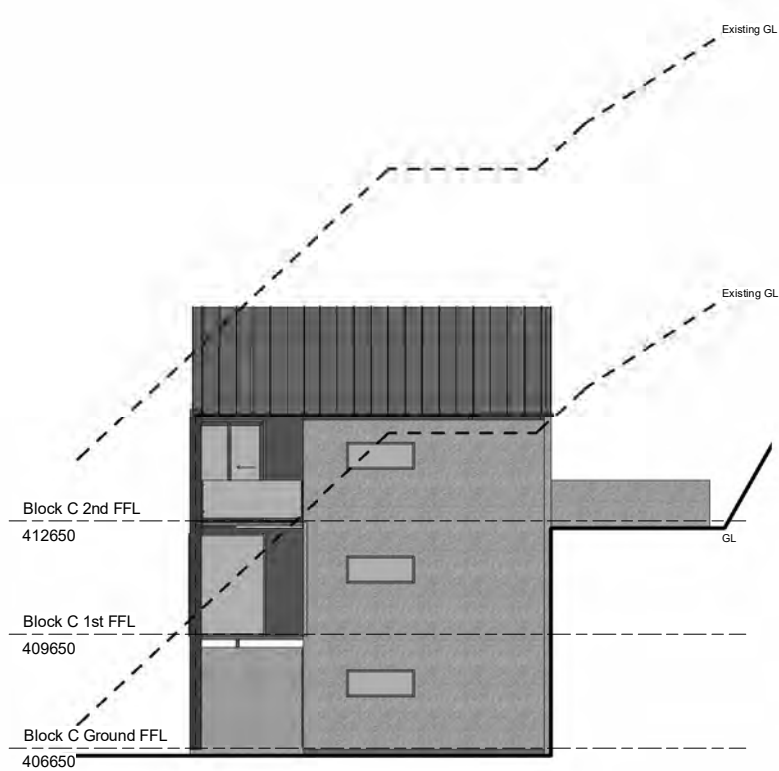


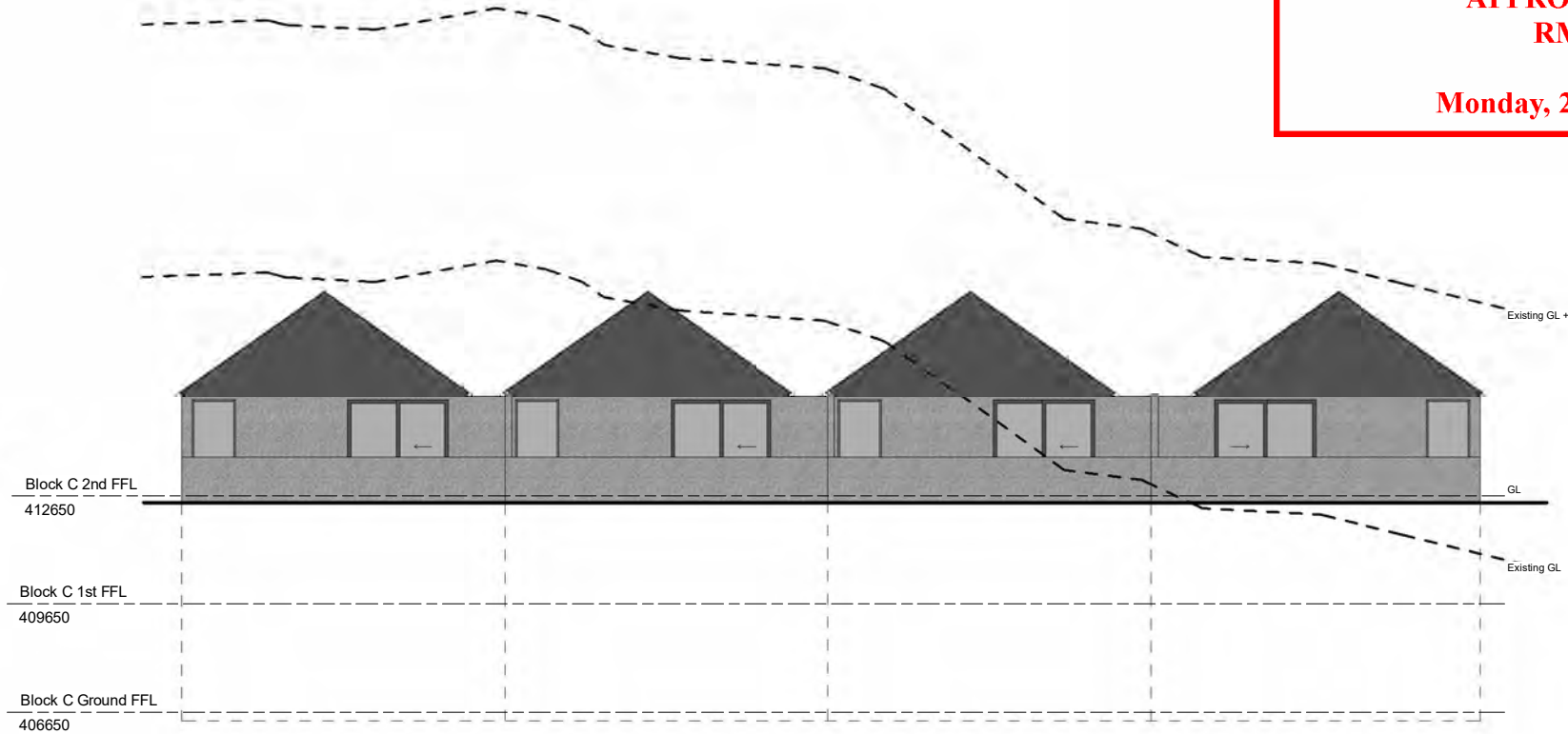
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160718

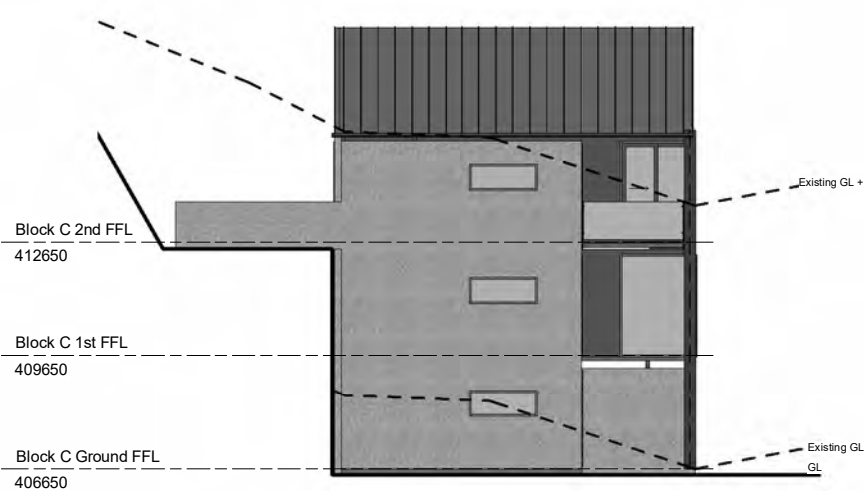
Monday, 23 January 2017



Block C East Elevation
1 : 100



Block C North Elevation
1 : 100



Block C West Elevation
1 : 100



Block C South Elevation
1 : 100



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract:
THE PAVILION VILLAS
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

Copyright ©

Drawn : PH	Date: 07/07/16
A1 Scales: 1 : 100	A1 Scales: 1:200

Sheet Title :
Block C - Elevations

Contract: 16010	Sheet: RC-C-03
CAD File Name:	Or
Revision:	

For Approval **A1**

**PRELIMINARY
RESOURCE CONSENT**



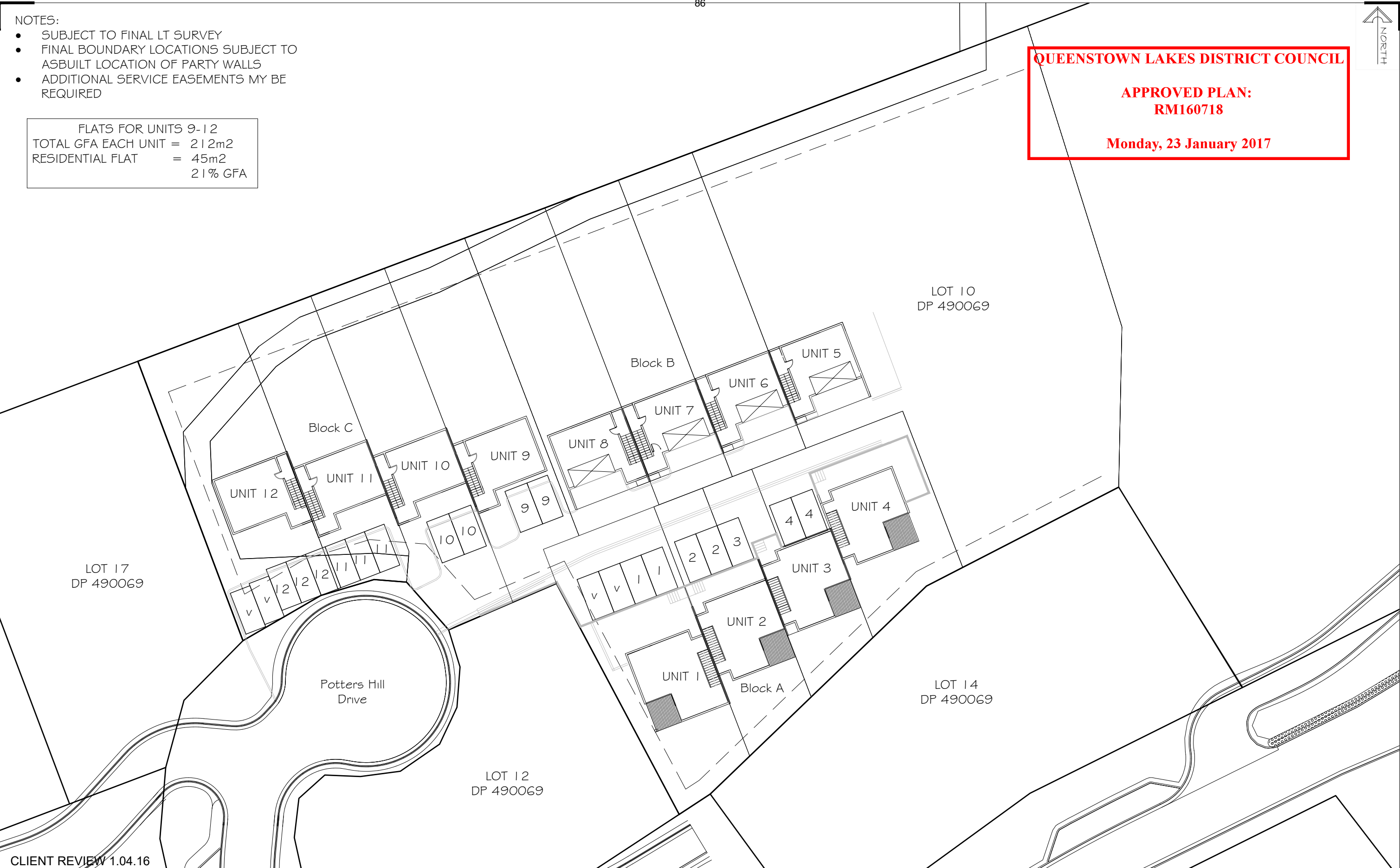
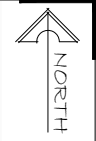
- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

FLATS FOR UNITS 9-12
TOTAL GFA EACH UNIT = 212m2
RESIDENTIAL FLAT = 45m2
21% GFA

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160718

Monday, 23 January 2017



CLIENT REVIEW 1.04.16



Clark Fortune McDonald & Associates
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309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
B	26.09.16	Add carparks	RB

PROPOSED UNITS ON LOT 10 DP 490069

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
	Drawn	Signed	Date	Scale	1:200 @ A1
	RWB	-	-	1:400 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	B

