unidentified archaeological or heritage site, the consent holder shall without delay:
 - (i) stop work within the immediate vicinity of the discovery or disturbance and;
 - (ii) advise Council, the Heritage New Zealand Pouhere Taonga and in the case of Maori features or materials, the Tangata whenua and if required, shall make an application for an Archaeological Authority pursuant to the New Zealand Pouhere Taonga Act 2014 and;
 - (iii) arrange for a suitably qualified archaeologist to undertake a survey of the site.

Site work may only recommence following consultation with Council.

Earthworks Condition

26. Hours of operation for earthworks, shall be:

- Monday to Saturday (inclusive): 8.00am to 6.00pm.
- Sundays and Public Holidays: No Activity

In addition, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate earlier than 8.00am. All activity on the site is to cease by 6.00pm.

Advice Notes

1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at QLDC.
2. The consent holder is advised to obtain all necessary consent from the Otago Regional Council, if any.
3. The consent holder is advised that any retaining walls, including stacked stone and gabion walls, proposed in this development which exceeds 1.5m in height or walls of any height bearing additional surcharge loads will require Building Consent, as they are not exempt under Schedule 1 of the Building Act 2004.
4. Prior approval via a Connection to Council Services for a Temporary Water Take is required if Council's water supply is to be utilised for dust suppression during earthworks. This shall include the use of a backflow prevention device to prevent contamination of Council's potable water supply.
5. Future lot-owners are advised to contact the developer to determine the installation requirements for the on-lot pressure sewer system components.

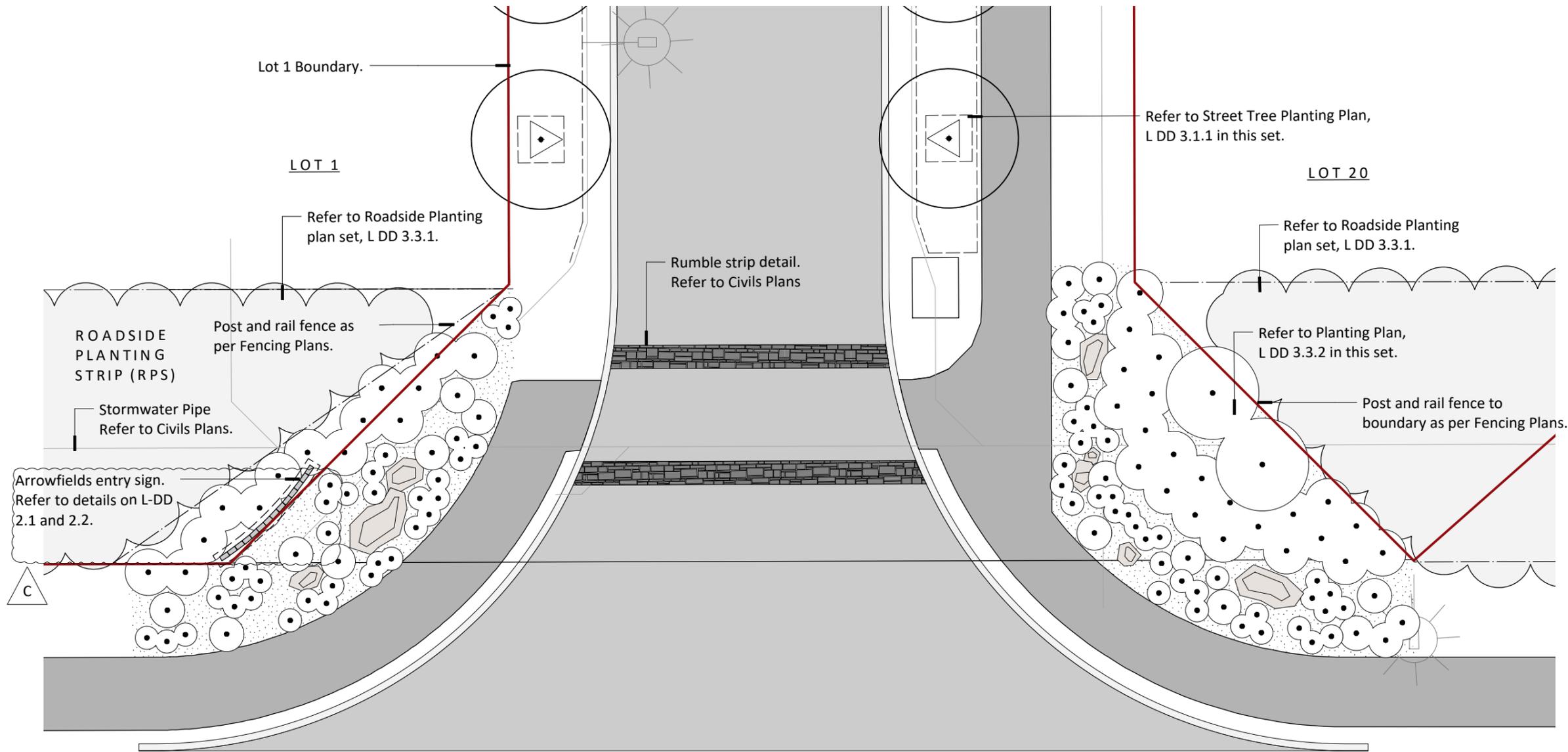
For Your Information

If your decision requires monitoring, we will be sending an invoice in due course for the deposit referred to in your consent condition. To assist with compliance of your resource consent and to avoid your monitoring deposit being used before your development starts, please complete the "[Notice of Works Starting Form](#)" and email to the Monitoring Planner at RCMonitoring@qldc.govt.nz prior to works commencing.