Notes:
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RM160718

Monday, 23 January 2017

CLIENT REVIEW 1.04.16



Clark Fortune McDonald & Associates

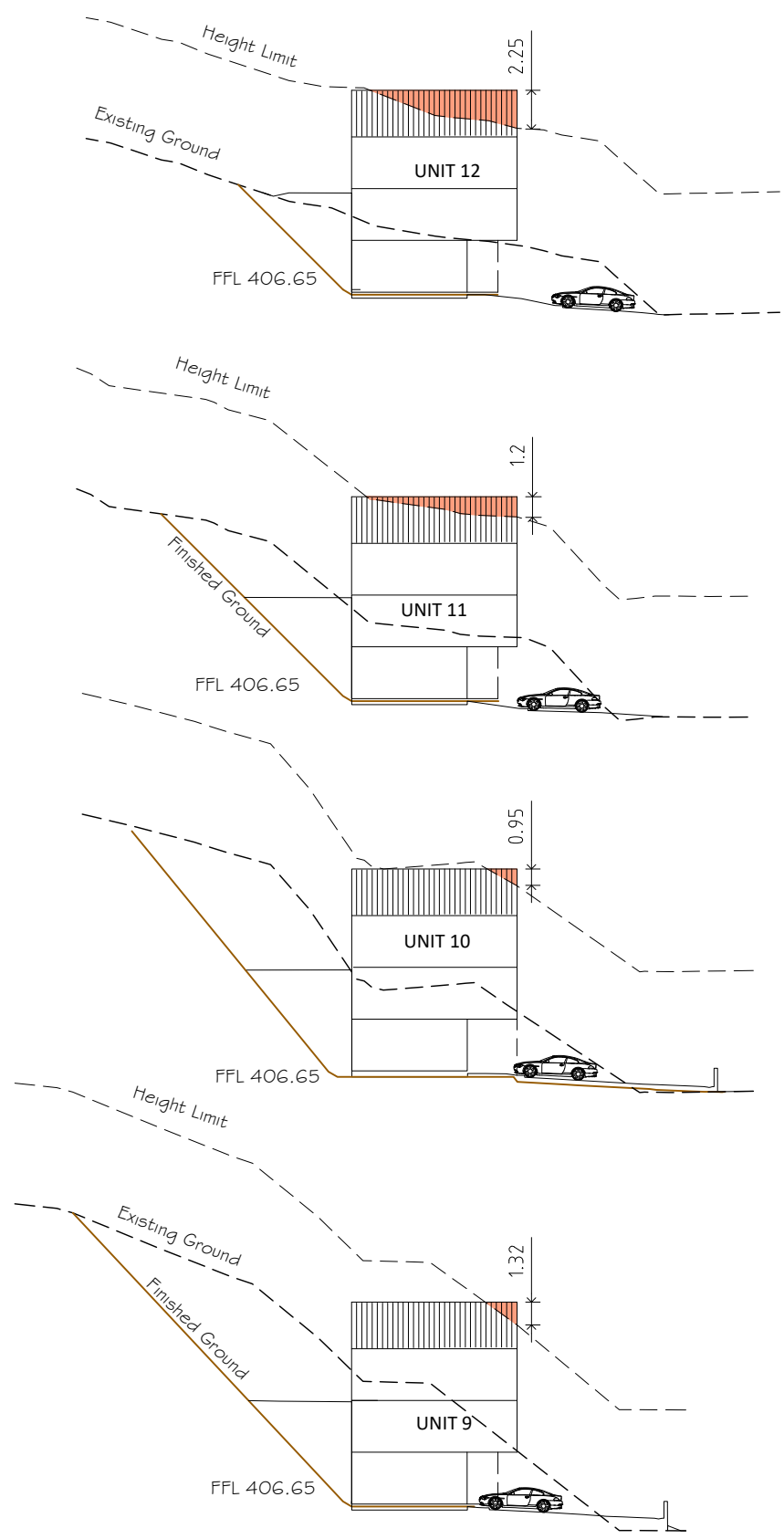
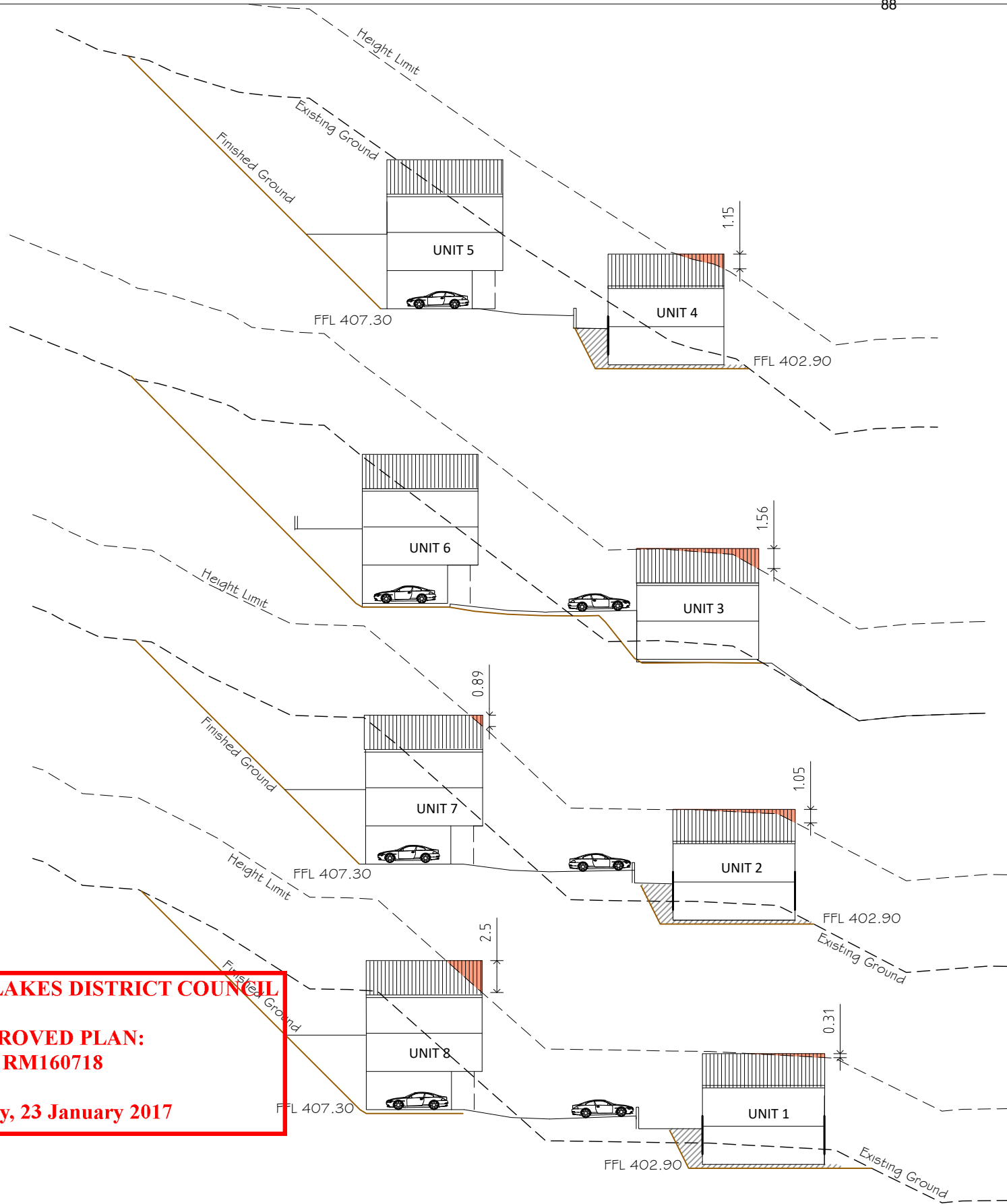
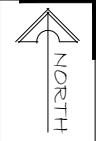
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PROPOSED UNITS ON LOT 10 DP 490069
HEIGHT INFRINGEMENTS

Client	Surveyed		Signed	Date	Job No.	Drawing No.
	-		-	-	12377	08
	Drawn		Signed	Date	Scale	Sheet 002
	RWB		-	-	1:125 @ A1 1:250 @ A3	
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Designed		Signed	Date	Datum & Level	Rev.
	-		-	-	Mt Nic 2000 & MSL	A



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160718

Monday, 23 January 2017

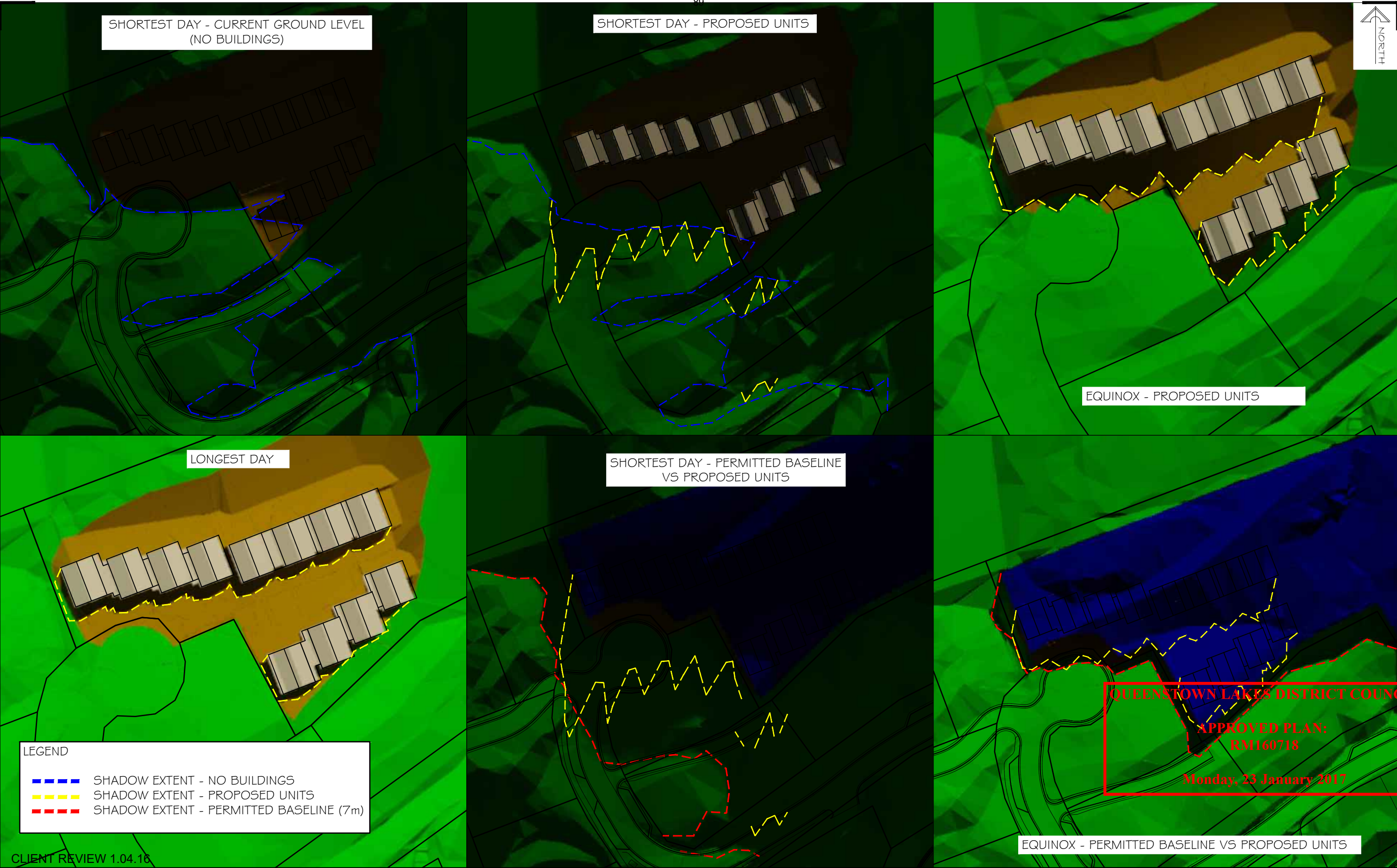
CLIENT REVIEW 1.04.16

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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB

PROPOSED UNOTS ON LOT 10 DP 490069 SECTION VIEWS

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
					Sheet 003
Notes:	Drawn	Signed	Date	Scale	1:200 @ A1
All dimensions shown are in meters unless shown otherwise.	RWB				1:400 @ A3
Any person using Clark Fortune McDonald drawings and other data accepts the risk of:	Designed	Signed	Date	Datum & Level	Rev.
- Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions.			-	Mt Nic 2000 & MSL	A
- Ensuring the information is the most recent issue.					
- Copyright on this drawing is reserved.					



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Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB

PROPOSED UNITS ON LOT 10 DP 490069

SHADING DIAGRAMS

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn	Signed	Date	Scale	Sheet
	RWB	-	-	1:500 @ A1	004
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	A

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PERMITTED BASELINE VS PROPOSED UNITS

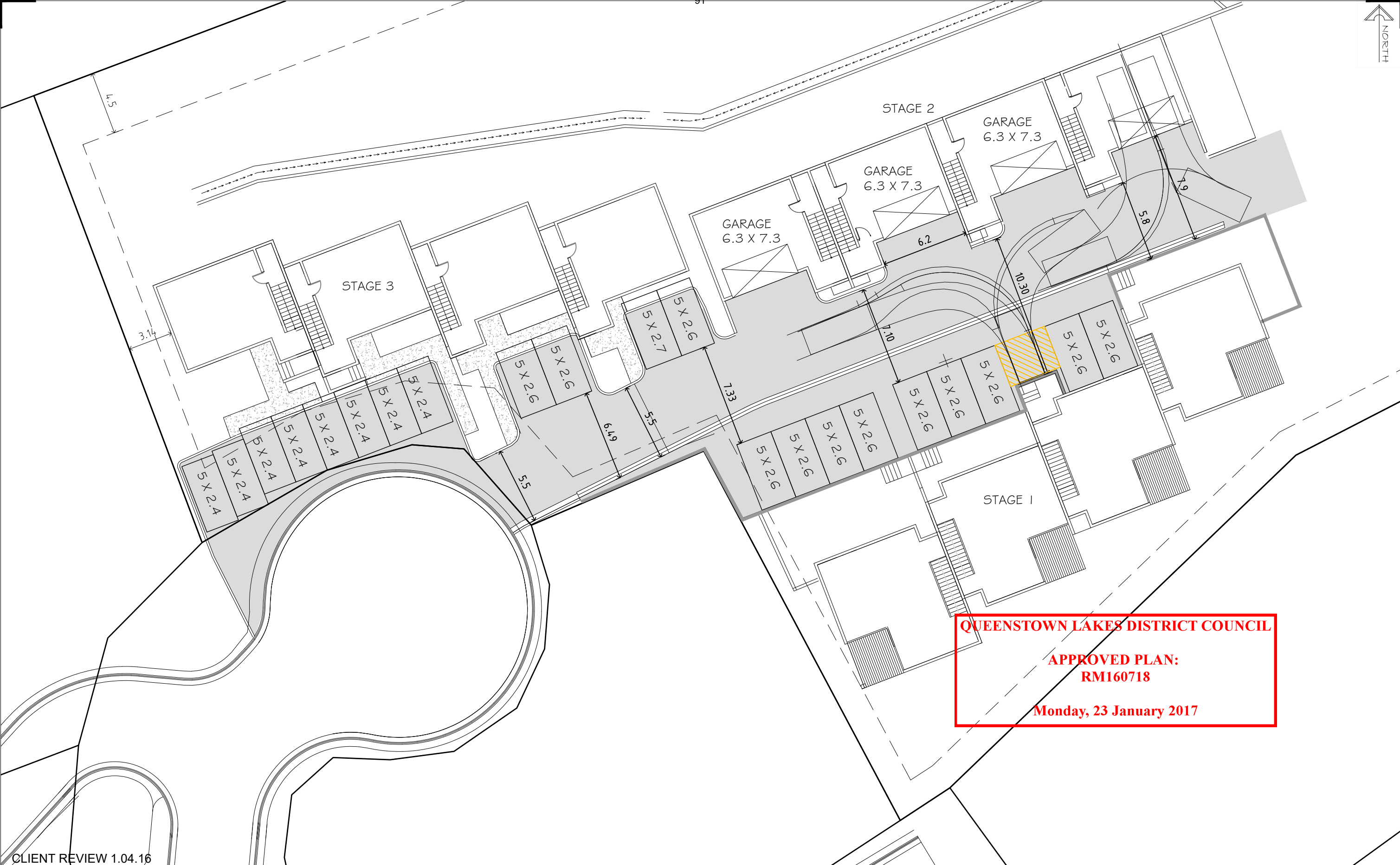


PROPOSED UNITS

CLIENT REVIEW 1.04.16

 <div>Clark Fortune McDonald & Associates Licensed Cadastral Surveyors - Land Development - Planning Consultants 309 Lower Shotover Road, P.O.Box 553 Queenstown Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz Shop 2, Otago House, 475 Moray Place, P.O. Box 5960 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz</div>		Rev.	Date	Revision Details	By	<div>PROPOSED UNITS ON LOT 10 DP 490069</div> <div>3d RENDERS</div>					Client		Surveyed	Signed	Date	Job No.	Drawing No.
		A	26.09.16	Adjust unit sizes	RB						ALPHA PROPERTIES LTD		-		-	12377	08
											Notes:		Drawn	Signed	Date	Scale	Sheet 005
											All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.		RWB				
											Designed		Signed	Date	Datum & Level	Rev.	
													-		-	Mt Nic 2000 & MSL	A

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QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM160718
Monday, 23 January 2017

CLIENT REVIEW 1.04.16



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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

**THE TIERS VILLAS
CAR PARKING LAYOUT**

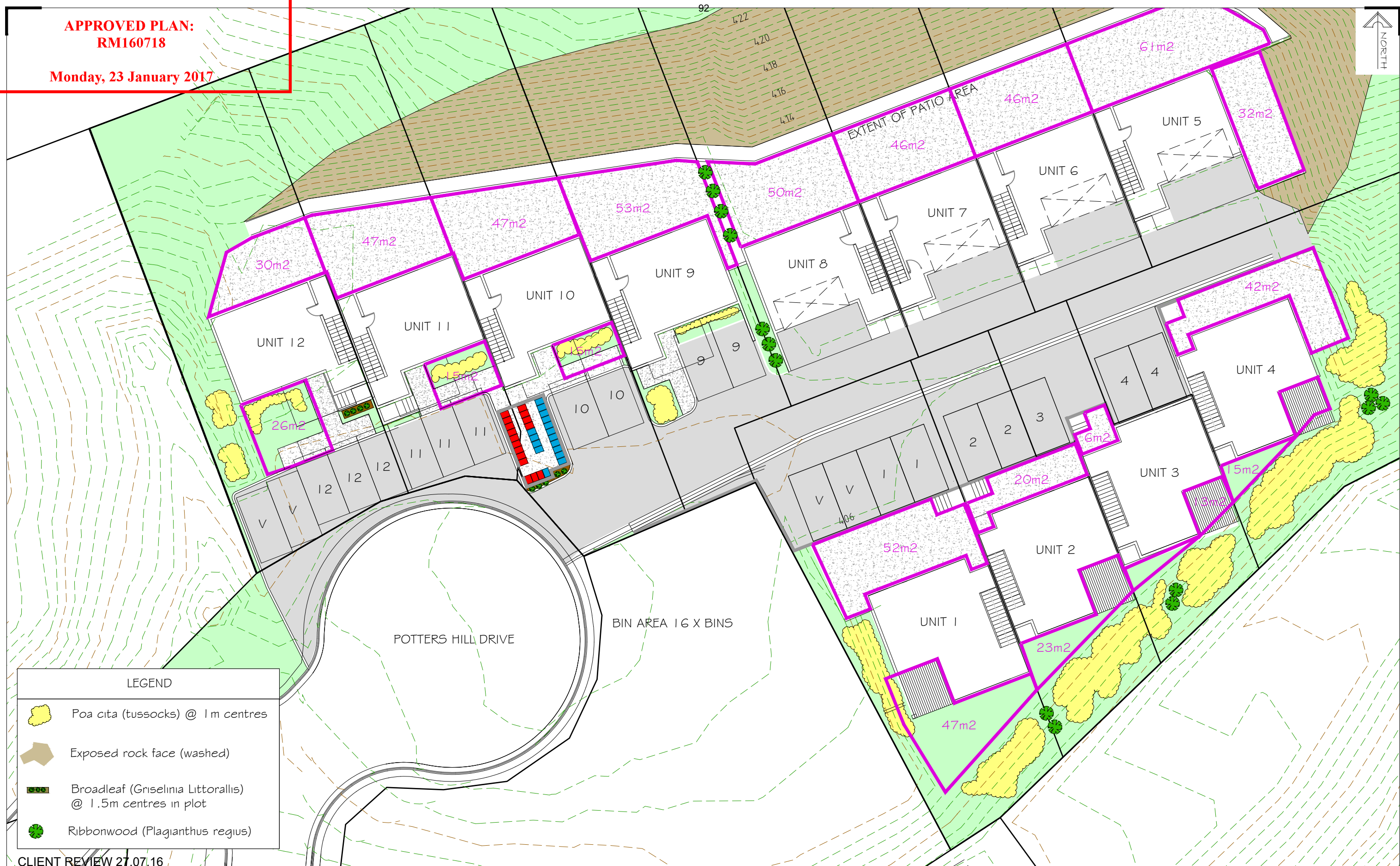
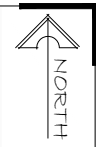
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		Drawn	Signed	Date	Scale	Sheet 001
		RWB			1:125 @ A1	
		Designed	Signed	Date	Datum & Level	Rev.
		-		-	Mt Nic 2000 & MSL	B

Notes:
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APPROVED PLAN:
RM160718

Monday, 23 January 2017



LEGEND

- Poa cita (tussocks) @ 1m centres
- Exposed rock face (washed)
- Broadleaf (Griselinia Littoralis) @ 1.5m centres in plot
- Ribbonwood (Plagianthus regius)

CLIENT REVIEW 27.07.16

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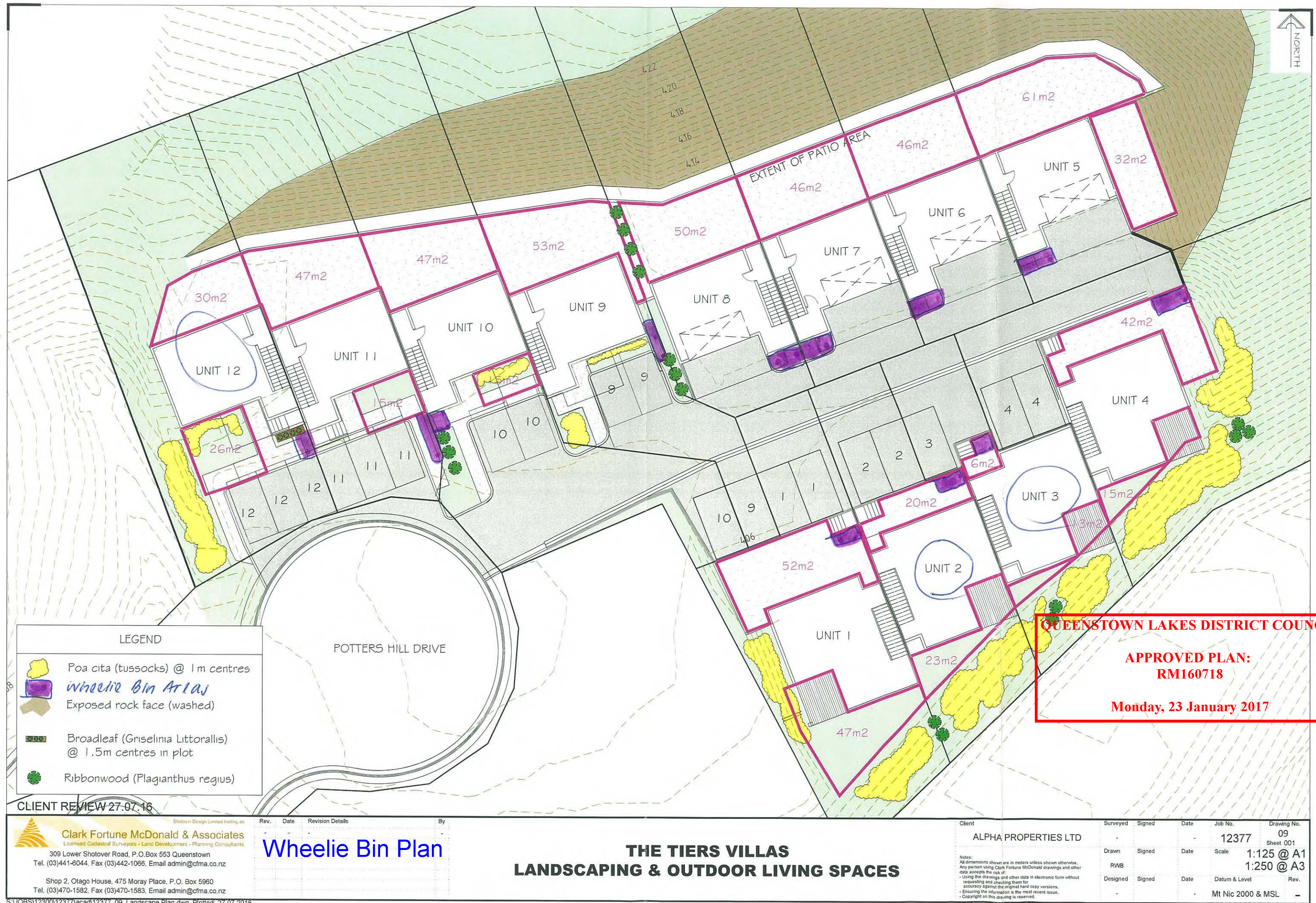
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	17.10.16	ADD BIN AREA	RB
B	31.10.16	Add Carparks and shift bins	RB

**THE TIERS VILLAS
LANDSCAPING & OUTDOOR LIVING SPACES**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	09 Sheet 001
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn	Signed	Date	Scale	Rev.
	RWB	-	-	1:125 @ A1 1:250 @ A3	
	Designed	Signed	Date	Datum & Level	
	-	-	-	Mt Nic 2000 & MSL	B

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94



BLOCK WALL

BIN AREA 16 X BINS

POTTERS HILL DRIVE

- Remove Red shaded areas
- Store Bins in blue area on collection day
- Reverse from turning head along black line to collect bins

LEGEND

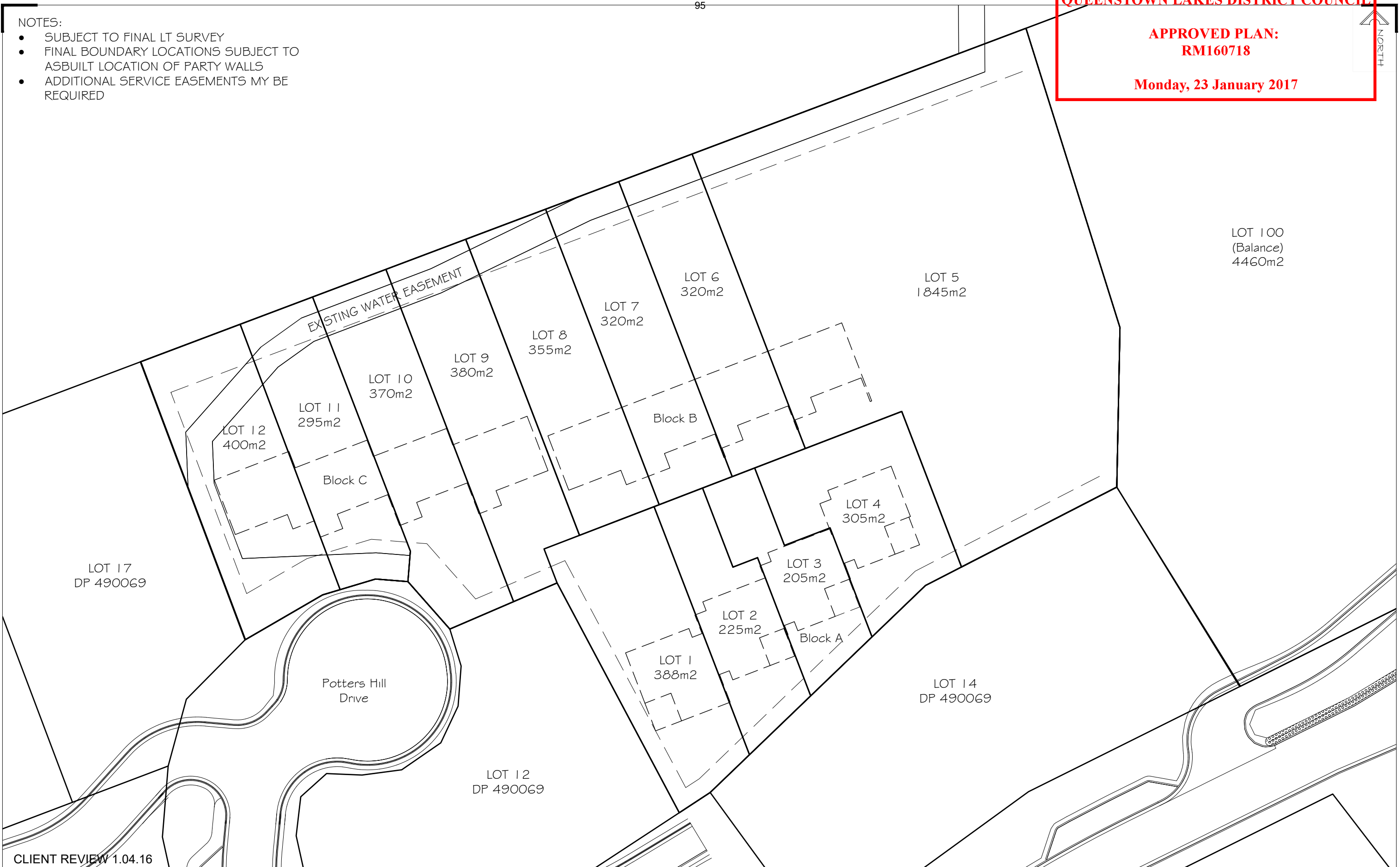
- Poa cita* (tussocks) @ 1m centres
- Exposed rock face (washed)
- Broadleaf (*Griselinia littoralis*) @ 1.5m centres in plot
- Ribbonwood (*Plagianthus regius*)

- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160718

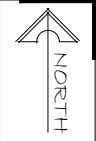
Monday, 23 January 2017



CLIENT REVIEW 1.04.16

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	A	20.09.16	Amend lot 5 & 4 bdys	RB			
	B	31.10.16	Adjust Bdys	RB			
<div>LOTS 1 - 12 & 100 BEING A SUBDIVISION OF LOT 10 DP 490069</div>							
<div>Client</div> <div>ALPHA PROPERTIES LTD</div> <div>Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.</div>							
Surveyed	Signed	Date	Job No.	Drawing No.			
-	-	-	12377	07	Sheet 001		
Drawn	Signed	Date	Scale	1:200 @ A1	1:400 @ A3		
RWB							
Designed	Signed	Date	Datum & Level	Rev.			
-	-	-	Mt Nic 2000 & MSL	B			

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- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

STAGE 1 - PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	DOMINANT TENEMENT	SERVIENT TENEMENT
Right of Way	A	Lots 1 - 4 & 101 Hereon	Lot 102 Hereon
	B	Lots 2 - 4, 101 & 102 Hereon	Lot 1 Hereon
	C	Lots 1, 3, 4 & 101 Hereon	Lot 2 Hereon
	D	Lots 1, 2, 4 & 101 Hereon	Lot 3 Hereon
	E	Lots 1 - 3 & 101 Hereon	Lot 4 Hereon
	F	Lots 1 - 4 Hereon	Lot 101 Hereon
Right to Park	G	Lots 2 - 4, 101 & 102 Hereon	Lot 1 Hereon
Right to store Rubbish	H	Lots 1 - 4 & 101 Hereon	Lot 102 Hereon
Right to Drain Sewage & Stormwater	I	Lots 2 - 4 Hereon	Lot 1 Hereon
	J	Lots 3 & 4 Hereon	Lot 2 Hereon
	K	Lot 4 Hereon	Lot 3 Hereon
	A	Lots 1 - 4 & 101 Hereon	Lot 102 Hereon
	B	Lots 2 - 4 & 101 Hereon	Lot 1 Hereon
	C	Lots 3, 4 & 101 Hereon	Lot 2 Hereon
	D	Lots 4 & 101 Hereon	Lot 3 Hereon
Right to Convey Water, Gas, Electricity & Telecommunications & computer media	E	Lot 101 Hereon	Lot 4 Hereon
	F	Lots 1 - 4 Hereon	Lot 101 Hereon
	A	Lots 1 - 4 & 101 Hereon	Lot 102 Hereon
	B	Lots 2 - 4 & 101 Hereon	Lot 1 Hereon
	C	Lots 3, 4 & 101 Hereon	Lot 2 Hereon
	D	Lots 4 & 101 Hereon	Lot 3 Hereon
	E	Lot 101 Hereon	Lot 4 Hereon
	F	Lots 1 - 4 Hereon	Lot 101 Hereon

CLIENT REVIEW 1.04.16



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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	20.09.16	Amend lot 5 & 4 bdys	RB
B	31.10.16	Adjust Bdys	RB
C	08.12.16	Add bin area easement	RB
D	13.12.16	Add easement schedule	RB

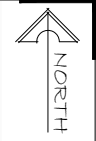
**LOTS 1 - 12 & 100 BEING A SUBDIVISION OF
LOT 10 DP 490069 - STAGE 1**

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
		-	-	-	12377	07
		Drawn	Signed	Date	Scale	Sheet 002
		RWB	-	-	1:125 @ A1	1:250 @ A3
		Designed	Signed	Date	Datum & Level	Rev.
		-	-	-	Mt Nic 2000 & MSL	D

QUEENSTOWN LAKES DISTRICT COUNCIL

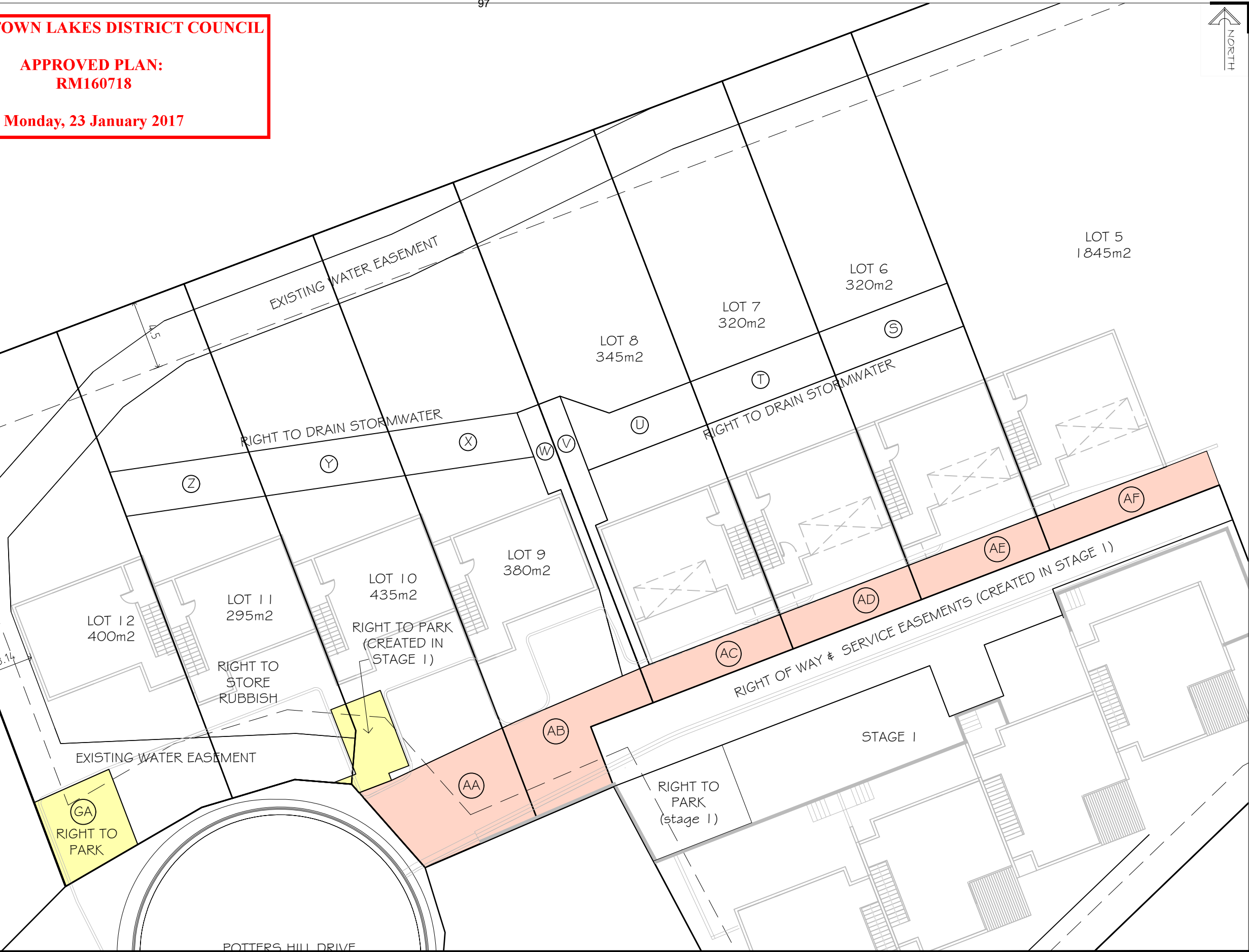
APPROVED PLAN:
RM160718

Monday, 23 January 2017



- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

STAGE 2 - PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	DOMINANT TENEMENT	SERVIENT TENEMENT
Right of Way	AA	Lots 5 - 9 Hereon	Lot 10 Hereon
	AB	Lots 5 - 8 & 10 Hereon	Lot 9 Hereon
	AC	Lots 5 - 7 & 9 Hereon	Lot 8 Hereon
	AD	Lots 5, 6, 8 & 9 Hereon	Lot 7 Hereon
	AE	Lot 5 & 7 - 9 Hereon	Lot 5 Hereon
	AZ	Lots 6 - 9 Hereon	Lot 101 Hereon
Right to Park	GA	Lots 1 - 4 (STAGE 1) & 5 - 11 Hereon	Lot 1 Hereon
Right to Drain Stormwater	AA	Lots 5 - 9, 11 & 12 Hereon	Lot 10 Hereon
	Y	Lots 11 & 12 Hereon	Lot 10 Hereon
	AB, W	Lots 5 - 8 & 10 - 12 Hereon	Lot 9 Hereon
	X	Lots 10 - 12 Hereon	Lot 9 Hereon
	AC, V	Lots 5 - 7 & 9 - 12 Hereon	Lot 8 Hereon
	U	Lots 5 - 7 Hereon	Lot 8 Hereon
	AD, T	Lots 5 & 6 Hereon	Lot 7 Hereon
	AE, S	Lot 5 Hereon	Lot 5 Hereon
Right to Drain Sewage	Z	Lot 12 Hereon	Lot 11 Hereon
	AA	Lots 5 - 9 Hereon	Lot 10 Hereon
	AB	Lots 5 - 8 Hereon	Lot 9 Hereon
	AC	Lots 5 - 7 Hereon	Lot 8 Hereon
	AD	Lots 5 - 6 Hereon	Lot 7 Hereon
Right to Convey Water, Gas, Electricity & Telecommunications & computer media	AE	Lot 5 Hereon	Lot 5 Hereon
	AA	Lots 5 - 9 Hereon	Lot 102 Hereon
	AB	Lots 5 - 8 Hereon	Lot 1 Hereon
	AC	Lots 5 - 7 Hereon	Lot 2 Hereon
	AD	Lots 5 - 6 Hereon	Lot 3 Hereon
	AE	Lot 5 Hereon	Lot 4 Hereon



CLIENT REVIEW 1.04.16



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Rev.	Date	Revision Details	By
A	20.09.16	Amend lot 5 & 4 bdy's	RB
B	31.10.16	Adjust Bdy's	RB
C	08.12.16	Add bin area easement	RB
D	13.12.16	Add easement schedule	RB

**LOTS 1 - 12 & 100 BEING A SUBDIVISION OF
LOT 10 DP 490069 - STAGE 2 & 3**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	07
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	RWB	-	-	Datum & Level	Rev.
	Designed	Signed	Date	Mt Nic 2000 & MSL	D



DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104

RESOURCE MANAGEMENT ACT 1991

Applicant:	Alpha Properties Limited
RM reference:	RM190644
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) to construct 4 residential units; and Application under Section 220 of the RMA to undertake a 4 lot unit title subdivision
Location:	Lot 14 Deposited Plan 409969, Potters Hill Drive, Queenstown
Legal Description:	Lot 14 Deposited Plan 409969 held in Record of Title 706717
Operative District Plan Zoning:	Low Density Residential
Proposed District Plan (Stage 1 Decisions Version) Zoning:	Lower Density Suburban Residential
Proposed District Plan (Stage 2) Zoning:	N/A
Activity Status:	Non Complying
Date	7 November 2019

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the 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 Alex Dunn, Senior Planner, on 7 November 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. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Alex Dunn, Senior Planner as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

Consent is sought for the construction and subdivision of four residential units at Lot 14 Deposited Plan 409969, Potters Hill Drive, Queenstown.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section 1 of the report entitled '*Assessment of Effects on the Environment: Alpha Properties Ltd Unit Title Subdivision Earthworks*', prepared by Nick Geddes of Clarke Fortune McDonald & Associates, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report.