You may also have conditions that require you to apply for Engineering Acceptance. To apply for Engineering Acceptance, please complete the [Engineering Acceptance Application form](#) and submit this completed form and an electronic set of documents to engineeringacceptance@qldc.govt.nz with our monitoring planner added to the email at RCMonitoring@qldc.govt.nz.

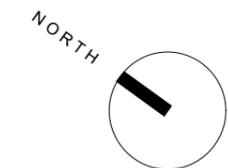
If your decision requires a development contribution (DC) charge, we will be sending a notice in due course. To answer questions such as what is a DC charge, when a DC charge is triggered and timing of payments, please refer to this link: <http://www.qldc.govt.nz/planning/development-contributions/>. If you wish to make a DC estimate calculation yourself, please use this link: <http://www.qldc.govt.nz/planning/development-contributions/development-contributions-estimate-calculator/>. And for full details on current and past policies, please use this link: <http://www.qldc.govt.nz/council-online/council-documents/policies/policy-on-development-contributions-and-financial-contributions/>.

| ISSUE | DATE | STATUS |
|-------|------------|----------------------|
| B | 02/10/2018 | FOR RESOURCE CONSENT |
| C | 12/02/2019 | FOR RESOURCE CONSENT |



GENERAL NOTES:

1. Entry sign shall be within the boundary of private Lot 1 with the light fittings within road reserve (to be connected to streetlight network TBC). Fence shall be setback from boundary within private lot as shown.



M c D O N N E L L R O A D

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM181358

Monday, 11 March 2019

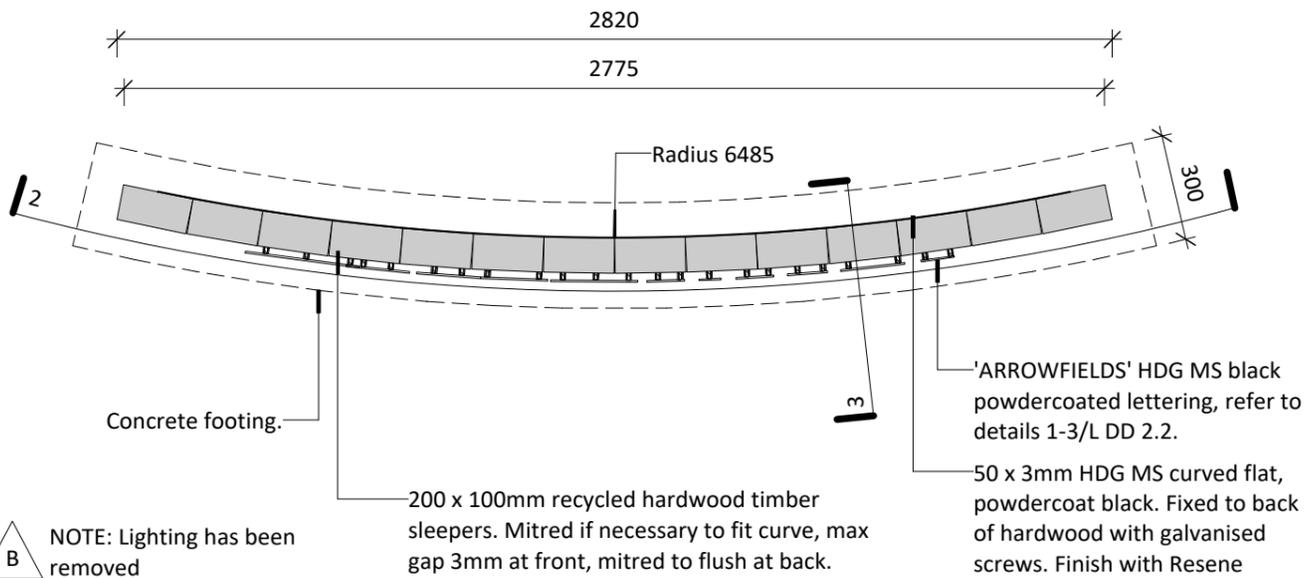
rough & milne landscape architects

Level 1, Tekoa House
24 Dunganvon Street
Wanaka, 9305

Tel +64 3 974 7940
Fax +64 3 377 8287
info@roughandmilne.co.nz

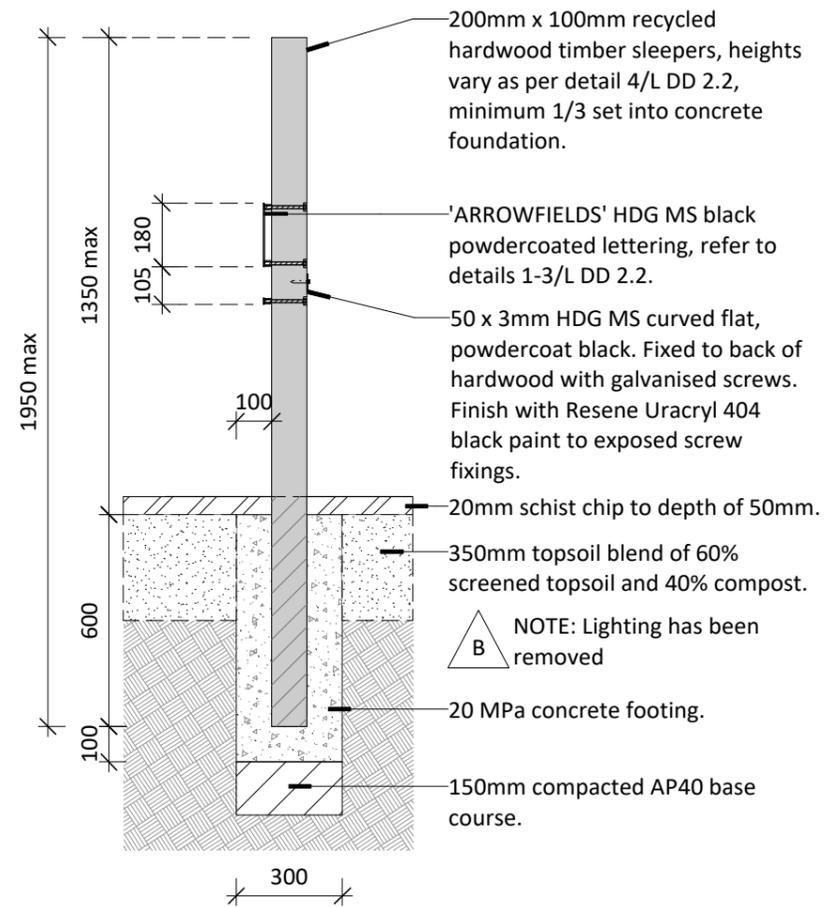
ENTRANCE REFERENCE PLAN
LANDSCAPE CONSTRUCTION DETAILS
ARROWFIELDS SUBDIVISION
McDONNELL ROAD

| | |
|-----------------|----------------------|
| JOB No. | 16031 |
| SCALE | 1:100 @ A3 |
| DATE | 02/10/18 |
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| STATUS | FOR RESOURCE CONSENT |
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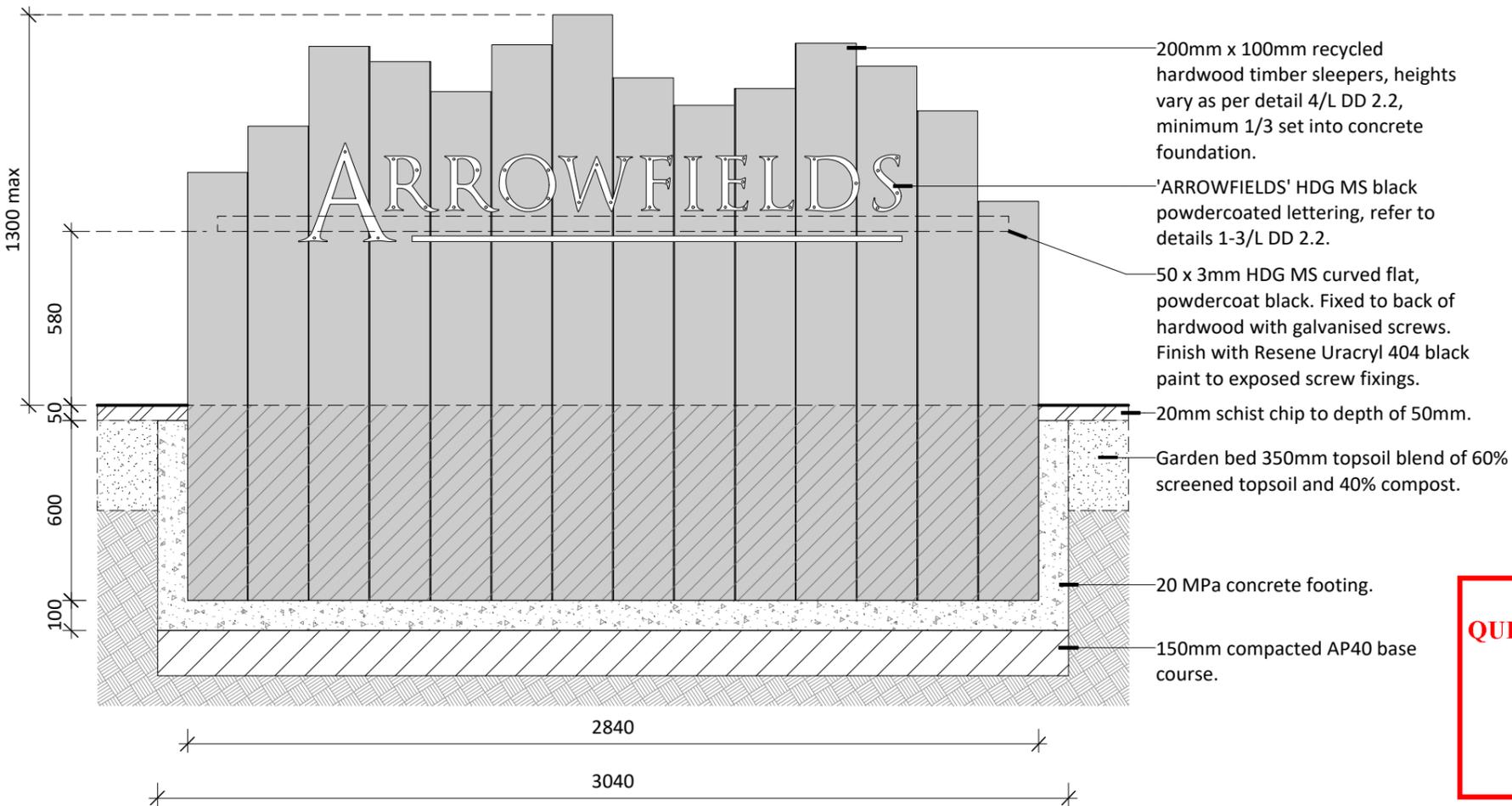
NOTE: Lighting has been removed