Figure 1 below provides an aerial image of the subject site and surrounding area. It is noted that the below figure is out of date and further development works have occurred on the property to the north:



Figure 1 – Subject Site and Surrounds

2. ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Low Density Residential and the proposed activity requires resource consent for the following reasons:

Land use

- A **restricted discretionary** activity under Rule 22.3.2.3 with regards the proposed breaches to the site standards. The proposal will be in breach of the following site standards:
 - Site Standard 22.3.3 i as earthworks associated with the development will amount to 3000m³ and will therefore exceed the 300m³ maximum.

- Site Standard 22.3.3.ii as the maximum cut will measure 6.3m in height and will exceed the 2.4m maximum.
- Site Standard 22.3.3.ii as the maximum fill will measure 7m in height and will exceed the 2m maximum.

Council's discretion is restricted to:

- i. The nature and scale of the earthworks;
- ii. Environmental protection measures
- iii. Remedial works and revegetation
- iv. The effects on landscape and visual amenity values
- v. The effects on land stability and flooding
- vi. The effects on water bodies
- vii. The effects on cultural and archaeological sites
- viii. Noise.

Subdivision

- A **controlled activity** resource consent pursuant to Rule 15.2.3.2 [b] for any subdivision or development in any zone which complies with all of the site and zone standards. Council's matter of control is listed with each controlled activity:
 - Rule 15.2.7.1 (subdivision design)
 - Rule 15.2.8.1 (property access)
 - Rule 15.2.9.2 (esplanade provision)
 - Rule 15.2.10.1 (natural and other hazards)
 - Rule 15.2.11.1 (water supply)
 - Rule 15.2.12.1 (storm water disposal)
 - Rule 15.2.13.1 (sewerage treatment and disposal)
 - Rule 15.2.14.1 (trade waste disposal)
 - Rule 15.2.15.1 (energy supply and telecommunications)
 - Rule 15.2.16.1 (open space and recreation)
 - Rule 15.2.17.1 (vegetation and landscaping)
 - Rule 15.2.18.1 (easements)
 - Rule 15.2.21.1 (earthworks)

PROPOSED DISTRICT PLAN

The subject site is zoned Lower Density Suburban Residential and all appeals related to the Rules for this zone have been resolved and are treated as operative pursuant to s86F (with the exception of Rule 7.6.1 – which is not of relevance to this application). The proposed activity requires resource consent for the following reasons:

Land Use

- A **restricted discretionary** activity pursuant to Rule 7.4.7 for the proposed density of proposed development will be 358.5m² being less than 450m² but greater than 300m² in area with Council's discretion being restricted to:
 - a) how the design advances housing diversity and promotes sustainability either through construction methods, design or function;
 - b) privacy for occupants of the subject site and neighbouring sites;
 - c) in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016;
 - d) street activation;
 - e) building dominance;
 - f) parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;

- g) design and integration of landscaping;
- h) where a site is subject to any natural hazard and the proposal results in an increase in gross floor area;
- i) the nature and degree of risk the hazard(s) pose to people and property:
 - i. the nature and degree of risk the hazard(s) pose to people and property;
 - ii. whether the proposal will alter the risk to any site; and
 - iii. the extent to which such risk can be avoided or sufficiently mitigated.
- A **non complying** activity pursuant to Rule 7.5.6 for the proposed permeable surface coverage being less than 30% of the net site area. Given the underlying rock the existing site already fails to meet that standard and this application will not increase or decrease that non compliance.

It is noted that, given the activity involves a subdivision, the PDP earthworks rules associated with maximum volume, cut and fill do not need to be triggered. Council notified Stage 3 of the Proposed District Plan (**Stage 3 and 3b Notified Version**) on 19 September 2019 (Stage 3) and 31 October 2019 (Stage 3b). In this case, the application does not trigger any rules that have immediate legal effect.

Subdivision

- A **discretionary** subdivision activity pursuant to Rule 27.5.16 under the Unit Titles Act whereby a subdivision is lodged concurrently with an application for land use consent.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

2.3 ACTIVITY STATUS SUMMARY

Overall, the application is considered to be:

- a **restricted discretionary** activity under the ODP; and
- a **non complying** activity under the PDP

3. SECTION 95A PUBLIC NOTIFICATION

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 in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The application does not include 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 for a non-complying residential activity and therefore does not meet the public notification preclusion criteria set out by s95A(5)(b)(i-iv).

An assessment in accordance with Step 3 is therefore required.

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 undertake, and decision made in sections 3.3.1 - 3.3.4 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 3.3.2 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)
C and W Mahan	Lot 14 DP 490069 (current owners of the subject site)
New Zealand Transport Agency	Road Controlling Authority for Frankton Road (SH6a)

3.3.2 *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, the amount of earthworks required are substantial and are required to allow the residential units to be established. Therefore, the permitted baseline as it relates to earthworks is not considered to be relevant to this proposal. Likewise with subdivision, no subdivision is a permitted activity under either the ODP or the PDP and the permitted baseline is of little relevance as it relates to the subdivision component of the application

Overall, there is no permitted baseline considered of relevance with regard to this application...

3.3.3 *Assessment: Effects On The Environment*

Taking into account sections 3.3.1 and 3.3.2 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

The relevant assessment matters are found in Sections 7 (*Residential Areas*) and 22 (*Earthworks*) of the ODP and Chapters 7 (*Lower Density Suburban Residential*), 25 (*Earthworks*) 27 (*Subdivision*) and 29 (*Transport*) of the PDP and have been considered in the assessment below.

The Assessment of Effects provided at Section 2 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report with additional assessment below.

Visual Amenity and Neighbourhood Character

This development is an additional stage to that already completed in both Potters Hill Drive and more recently Woods Lane (immediately to the north of the subject site). The proposed units will have a design, colour and construction that is commensurate with the other units that have been constructed as part of previous stages in this development. The lots will be very similar in terms of orientation, size and dimension.

This section of Queenstown Hill slopes up steeply from Frankton Road and there are a number of residential developments along the Hill. When the proposed units are developed they will be backdropped by both the development to the rear (Woods Lane) and Queenstown Hill and will not protrude above it. All the sites located between the subject site and Frankton Road are developed and the subject site will be blocked by those other developments from the majority of the vantage points along the Road and other roads in the immediately surrounding area. The site will be visible from Lake Wakatipu but at a considerable distance and from that distance the infringements of density will not be readily apparent.

The proposed earthworks will amount to 3000m³ (comprised of 2050m³ of cut and 950m³ of reused cut as fill) with a maximum cut height of 6.3m and maximum fill height of 7m. While both are large that is due to the steep slope of much of the site and the necessity of a large cut to create level building platforms. That cut will be similar to other completed parts of this site that have a similar relief. Following the completion of the development the extent of the cut will only be perceivable from either within or outside the site. The units will screen the cut from other public viewing areas.

For the aforementioned reasons it is considered any adverse effect on visual amenity and neighbourhood character from both the building and the earthworks will be less than minor under both the ODP and PDP.

On-site amenity

The outdoor living for the proposed units will be small (approximately 13m²). However, given the steeply sloping nature of the sites they are more akin to second storey units that have a lower area requirement. The decks are all readily accessible off the main living area of the units and will be a sufficient size.

For these reasons it is considered any adverse effect with regard on-site amenity will be less than minor.

Earthworks and stability

With regard the earthworks the application was assessed by Resource Management Engineer, Cam Jones. Mr Jones noted the following:

- The applicant proposes excavation up to the western boundary of the site, which will largely be in schist rock, with a shallow layer of topsoil near the surface. As the schist rock is fairly uniform across nearby sites and geotechnical experts recommend supervision to ensure that there are no unexpected issues, Mr Jones is satisfied that undertaking the proposed excavations will be achievable, though temporary retaining may be required.
- The geotechnical report, submitted with the application, recommends specific engineering assessment and foundation design for all foundations constructed in close proximity to the slope crest. As the majority of the slope crest is to be excavated and the proposed buildings founded on schist rock, Mr Jones is satisfied that these requirements will be met.
- Rock breaking will be required given the shallow depth to rock. Rock blasting is not anticipated. Mr Jones has recommended an advice note recommending that the consent holder undertakes a preconstruction survey.
- The plans submitted with the application indicate that there will be an area of fill placed within the building footprint. The applicants will need to ensure that either the fill is placed in accordance with NZS 4431:1989 or that the foundations of the building are designed appropriately according to soil conditions.

The assessment and recommendations of Mr Jones are adopted.

In addition to the comments made by Mr Jones there will also be a requirement to have erosion and sediment controls installed prior to starting works on the site and maintained for the entire duration of the works. That will ensure there will be no erosion or sedimentation from the site and there will be no impact on the nearby Lake Wakatipu or another other waterbodies.

The works will be undertaken expediently and the time that earth is exposed will be limited. Given the stability of the site this will also be governed under the engineering supervision required by Mr Jones.

Following the completion of the development there will be no exposed earth visible from off-site. The large cut will be screened from off-site by the buildings on the site. Other earthworked areas will be built upon, paved or planted.

There are no known cultural, heritage or archaeological sites on or within the near vicinity of the site. Were the works to unearth any of the above the site will be subject to the accidental discovery protocol.

Given the nature of the earthworks there is the potential for noise. No rock blasting is required; however, some rock breaking is required. However, construction noise standards will be required to be complied with. Therefore it is considered any noise generated on the site will not be out of the ordinary for these site development works and any adverse effect will be less than minor.

It is noted that Consent Notice Instrument 10449745.29 which contains conditions pertaining to geotechnical matters will be complied with.

For the aforementioned reasons it is considered any adverse effect from the earthworks will be less than minor.

Natural Hazards

Mr Jones has assessed the application with regard natural hazards and noted the following:

- The QLDC Hazard Register Maps show the site falls within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being "Nil to Low". Based on this hazard category, Mr Jones is satisfied that any future buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient. Foundation requirements for the buildings will be addressed under the related building consent and no conditions are necessary.

The assessment and recommendations of Mr Jones are adopted and it is considered any adverse effect from natural hazards will be less than minor.

Servicing

With regard the servicing the application was also assessed by Mr Jones who noted the following:

- The site was provided with connections to Council's reticulated water, wastewater and stormwater networks at the time of the underlying subdivision. Reticulated power and telecommunications connections were also provided.
- Mr Jones is satisfied that there will be adequate capacity in Council's water and wastewater networks to cater for the development. The applicant has provided calculations based on the underlying subdivision's stormwater design demonstrating that there will be adequate capacity in the stormwater network for the proposed impervious area.
- There are existing fire hydrants in Potters Hill Drive within 135/270m of the development, which Mr Jones is satisfied will provide adequate firefighting water in accordance with SNZ PAS 4509:2008.
- The applicant has provided letters from Aurora and Chorus, confirming that power and telecommunications connections are feasible, respectively.

The assessment and recommendations of Mr Jones are adopted and it is considered any adverse effect from servicing will be less than minor.

Access and parking

Mr Jones has assessed the access and parking arrangements for the proposal and noted:

- Rooftop parking is proposed on top of each building consisting of four parking spaces, two each of which are to be allocated to each unit within the building. Mr Jones is satisfied that these parking spaces will be suitable for class 1 (familiar) users, but the 2.45m wide spaces will be unsuitable for unfamiliar users, as they do not comply with any standard for unfamiliar users. To that end Mr Jones has recommended an advice note that Units 1 & 3 will be unsuitable for visitor accommodation use.
- Access to the development is via right of way easements over Lots 12 & 13 DP 409969. The legal width of this right of way is unclear from the plans, but Council's engineering report for the underlying subdivision states that the legal width would be 6m. The formed width is approximately 3.1m. Mr Jones is satisfied that these dimensions comply with the requirements of the COP.
- The COP also requires provision for passing every 50m. The existing length of the access way is approximately 53m. Given that turning within the subject lot will be feasible if there are no parking spaces available, Mr Jones is satisfied that the lack of specific parking bays in the access is appropriate.
- Overall, Mr Jones is satisfied that the existing access to the lot is appropriate.
- Internal access will be a continuation of the existing access over the lots to the west, to be held as common property. Mr Jones is satisfied that this formation is appropriate and that an appropriate formation (in terms of both width and gradient) will be easily achievable.

There is rooftop parking on the site that will cater for the occupants of the units but not visitors. The nearest off-site parking is in Potters Hill Drive and, should that parking be required to meet the needs of visitors then it is only a short walk from the proposed units. It is noted that parking within the shared right of way is not acceptable.

The assessment and recommendations of Mr Jones are adopted and it is considered any adverse traffic effect and effect from the access will be less than minor.

3.3.4 Decision: Effects On The Environment (S95A(2))

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:

Boundary activity / Prescribed activity

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

The effects of the proposal on owners of allotments with infringed boundaries are assessed in section 4.3.1 below and will be less than minor.

Any other activity

If not a boundary activity or prescribed activity, 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 (see the assessment below in section 4.3.3).

4.3.1 Assessment Of Effects On Persons (s95E)

Effects That May Be Disregarded

4.3.2 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 3.3.2 above and is not considered relevant.

4.3.3 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:

Name	Address
<i>C and W Mahan</i>	<i>Lot 14 DP 490069 (current owners of the subject site)</i>
<i>New Zealand Transport Agency</i>	Road Controlling Authority for that section of Frankton Road (SH6a)

4.3.4 Assessment: Effects on Persons



Figure 2 – Subject site and adjacent sites

Taking into account the exclusions in section 95E(2) and (3) and 3.3.2 (Permitted Baseline) 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:

The sites at 2-8 Woods Lane are located to the north of the subject site and elevated above it. While there will be an earthworks infringement near those sites, that infringement will be covered by the proposed units and will not impinge upon the sites at 2-8 Woods Lane.