1 Entrance Signage Plan View
Scale: 1:20



NOTE: Lighting has been removed

3 Entry Signage Cross Section
Scale: 1:20



2 Entry Signage Unwrapped Front Section
Scale: 1:20

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM181358

Monday, 11 March 2019

ROUGH & MILNE LANDSCAPE ARCHITECTS LIMITED

DO NOT SCALE, ALL DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO COMMENCING ANY WORK

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| ISSUE | DATE | STATUS |
|-------|----------|----------------------|
| A | 08/06/18 | FOR TENDER |
| A | 21/09/18 | FOR RESOURCE CONSENT |
| B | 18/02/19 | FOR RESOURCE CONSENT |

- GENERAL NOTES:**
1. Alternative lighting fixtures to be approved by Landscape Architect.
 2. Hardwood timber sleepers to be approved by landscape architect prior to installation.
 3. DWG of sign lettering to be supplied upon request.

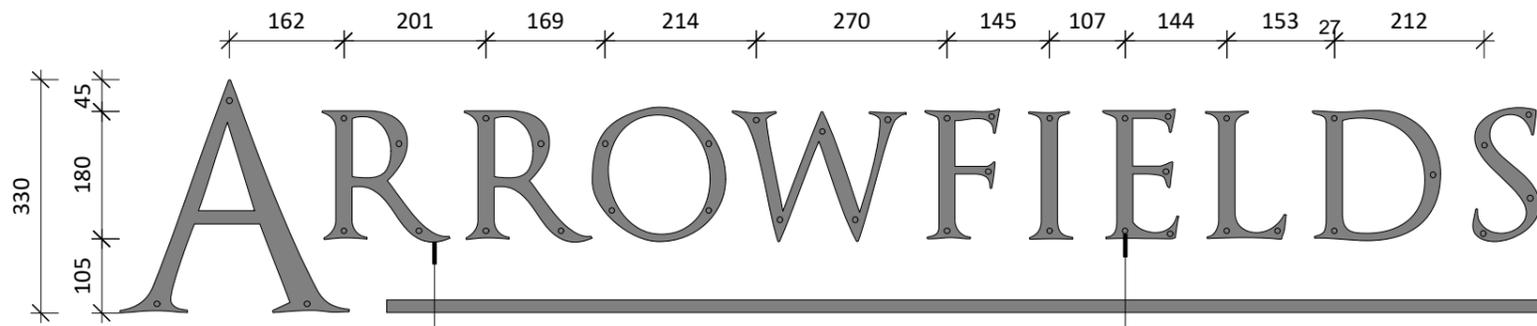
rough & milne landscape architects

Level 1, Tekoa House
24 Dunganon Street
Wanaka, 9305
Tel +64 3 974 7940
Fax +64 3 377 8287
info@roughandmilne.co.nz

ENTRY SIGN DETAILS
LANDSCAPE CONSTRUCTION DETAILS
ARROWFIELDS SUBDIVISION
McDONNELL ROAD

| | |
|-------------|----------------------|
| JOB No. | 16031 |
| SCALE | As Shown @ A3 |
| DATE | 21/06/18 |
| DESIGNED | HA |
| DRAWN | AN |
| CHECKED | HA |
| STATUS | FOR RESOURCE CONSENT |
| DRAWING No. | REVISION |
| L DD 2.1 | B |

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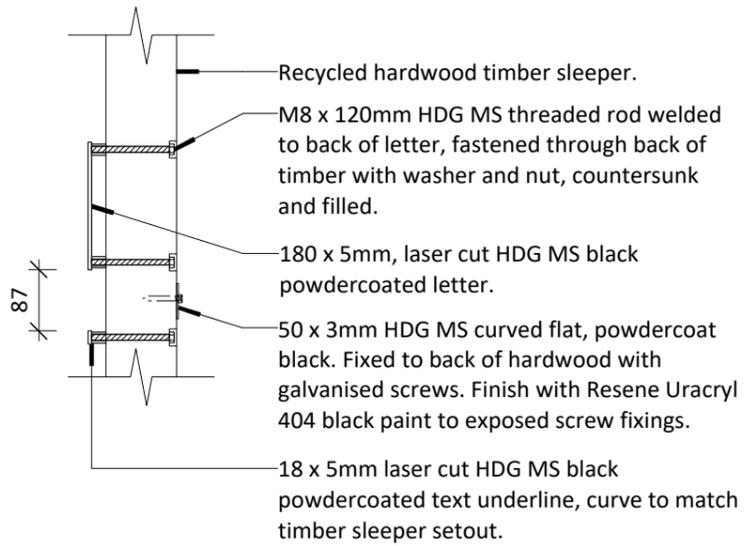
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Monday, 11 March 2019

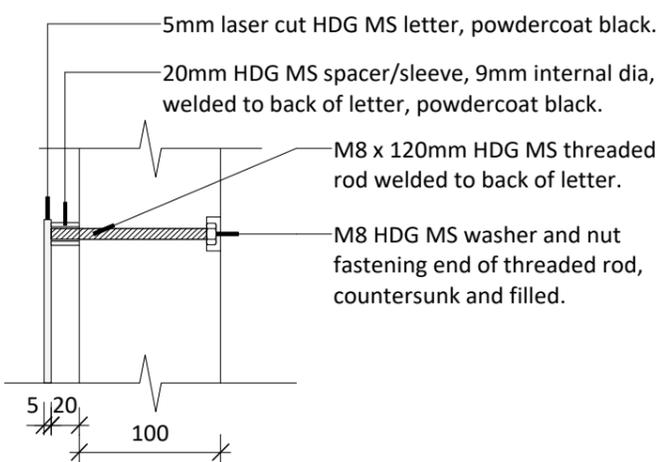
1 Sign Lettering Setout
Scale: 1:10

Type 'Optimus Princeps' (refer to note 3) 5mm thick laser cut HDG MS black powdercoated lettering, refer to detail 2/L DD 2.2.
 Location of welded M8 x 120mm HDG MS threaded rod on back of letter, refer to detail 2-3/L DD 2.2.