The sites at 10 and 12 Woods Lane are not directly behind the development sites.

The land to the south of the sites is well separated by the large road reserve and bank on the northern side of Potters Hill Road. The existing residential units on those sites have parking facing toward the subject site and the indoor and outdoor living areas are on the opposite side with views toward Lake Wakatipu.

Mr Jones has assessed the earthworks and geotechnical components of the application and is satisfied that there will be no instability to adjacent sites.

Therefore any adverse effects from land stability will be less than minor.

The hours that development works can take place on the site will be restricted to Monday to Saturday and not Sunday or public holidays. This is typical for residential development. Therefore any adverse noise effect will be less than minor.

For the aforementioned reasons it is considered any adverse effect to the owners / occupiers of adjacent sites identified will be less than minor and written approval is not required.

Additional properties are considered to be sufficiently far removed from the subject site and proposed development that any potential adverse effects on the owners/occupiers of these properties would be less than minor and written approvals are not required.

4.3.4 *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))

6.2.1 OPERATIVE DISTRICT PLAN

The relevant operative objectives and policies are contained within Parts 4, 7, 15 and 22 of the ODP. These were assessed in Section 3 of the Applicant's AEE. That assessment is considered thorough and complete and is adopted for the purposes of this report. For these reasons it is considered the proposal with the relevant objectives and policies of the Operative District Plan.

6.2.2 PROPOSED DISTRICT PLAN

Proposed District Plan

The relevant Objectives and Policies are located in Chapter 7 (Lower Density Residential) and Chapter 27 (Subdivision and Development). These were assessed in Section 3 of the Applicant's AEE. That assessment is considered thorough and complete and is adopted for the purposes of this report with the following additional discussion:

Residential

Objective 7.2.1 and Policies 7.2.1.1 to 7.2.1.4 that seek that Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.

Objective 7.2.3 and Policies 7.2.3.1 to 7.2.3.3 that encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.

Objective 7.2.6 and Policies 7.2.6.1 to 7.2.6.3 that seek that development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.

The proposal will provide a number of residential units and while several will be higher than provided for in this zone they will be appropriately designed and located so that they can establish without dominating or shading adjacent sites. The sites will be back dropped by the units to the north and Queenstown Hill and when viewed from public places such as Frankton Road and Lake Wakatipu, the units will not protrude above the units behind or the ridgeline of the Hill.

The units will be a design and construction commensurate with other units on adjacent sites and in the surrounding area.

While there will be a shortfall in permeability on the site that will not be a change to the existing situation as the underlying earth is schist and therefore already impermeable. The application has been assessed by Mr Jones, with regard stormwater, and Mr Jones is satisfied with the control of that stormwater.

For these reasons it is considered the proposal is consistent with the relevant objects and policies.

Objective 25.2.1 and Policies 25.2.1.1 to 25.2.1.11 that seek that earthworks are undertaken in a manner that minimises adverse effects on the environment, protects people and communities, and maintains landscape and visual amenity values.

This subject site is a steeply sloping, large site. The earthworks, while large, are essential to create the building platforms, parking, access and manoeuvring areas. They will be undertaken under geotechnical supervision and when completed will not be dissimilar to the earthworks that have already been undertaken on the nearby sites to the north. The proposal has been assessed by Council's Resource Management Engineer, Mr Cam Jones. Mr Jones supports the works subject to following an approved methodology. Following the completion of the development the cut will be to the rear of the units and will not be readily visible.

For these reasons it is considered the proposed earthworks will be consistent with the relevant Objective and Policies of the PDP.

Subdivision

Objective 27.2.1 and Policies 27.2.1.3, 27.2.1.4, 27.2.1.5 and 27.2.1.7 that seek subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Objective 27.2.2 and Policies 27.2.2.1, 27.2.2.4, 27.2.2.6 that seek that subdivision design achieves benefits for the subdivider, future residents and the community.

In addition to the assessment above, the proposal has been assessed by Council's Resource Management Engineer, Cam Jones. Mr Jones assessment is contained in Appendix 3 and paraphrased in Section 3 of this report and Mr Jones is supportive of the proposed development provided the servicing is undertaken in an appropriate manner.

The sites are all an acceptable size and shape and the access, parking and manoeuvring can all be constructed to an acceptable level.

For these reasons it is considered the proposal is consistent and not contrary to the relevant objectives and policies of the Proposed District Plan.

Transport

Objective 29.2.2 and Policies 29.2.2.1, 29.2.2.5, 29.2.2.6 and 29.2.2.11 the seek that parking, loading, access, and onsite manoeuvring that are consistent with the character, scale, intensity, and location of the zone and contributes toward:

- a. providing a safe and efficient transport network;*
- b. compact urban growth;*
- c. economic development;*
- d. facilitating an increase in walking and cycling and the use of public transport; and*
- e. achieving the level of residential amenity and quality of urban design anticipated in the zone.*

The traffic and parking aspects of the application have been assessed by Mr Jones. Mr Jones supported the application subject to a number of recommendations, such as adhering to Council's Code of Practice.

The assessment and recommendations of Mr Jones are adopted and it is considered the proposal is consistent with the relevant Transport Objectives and Policies of the PDP.

It is noted that Stage 3 objectives and policies have immediate legal effect. It is assessed that the proposal is consistent with the relevant objectives and policies. However, limited weight is being afforded to stage 3 due to the limited testing it has gone through.

Weighting between Operative District Plan and Proposed District Plan (Stage 1)(s.104(b)(vi))

In this case the conclusions reached in the assessment of effects and objectives and policies under the ODP are the same as the conclusions reached under the PDP and as such no weighting assessment is required.

6.3 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES (s104(D))

With respect to the assessment above, the first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create any actual or potential adverse effects which are more than minor in extent.

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered contrary to the relevant policies and objectives of the District Plan or the Proposed District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

6.4 OTHER MATTERS – SUBDIVISION (s106)

A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. In this case, there are no such matters that would require refusing the subdivision.

6.5 PART 2 OF THE RMA

In this instance, the purpose of the RMA is to ensure that amenity values will not be adversely affected by the development. The applicant's AEE and the assessment in Sections 3 and 4 of this report have identified that the actual and potential effects the proposal will not result in detrimental effects to the residential amenity values of the receiving environment or traffic safety on Potters Hill Drive or the State Highway. The proposal will also allow for the landowners to provide for their economic and social wellbeing. For the reasons outlined throughout this assessment including the avoidance of adverse effects on the environment it is considered the proposal meets Part 2 of the RMA.

6.6 DECISION A: ON LAND USE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** to Alpha Properties Limited to undertake earthworks, erect four residential units and undertake a four lot unit title subdivision subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

6.7 DECISION B: ON SUBDIVISION CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** to Alpha Properties Limited to undertake a Unit Title Subdivision subject to the conditions outlined in *Appendix 2* of this decision report imposed pursuant to Section 220 of the RMA.

7.0 OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to application under the RMA for certification pursuant to section 224(c).

Please contact the Council if you require a Development Contribution Estimate.

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 consent to build under the Building Act 2004. A consent under this Act 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 Resource Management Act 1991.

If you have any enquiries please contact Hamish Anderson on phone 021 707 740 or email Hamish.anderson@qldc.govt.nz

Report prepared by



Hamish Anderson
CONSULTANT SENIOR PLANNER

Decision made by



Alex Dunn
SENIOR PLANNER

APPENDIX 1 – Consent Conditions
APPENDIX 2 – Applicant's AEE
APPENDIX 3 – Engineering Assessment

APPENDIX 1 – CONSENT CONDITIONS

DECISION A – LANDUSE

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'The Tiers for Alpha Properties NZ Ltd 658a Frankton Road Queenstown: Sections: Sheet A4-01, Revision E', prepared WJ Cadzow and dated 06/03/2018
 - 'The Tiers for Alpha Properties NZ Ltd 658a Frankton Road Queenstown: Ground Floor Plan: Sheet A2-01, Revision F', prepared WJ Cadzow and dated 06/03/2018
 - 'The Tiers for Alpha Properties NZ Ltd 658a Frankton Road Queenstown: First Floor Plan: Sheet A2-02, Revision F', prepared WJ Cadzow and dated 06/03/2018
 - 'The Tiers for Alpha Properties NZ Ltd 658a Frankton Road Queenstown: Car Park/Roof Plan: Sheet A4-01, Revision C', prepared WJ Cadzow and dated 25/04/2017
 - 'Proposed Units Lot 14 DP 490069: Drawing 27, Sheet 001', prepared by Clark Fortune McDonald and Associates and dated 10/05/2019
 - 'Proposed Units Lot 14 DP 490069 Excavation for Unit Construction: Drawing 27, Sheet 002', prepared by Clark Fortune McDonald and Associates and dated 10/05/2019
 - 'Proposed Units Lot 14 DP 490069 Backfill Behind Units Post Construction: Drawing 27, Sheet 003', prepared by Clark Fortune McDonald and Associates and dated 10/05/2019
 - 'Proposed Units Lot 14 DP 490069 Section Views: Drawing 27, Sheet 004', prepared by Clark Fortune McDonald and Associates and dated 10/05/2019
 - 'Proposed Units Lot 14 DP 490069 Landscaping: Drawing 27, Sheet 005', prepared by Clark Fortune McDonald and Associates and dated 10/05/2019
 - 'Proposed Units Lot 14 DP 490069 Services: Drawing 27, Sheet 006', prepared by Clark Fortune McDonald and Associates and dated 10/05/2019

stamped as approved on 7 November 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.
4. 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 May 2018 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>

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

5. Prior to any works commencing on site the Consent Holder shall complete the Short Form Environmental Management proforma:

<https://www.qldc.govt.nz/assets/Uploads/Planning/Resource-Consents/Environmental-Management-Guidelines/QLDC-Short-Form-Template-for-Environmental-Management-Plans-Small-Scale-Builds-June-2019.pdf>

At all times during the works, environmental management measures onsite shall be installed and carried out in accordance with this document.

6. Prior to commencing ground-disturbing activities, the Consent Holder shall nominate an Environmental Representative for the works program in accordance with the requirements detailed on pages 9 and 10 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
7. Prior to commencing ground disturbing activities, the Consent Holder shall ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction in accordance with the requirements detailed on page 8 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
8. The EMP shall be accessible on site at all times during work under this consent.
9. In accordance with page 9 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*, where any Environmental Incident where the EMP has failed leading to any adverse environmental effects offsite occurs the Consent Holder shall report to QLDC details of any Environmental Incident within 12 hours of becoming aware of the incident.
10. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.
11. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
12. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following requirements:
 - a) The provision of a water supply to each Unit within the development in terms of Council's standards and connection policy. This shall include an Acuflo GM900 toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017, for each unit located at the lot boundary. The costs of making these connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection to Units 1 – 4 in accordance with Council's standards and connection policy. This shall include an inspection chamber/rodding eye at the junction of any laterals for two units. The costs of making these connections shall be borne by the consent holder.

- c) The provision of connections to the existing Council reticulated stormwater system that dispose of stormwater generated from all impervious areas within the site. The individual lateral connections shall be designed to provide gravity drainage for the entire impervious area they service. The costs of making these connections shall be borne by the consent holder.
 - d) The provision of a sealed access, parking facility and vehicle manoeuvring area that serves Units 1 – 4 that shall be constructed to Council's standards. Parking spaces shall be clearly and permanently marked out and allocated to the unit which they serve. Wheel stops shall be provided 0.8m from the end of the parking spaces.
 - e) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to the occupation of the units.
 - f) The provision of Design Certificates for all engineering works associated with this 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.
13. Prior to commencing any work on the site 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 to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
14. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-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 (GeoSolve ref 140412, dated April 2016) and who shall supervise the earthworks procedure and retaining wall construction, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.

To be monitored throughout earthworks

- 15. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).
- 16. The earthworks, retaining, foundation design and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Limited (GeoSolve ref 140412, dated April 2016).
- 17. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
- 18. 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.

19. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed on completion of the earthworks but prior to the construction of the units

20. On completion of earthworks within the building footprints and prior to the construction of the residential units, the consent holder shall complete the following:
- a) The consent holder shall provide to the Manager of Resource Management Engineering at Council a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.2 and demonstrates to Council that the building platforms are suitable for building development. In the event that the conditions within the building platforms are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Manager of Resource Management Engineering at Council.

To be completed prior to occupation of the units

21. Prior to the occupation of any unit, 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 development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (4) above.
 - c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for each Unit, and evidence of supply shall be provided to Council's Subdivision Inspector.
 - d) Each Unit created by this subdivision shall be provided with a minimum electricity supply of single phase 15kVA capacity. Each supply shall be underground from any existing reticulation.
 - e) The consent holder shall provide a suitable telecommunications connection to each unit. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of the Network provider.
 - f) The submission of Completion Certificates from both the Contractor and Approved Certifier for all engineering works completed in relation to or in association with this 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.
 - g) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
 - h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Covenants

22. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a covenant in gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

23. Rubbish bins shall be stored in the locations shown on the approved plans.

Accidental Discovery Protocol

24. If the consent holder:

- a) does not have an archaeological authority from Heritage New Zealand Pouhere Taonga and 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.

Noise

25. The consent holder shall comply with construction noise standards throughout construction.
26. Hours of operation for earthworks, shall be:
 - Monday to Saturday (inclusive): 7.30am to 6.00pm.
 - Sundays and Public Holidays: No Activity.
27. No machinery shall start up or operate earlier than 7.30am. 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 Council.
2. There is repetition of some conditions in the land use consent and the subdivision consent. When a condition is satisfied in one it will be noted as having been satisfied in the other.