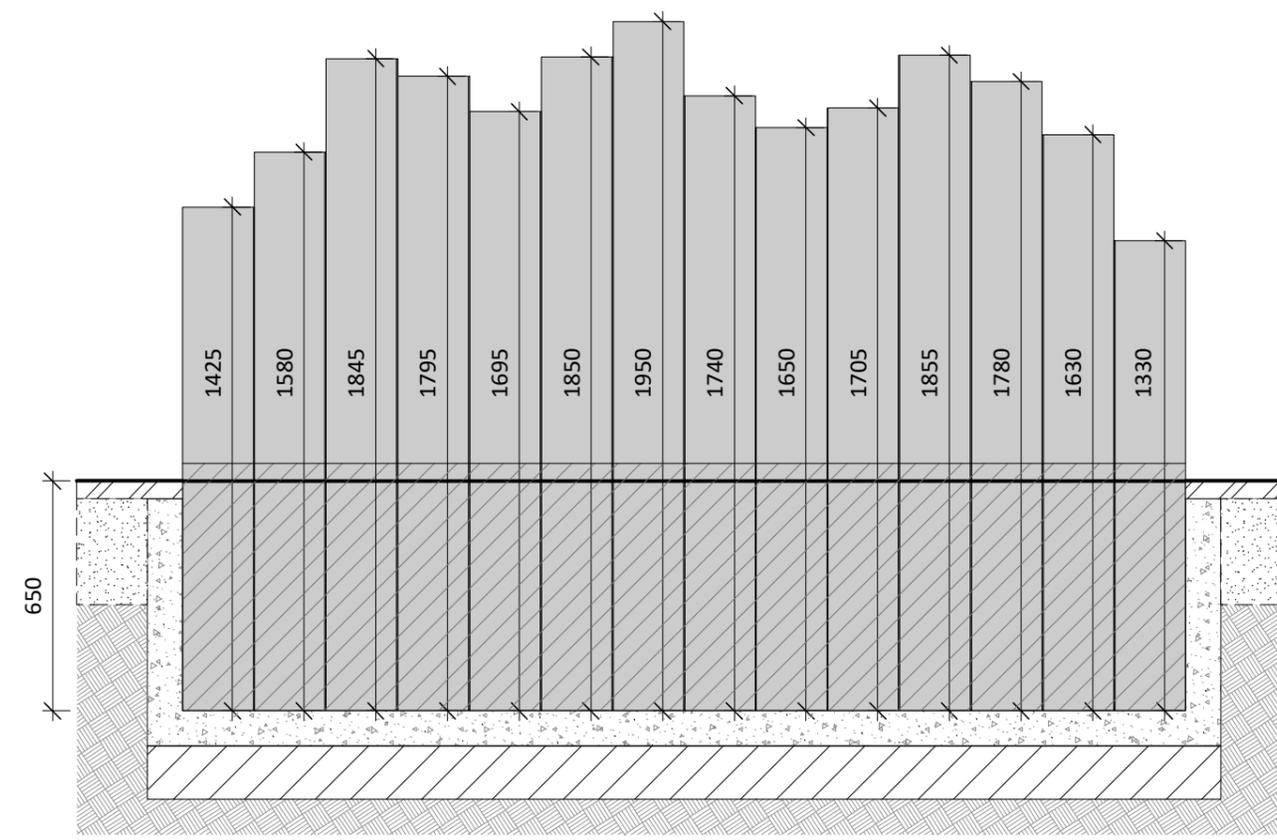


B NOTE: Lighting detail removed

2 Sign Section
Scale: 1:10



3 Sign Lettering Fixing Section
Scale: 1:5



4 Timber Sleeper Setout Elevation
Scale: 1:20

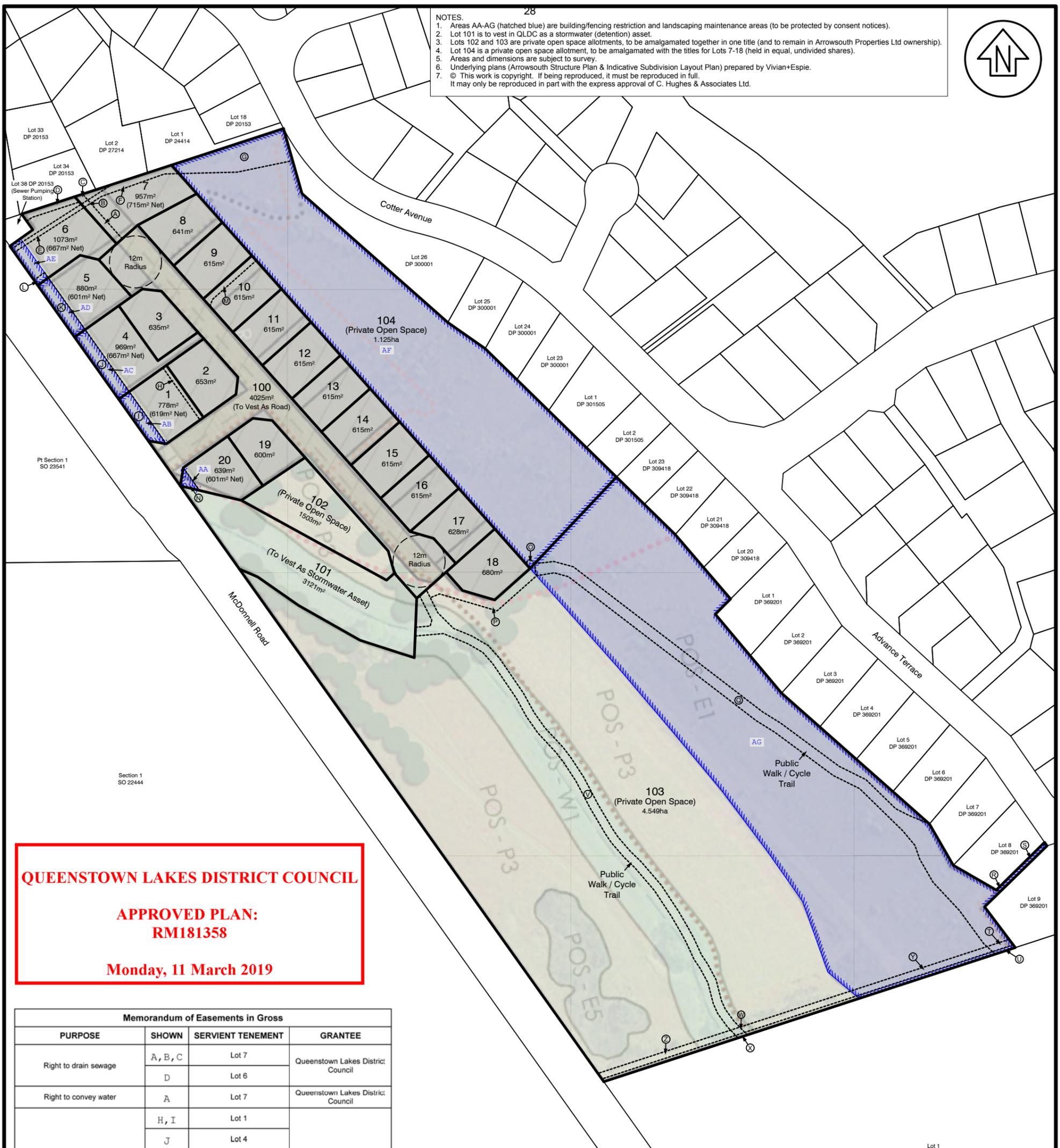
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ARROWFIELDS SUBDIVISION
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| | |
|-------------|----------------------|
| JOB No. | 16031 |
| SCALE | As Shown @ A3 |
| DATE | 21/09/18 |
| DESIGNED | HA |
| DRAWN | AN |
| CHECKED | HA |
| STATUS | FOR RESOURCE CONSENT |
| DRAWING No. | REVISION |
| L DD 2.2 | B |