DECISION B – SUBDIVISION:

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Proposed Units on Lot 14 DP 490069 Ground floor Level: Drawing 28, Sheet 001', prepared by Clark Fortune McDonald and Associates and dated 05/11/2019
 - 'Proposed Units on Lot 14 DP 490069 First floor Level: Drawing 28, Sheet 002', prepared by Clark Fortune McDonald and Associates and dated 05/11/2019
 - 'Proposed Units on Lot 16 DP 490069 Roof Top Carpark: Drawing 28, Sheet 003', prepared by Clark Fortune McDonald and Associates and dated 05/11/2019
 - 'Proposed Units on Lot 14 DP 490069 Section Views: Drawing 28, Sheet 004', prepared by Clark Fortune McDonald and Associates and dated 05/11/2019

stamped as approved on 7 November 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. 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 May 2018 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>

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

4. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.
5. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.

6. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following requirements:
- a) The provision of a water supply to each Principal Unit within the development in terms of Council's standards and connection policy. This shall include an Acuflo GM900 toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017, for each unit located at the lot boundary. The costs of making these connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection to Units 1 – 4 in accordance with Council's standards and connection policy. This shall include an inspection chamber/rodding eye at the junction of any laterals for two units. The costs of making these connections shall be borne by the consent holder.
 - c) The provision of connections to the existing Council reticulated stormwater system that dispose of stormwater generated from all impervious areas within the site. The individual lateral connections shall be designed to provide gravity drainage for the entire impervious area they service. The costs of making these connections shall be borne by the consent holder.
 - d) The provision of a sealed access, parking facility and vehicle manoeuvring area that serves Units 1 – 4 that shall be constructed to Council's standards. Parking spaces shall be clearly and permanently marked out and allocated to the unit which they serve. Wheel stops shall be provided 0.8m from the end of the parking spaces.
 - e) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to the occupation of the units.
 - f) The provision of Design Certificates for all engineering works associated with this subdivision 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.

To be completed before Council approval of the Survey Plan

7. Prior to the Council signing the Title 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. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council's Land Development Engineer prior to Council signing the Survey Plan and prior to obtaining 'Engineering Review and Acceptance' for design of infrastructure.

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

8. 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 at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (3) above.
 - c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for each Principal Unit, and evidence of supply shall be provided to Council's Subdivision Inspector.
 - d) Each Principal Unit created by this subdivision shall be provided with a minimum electricity supply of single phase 15kVA capacity. Each supply shall be underground from any existing reticulation.
 - e) The consent holder shall provide a suitable telecommunications connection to each unit. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of the Network provider.
 - f) The submission of Completion Certificates from both the Contractor and Approved Certifier for all engineering works completed in relation to or in association with this subdivision (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.
 - g) All earthworks shall be carried out in accordance with the conditions of the Land Use Consent, as outlined above.
 - h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

To be completed before issue of the s32(2)(a) certificate

9. Where a Section 224(c) has been issued on the Proposed Unit Development Plan, which shall only occur once all development contributions are paid and the conditions of consent have been met, bonded or shown within a consent notice, no application shall be made or granted for certification pursuant to section 32(2)a of the Unit Title Act 2010 on any of the additional stages or the complete unit plan until the required units are measurable as per the Unit Title Act 2010 definition.

Ongoing Conditions/Consent Notices

10. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

Advice Notes:

1. Prior to certification pursuant to 32(2)a of the Unit Titles Act, every building (if any) that is shown on the plan shall be erected, and all other development work shall be completed, the extent necessary to enable all the boundaries of every unit and the common property shown on the plan to be physically measured.
2. Prior to certification pursuant to 224(f) of the Act, every existing building or part of an existing building (including any building or part thereof under construction) to which the unit title plan relates complies with or will comply with the provisions of the building code described in section 116A of the Building Act 2004
3. 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 Council.
4. The consent holder is advised of their obligations under Section 114 Building Act 2004 which requires the owner to give written notice to Council's Building Department of any subdivision of land which may affect buildings on the site. It is the consent holder's responsibility to ensure that the subdivision does not result in any non-compliances with the building regulations.
5. There is repetition of some conditions in the land use consent and the subdivision consent. When a condition is satisfied in one it will be noted as having been satisfied in the other.

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 – APPLICANT’S AEE

ATTACHMENT [A]

Assessment of Effects on the Environment

Alpha Properties Ltd

**UNIT TITLE SUBDIVISION
EARTHWORKS**



June 2019

Prepared by: Nick Geddes





CONTENTS

1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

- 1.1 Site Description
- 1.2 Site History
- 1.3 The Proposal
- 1.4 Consultation
- 1.5 Statutory Provision
- 1.6 Classes of Activities

2.0 ASSESSMENT OF THE ACTIVITY'S EFFECTS ON THE ENVIRONMENT

3.0 DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT

4.0 DISTRICT PLAN: ASSESSMENT CRITERIA & ASSESSMENT MATTERS

5.0 RESOURCE MANAGEMENT ACT 1991: PART 2

ATTACHMENTS

[B].....	Certificate of Title
[C].....	Site Location Plan
[D].....	Relevant Consent Decisions
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[G1].....	Assessment of Objectives and Policies: Operative District Plan - District Wide
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[H].....	Correspondence from listed parties
[I].....	NES Assessment
[J].....	Services Report
[K].....	Geotechnical Assessments

FIGURES

- Figure 1: Aerial Photo, QLDC GIS
- Figure 2: Proposed Elevations – Attachment [E]
- Figure 3: Landscape Plan – Attachment [E]
- Figure 4: Earthworks Plan – Attachment [E]



1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description

The subject site is located on the northern side of Frankton Road (State Highway 6A), between Queenstown and Frankton. The site is legally described as Lot 14 DP 490069, being 0.9886 hectares in area and contained within computer freehold register identifier 706713. A recent search of computer freehold register is contained within Attachment [B].



Figure 1: QLDC GIS

The topography of the site rises up from the southern boundary to the northern and has been recently felled of wilding Douglas Firs and Sycamore.

An internal access Potters Hill Drive has been constructed in accordance with the original subdivision consent RM050520.01. This Road provides access to the subject site via a formed intersection with Frankton Road.

A location plan is contained in Attachment [C] to this application.

1.2 Site History

RM050520 Approved on 20 May 2008, by Commissioners Mr Trevor Shields and Mr Lyall Cocks. This granted consent to subdivide Lot 2 Deposited Plan 305273 into 17 fee simple residential allotments with associated earthworks.



- RM160181** Application to carry out earthworks on Lots 10 and 11 of approved subdivision RM050520 as amended by RM050520.01 involving 7200m³ of earthworks at Frankton Road, Frankton.
- RM160718** Application to construct a comprehensive residential development with 12 residential units that will breach maximum height and outdoor living space, including subdivision of the site into 12 allotments, each to contain a residential unit. Consent is also sought to breach transportation standards. Approved 24th January 2017.
- RM170614** Application under Section 88 of the Resource Management Act 1991 (RMA) to add two residential units and a residential flat to this existing comprehensive residential development and subdivision; AND Application under Section 127 of the RMA to vary Condition 1 of consent RM160181 to provide for additional earthworks and to vary Conditions 6a, 6b, 6g (landuse) and Conditions 1, 4, 7a, 7b and 7g (subdivision) of RM160718 to include the two additional units in the previous development and subdivision plans. Approved 15th November 2017.
- RM180834** Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent for a road boundary infringement via the vesting of a road to replace an approved right of way. And Application under Section 127 of the RMA to vary Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614 to vary the approved plans.

A full copy of the relevant decisions listed above are contained in Attachment [D] to this application.

Summary;

RM050520 approved the subdivision of Lot 2 DP 305273 into 17 separate fee simple lots where Lot 10 was completed in the later stages of this subdivision. RM160181 approved earthworks to construct 12 residential units on Lot 10 which was later redesigned to accommodate 14 units and approved under RM170614. Lot 10 adjoins the subject site to the north.

1.3 The Proposal

1.3.1 Building Construction

The applicant seeks consent to construct four residential apartments within two building structures on the subject site. Each building shares the same internal layout, rooftop parking arrangement and access configuration.



The ground and first floor levels of the building contain an apartment on each level where modest living spaces and two-bedroom / bathroom spaces are provided. Floor plans are contained in Attachment [E] to this application.

External cladding includes:

- Concrete block walls with plaster finished, Sto – Stolit Milano
- Joinery – Aluminium, Black
- Balustrade – Steel, Black web forge

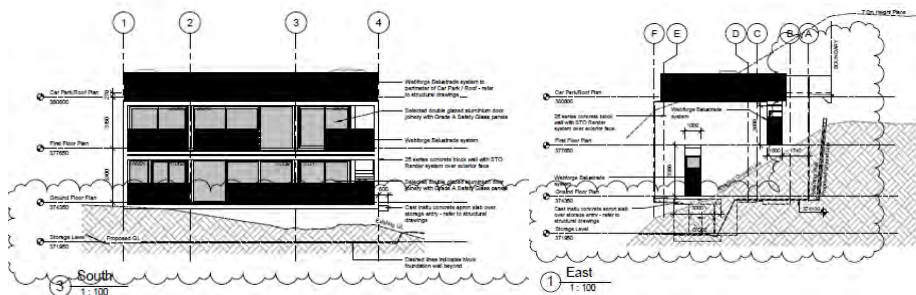


Figure 2: Proposed Elevations, Attachment [E].

A full set of drawings for the proposed building is contained in Attachment [E] to this application.

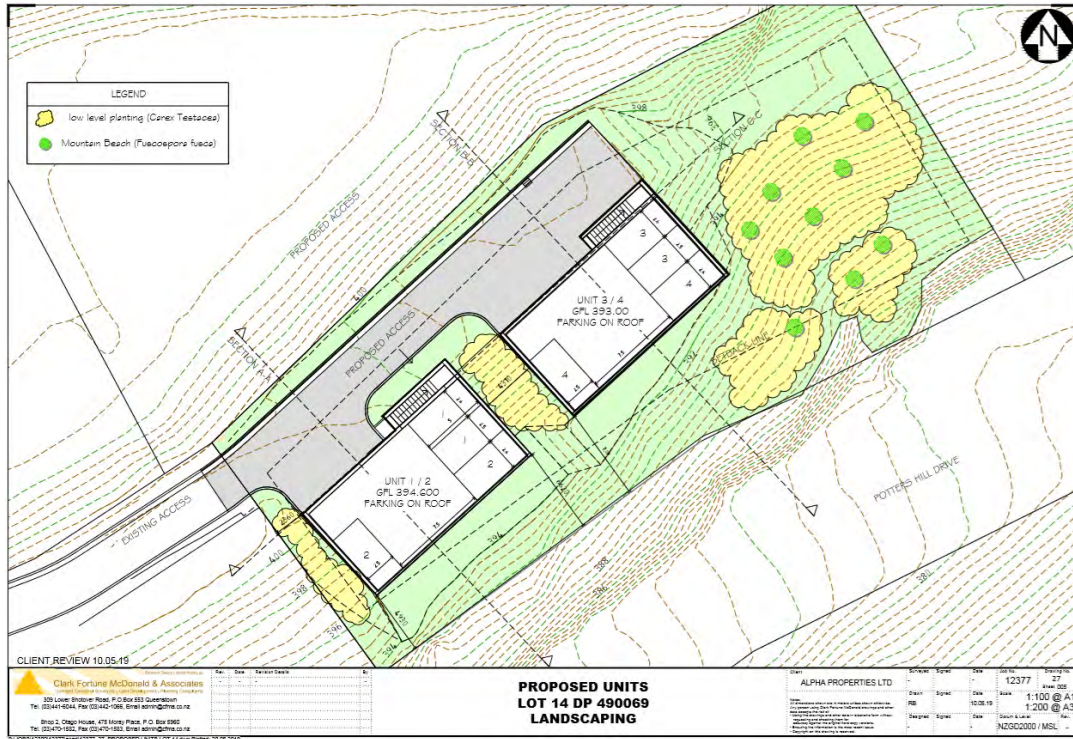
1.3.2 Access and Parking

Pedestrian access to the units is afforded via the car parking area and a series of staircases depicted on the Site Plan and the Floor Plans contained in Attachment [E].

The roof of the building provides four car parking spaces with a level ramp to the proposed driveway access which extends from the existing and formed right-of-way which facilitates vehicle access from Potters Way. The proposed ramp, parking and access has been designed to meet required standards of the District Plan.

1.3.3 Outdoor Living Areas

Outdoor living areas at ground level are limited by the steep topography of the subject site and the requirement to provide a safe and effective footprint necessitates additional batter slopes on the site which further reduce the amount of useable outdoor living. Notwithstanding, the proposed buildings are surrounded by a total of 916m² of permeable surface which is to be landscaped in accordance with the plan contained in Attachment [E].





excavator loads material onto a truck. The required cut into the existing slope will provide sufficient width to enable a truck to be positioned on the access way and transport material from the site in a safe and efficient manner.

A total of 2050m³ of cut is required where 950m³ can be used to back fill around the constructed units. Therefore, 1100m³ will be required to be transported from the site.

Due to the sloping nature of the site significant volumes cannot be excavated readily. The slope requires a level of care and precision which results in the incremental amounts excavated at one time which are loaded onto trucks to exit the site prior to commencing further excavation.

The excavation period is anticipated to be no more than five weeks.

Given the nature and location of the site, it is prudent that a management plan is completed to demonstrate mitigation of nuisances such as sediment control, dust suppression and noise attenuation or avoidance. Therefore, several conditions appear in Attachment [F] which includes (amongst others) a Construction Management Plan.