NOTES:
 1. Areas AA-AG (hatched blue) are building/fencing restriction and landscaping maintenance areas (to be protected by consent notices).
 2. Lot 101 is to vest in QLDC as a stormwater (detention) asset.
 3. Lots 102 and 103 are private open space allotments, to be amalgamated together in one title (and to remain in Arrowsouth Properties Ltd ownership).
 4. Lot 104 is a private open space allotment, to be amalgamated with the titles for Lots 7-18 (held in equal, undivided shares).
 5. Areas and dimensions are subject to survey.
 6. Underlying plans (Arrowsouth Structure Plan & Indicative Subdivision Layout Plan) prepared by Vivian+Espie.
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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
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Monday, 11 March 2019

| Memorandum of Easements in Gross | | | |
|----------------------------------|---------------------------|-------------------|-----------------------------------|
| PURPOSE | SHOWN | SERVIENT TENEMENT | GRANTEE |
| Right to drain sewage | A, B, C | Lot 7 | Queenstown Lakes District Council |
| | D | Lot 6 | |
| Right to convey water | A | Lot 7 | Queenstown Lakes District Council |
| Right to drain water | H, I | Lot 1 | Queenstown Lakes District Council |
| | J | Lot 4 | |
| | K | Lot 5 | |
| | L | Lot 6 | |
| | M | Lot 10 | |
| | N | Lot 20 | |
| | O | Lot 104 | |
| Right of way (public access) | P, Q, R, S, T, U, V, W, X | Lot 103 | Queenstown Lakes District Council |

| Schedule of Existing Easements in Gross | | | |
|---|------------|-------------------|-------------|
| PURPOSE | SHOWN | SERVIENT TENEMENT | CREATED BY |
| Right to convey water | E | Lot 6 | T5011355.7 |
| | B, F | Lot 7 | |
| | G | Lot 104 | |
| Right to drain sewage and water | R | Lot 103 | E17095612.8 |
| Right to convey sewage | T, W, Y, Z | Lot 103 | T909861.4 |

Proposed Subdivision of Lot 29 DP 369201
(Sheet 1 - Overlay on Arrowsouth Structure Plan & Indicative Subdivision Layout Plan)

Arrowsouth Properties Ltd
 McDonnell Road, Arrowtown

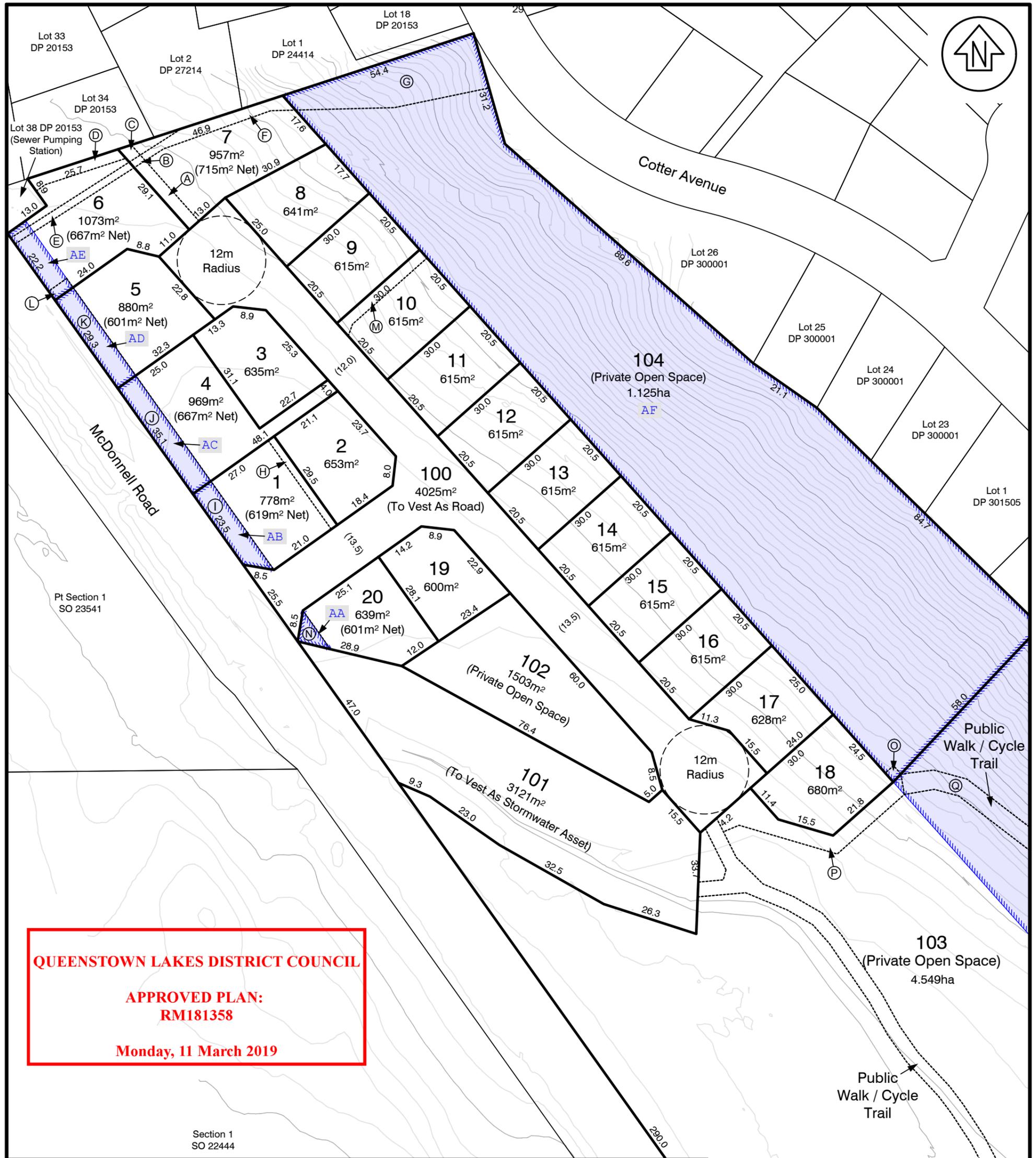
C. HUGHES & ASSOCIATES LTD
 Surveying and Resource Management • Central Otago
CROMWELL 17A Murray Tce, Tel 03 445 0376 PO Box 51 Fax 03 445 0375 cromwell@chasurveyors.co.nz
WANAKA 80 Ardmore St, Tel 03 443 5052 PO Box 599 Fax 03 443 5062 wanaka@chasurveyors.co.nz
 www.chasurveyors.co.nz



| ISSUE | AMENDMENTS | DATE |
|-------|---|----------|
| F | Lot 102/103 Amalgamation Note & Emt F | 28/02/17 |
| G | Areas Re-calculated | 13/04/17 |
| H | Bdys & Areas Adjusted & Net Areas Added | 21/04/17 |
| I | Lots 7-18 & 104, Areas, Dimensions, Notes | 19/05/17 |
| J | Easements Revised | 18/02/19 |
| K | Easements Revised | 6/03/19 |

Scale: **1 : 1750 (A3)**
 Datum: -
 Origin: -

Job No: **5479**
 Plan No: **C1212** Drawn: **CRH**
 Date: **June 2016**



- NOTES.
1. Areas AA-AG (hatched blue) are building/fencing restriction and landscaping maintenance areas (to be protected by consent notices).
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 3. Lots 102 and 103 are private open space allotments, to be amalgamated together in one title (and to remain in Arrowsouth Properties Ltd ownership).
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 5. Areas and dimensions are subject to survey.
 6. Contour Interval: 5.0m Major, 1.0m Minor.
 7. Underlying plans (Arrowsouth Structure Plan & Indicative Subdivision Layout Plan) prepared by Vivian+Espie.
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**Proposed Subdivision of Lot 29 DP 369201
 (Sheet 2 - Proposed Subdivision Layout)**

Arrowsouth Properties Ltd
 McDonnell Road

C. HUGHES & ASSOCIATES LTD
 Surveying and Resource Management • Central Otago



| ISSUE | AMENDMENTS | DATE |
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| | |
|---------|---------------|
| Scale: | 1 : 1000 (A3) |
| Datum: | - |
| Origin: | - |

| | |
|----------|-----------|
| Job No: | 5479 |
| Plan No: | C1212 |
| Drawn: | CRH |
| Date: | June 2016 |

CROMWELL
 17A Murray Tce, Tel 03 445 0376
 PO Box 51 Fax 03 445 0375
 cromwell@chasurveyors.co.nz

WANAKA
 80 Ardmore St, Tel 03 443 5052
 PO Box 599 Fax 03 443 5062
 wanaka@chasurveyors.co.nz

www.chasurveyors.co.nz