1.3.5 Unit Title Subdivision

The current application seeks consent to undertake a unit title subdivision following the construction of the two buildings (four units) discussed in parts 1.3.1 – 1.3.4 above. The Unit Title plan is contained in Attachment [E].

Rule 27.7.14 (b) provides an exception to the minimum allotment size for cases where the residential units are not established on the basis that consent has been granted for a residential unit. Rule 27.7.14 deems units to be constructed when the Code of Compliance Certificate has been issued or the roof has been installed. As such, the applicant offers the following condition of consent to reinforce the sequence of giving effect to the current application (if approved):

"Prior to certification pursuant to Section 224 (c) of the Act, the construction of buildings that contain the four residential units subject to consent RMXXXXXX are to be completed to a stage where they are fully measurable (ie, the walls, floors and roof shall be constructed)".

1.3.6 Services

On completion of the underlying subdivision, the subject site was fully serviced with water, power, telecom and effluent disposal.

The extension of these services to the proposed allotments is discussed within a services memorandum which is contained in Attachment [J].



1.4 Consultation

The applicant has entered into a sale and purchase agreement with the land owner and the owner is amenable to the applicant applying for the current resource consent as per the Affected Party Approval from the landowner contained in Attachment [H].

1.5 Statutory Provisions

1.5.1 Queenstown Lakes District Council Operative District Plan

The subject site is located within the Low-Density Residential Zone of the Proposed District Plan and contains no known protected items or areas of significant vegetation. The proposed development requires consent under the following:

- Zone standard 7.5.5.3 (iii) specifies density for the low density residential zone to be 450m² for each residential unit. The proposal includes four residential units on a 1434m² site. Pursuant to Rule 7.5.3.5 the breach of standard 7.5.5.3 (iii) is a non-complying activity.
- Site standard 14.2.4.1 (iv) (f) specifies any rooftop car parking shall be a restricted discretionary activity. Pursuant to Rule 14.2.2.3, the breach of standard 14.2.4.1 (iv) (f) is a discretionary activity with the exercise of the Council's discretion being restricted to the matter(s) specified in that standard.
- Pursuant to Rule 15.2.3.2(b), any subdivision that complies with the site and zone standards shall be processed as a controlled activity. Council's control is with respect to matters specified in 15.2.6 -15.2.18 including sizes and dimensions of lots for access, utilities, reserves and roads, subdivision design, property access, landscaping and recreational access, natural and other hazards, water supply, stormwater disposal, sewerage treatment and disposal, energy supply and telecommunications, open space and recreation, vegetation and landscape, easements and earthworks.
- The earthworks plan identifies 3,000 cubic metres of earthworks is required to establish the activities set out in part 1 above which breaches site standard 22.3.3 (i). Pursuant to Rule 22.3.2.3 this is a restricted discretionary activity where Council's discretion is restricted to the following matters:
 - (i) The nature and scale of the earthworks;
 - (ii) Environmental protection measures
 - (iii) Remedial works and revegetation
 - (iv) The effects on landscape and visual amenity values
 - (v) The effects on land stability and flooding
 - (vi) The effects on water bodies
 - (vii) The effects on cultural and archaeological sites
 - (viii) Noise.



- The earthworks plan identifies areas where the cut exceeds 2.4m in height where the maximum cut height is 6.3m which breaches site standard 22.3.3 (ii) (b) (i). Pursuant to Rule 22.3.2.3 this is a restricted discretionary activity where Council's discretion is restricted to the matters listed (i) to (viii) above.
- The earthworks plan identifies areas where the fill exceeds 2m in height where the maximum fill height is 7m which breaches site standard 22.3.3 (ii) (b) (i). Pursuant to Rule 22.3.2.3 this is a restricted discretionary activity where Council's discretion is restricted to the matters listed (i) to (viii) above.

1.5.2 Proposed Queenstown Lakes District Council District Plan

The subject site is located within the Lower Density Residential Zone of the Proposed District Plan and contains no known protected items or areas of significant vegetation.

Strategic Chapters 1-6

Strategic Chapters 3-6 remain subject to appeals, sufficiently so, that limited weight can be placed upon the provisions contained in Chapters 3-6 of the PDP and Part 4 (District Wide) of the ODP is the dominant provision set for the assessment of the current application.

Chapter 7 – Lower Density Suburban Residential

All appeals related to Chapter 7 were resolved 9th April 2019 and Chapter 7 is considered to afford full weighting and deemed Operative. Notwithstanding, it is noted that the proposal is a permitted activity under the relevant provisions of Chapter 7.

Chapter 25 - Earthworks

Transport, Chapter 25 decisions version was released 21st March 2019 and the appeal period closed 7th May 2019 where some 75 appeals have been received and some 10 of these seek relief in relation to Chapter 25. Due to the ambit of these appeals, limited (if any), weighting can be applied to the relevant provisions of Chapter 25 and Part 22 of the ODP remains the dominant provision set in relation to earthworks.

Chapter 27 - Subdivision & Development

Subdivision and Development, Chapter 27 decisions version was released 7th May 2018 and the appeal period has now closed. Chapter 27 is subject to a number of appeals.



A **controlled** subdivision activity pursuant to Rule 27.5.5 where land use consent is approved for residential development and a unit title subdivision is undertaken in accordance with the approved land use consent. Control is reserved to the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces; and the effects of and on infrastructure provision.

Rule 27.5.5 is not subject to any appeals. However, this typology of subdivision requires assessment under the objectives and policies of Chapter 27 where the District Wide objectives and policies are subject to one appeal from Transpower New Zealand Ltd in relation to policy 27.2.2.8:

27.2.2.8 Manage subdivision within the National Grid Corridor or near to electricity distribution lines to facilitate good amenity and urban design outcomes, while minimising potential adverse effects (including reverse sensitivity effects) on the National Grid and avoiding, remedying or mitigating potential adverse effects (including reverse sensitivity effects) on electricity distribution lines.

Policy 27.2.2.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 27.2.2.8: Manage subdivision within the National Grid Corridor or near to electricity distribution lines to facilitate good amenity and urban design outcomes, while minimising potential adverse effects (including reverse sensitivity effects) on the National Grid and avoiding, remedying or mitigating potential adverse effects (including reverse sensitivity effects) on electricity distribution lines.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

Based upon the location of the proposal in relation to any National Grid Corridor or electricity distribution lines this appeal is not considered to have any bearing on the current application.

Given the above, Chapter 27 is the dominant provision set for the assessment of the current application and no reference to Part 15 (Subdivision and Development) of the ODP is required.

Chapter 29 – Transport

Transport, Chapter 29 decisions version was released 21st March 2019 and there is no counterpart to ODP standard 14.2.4.1 (iv) (f). The appeal period closed 7th May 2019 where some 75 appeals have been received and some 11 of these seek relief in relation to Chapter 29. However, no appeals are seeking the re-introduction of a rooftop car parking requirement. Therefore, it is considered that the proposal is a permitted activity under Chapter 29.

Overall, the current application is a **restricted discretionary** activity under the District Plan.

1.5.3 National Environmental Standards

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012



Detailed site reviews have been undertaken and no records have been found that would suggest an activity on the HAIL has been carried out in the past. Details of the NES assessment is included as Attachment [I] to this application.

National Environmental Standard on Urban Development Capacity

A review of the objectives and policies of the National Environmental Standard on Urban Development Capacity (NPS-UDC) has been undertaken and the proposal does not require authorisation pursuant to provisions contained within the NPS-UDC.

1.6 Classes of Activities

1.6.1 Computer Freehold Register

A number of instruments are registered on the title for the subject property:

Land Covenant 10097957.3 requires all buildings to be new and signed off by Albatross QT Ltd, building design and materials must authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Land Covenant 10449745.28, requires all buildings to be new and signed off by Albatross QT Ltd, building design and materials must authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Consent Notice 10449745.29 relates to vehicle crossings, geotechnical constraints, payment of additional head works fees where applicable, water pressure and the responsibilities of a management company. This consent notice has been amended as set out in instrument **10497110.3** which removes conditions (7) and (8) in relation to water pressure and the responsibilities of a management company respectively.

Copies of the above are contained in Attachment [B] to this application.

2.0 AN ASSESSMENT OF THE ACTUAL OR POTENTIAL EFFECT ON THE ENVIRONMENT OF THE PROPOSED ACTIVITY:



2.1 It is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

It is considered that the proposal will not result in any significant adverse effect on the environment and the location proposed is considered appropriate.

2.2 An assessment of actual or potential effects on the environment of the proposed activity:

2.2.1 Permitted Baseline

Section 104 of the Resource Management Act 1991 provides that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. A number of activities are permitted on the site and therefore form part of the permitted baseline for the site:

- Residential buildings are a permitted activity in the lower density suburban residential zone up to a maximum height of 7m above ground level.
- Earthworks up to 100m³.
- 40% of the net site area or 1434m² of building coverage is anticipated on the subject site.
- 1 residential unit per 300m² is anticipated.

2.2.2 Any physical effect on the locality, including any landscape and visual effects

The subject site is not recognised as being in an area where the landscape is sensitive or vulnerable to degradation. The subject site is located in the lower density suburban residential zone which is capable of accommodating change and the proposal complies with all relevant bulk and location controls for the Zone.

The proposed material palette of the buildings is detailed in Part 1 above and is considered to be appropriate and consistent with the materials that furnish existing built form in the area.

Given the above, any adverse physical effects including any landscape and visual effects associated with the proposal are considered to be de minimis.

2.2.3 Any effect on those in the neighbourhood and, where relevant, the wider community including any social, economic or cultural effects:

(a) Views / Outlook / Privacy / Dominance / Sunlight / Daylight

The subject site is located in a lower density suburban residential zone which is capable of accommodating change and the proposal complies with all relevant bulk and location controls contained in Chapter 7. As such, the buildings can be constructed on the site as-of-right and any adverse effects in this regard must be disregarded under s.104 of the RMA.



Given the above, any adverse effects in terms of Views / Outlook / Privacy / Dominance / Sunlight / Daylight are attributed to the bulk and location of the proposed building which is anticipated in the Zone and must be disregarded. As such, any adverse effects in this regard are considered to be nil to negligible.

(b) Traffic / Access: Residential

The proposed development contains a sufficient number of parking spaces for the demand created from the proposed residential units. The access point onto the right-of-way affords clear lines of sight, sufficiently so, that safety for all users within the right-of-way will not be compromised.

The top of Potters Hill is considered to be a low speed environment due to the gradient and geometry of the road. The right-of-way crossing onto Potters Hill has been assessed and approved by the underlying subdivision consent.

2.2.4 Any effect on ecosystems, including on plants or animals and any physical disturbance of habitats in the vicinity

The site has already been modified from its natural state due to the earthworks undertaken in accordance with RM050520, therefore if any habitats were to be disturbed it would have already occurred.

2.2.5 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual or cultural value, or other special value, for present or future generations:

The subject site is not recognised as a site containing any significant aesthetic, recreational, scientific, historical, spiritual or cultural values.

2.2.6 Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants.

The proposal does not include the discharge of contaminants.

2.2.7 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

The subject site is recognised as being within a nil to low liquefaction risk. Previous assessments on adjoining allotments to the north confirm that this risk will not be exacerbated by building development due to subsurface conditions which extend across the immediate area. As such, it is considered that the proposal will not have any adverse effect upon the wider community, or the environment through natural hazards and the neighbourhood is not at any additional risk. The previous assessments on adjoining land are contained in Attachment [K].



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

Please see section 2.2.7 above.

2.4 If the activity includes the discharge of any contaminant, a description of...

Please refer to section 2.2.6

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

Actual and potential adverse effects of the proposal have been considered in Part 2.2. No mitigation measures are considered necessary.

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

No persons are considered affected by the activity.

2.7 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

It is not expected that any monitoring will be required as part of this application.

2.8 If the activity will or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

There are no known customary rights that the site is subject to therefore this is not applicable to this application.

3.0 DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT

3.1 Operative District Plan - District Wide – Part 4

Each relevant objective and policy from the District Wide chapter has been listed and assessed in Attachment [G1]. Due to the nature and scale of the proposal and location of the subject site within



the Lower Density Suburban Residential Zone a majority of the objectives and policies of the District Wide chapter are not relevant.

The proposal is considered to be consistent with relevant provisions as:

- The site does not contain any significant indigenous ecosystems, plants, animals or extensive areas of natural character;
- The proposal will not result in any noxious, dangerous, offensive or objectionable emissions to air.
- The subject site is zoned residential and not considered to be within an area where the visual amenity values are vulnerable to degradation.

3.2 Operative District Plan – Earthworks – Part 22

Each relevant objective and policy from the Earthworks chapter has been listed and assessed in Attachment [G2]. The proposal is considered to be consistent with each relevant provision and the reasons for this are set out in part 4.1 below and listed in Attachment [G2].

3.3 Proposed District Plan: Lower Density Suburban Residential – Chapter 7

Each relevant objective and policy from the Lower Density Suburban Residential chapter has been listed and assessed in Attachment [G3]. A number of provisions are not considered to be relevant for the reasons listed while the proposal is considered to be consistent with those provisions which are relevant for the following reasons:

- Infrastructure is considered in a services report contained in Attachment [J] which confirms that subject to conditions, the proposal can be adequately serviced;
- Residential intensity, existing and proposed residential scale and character, height, bulk, privacy, views and access to sunlight has been assessed in part 2 of the current application where any adverse effects associated with the same are considered to be acceptable;
- The subject site is not location adjacent to a State Highway;
- The proposal achieves a higher residential density and is considered to be a continuation of the density of living in the area whilst the bulk and location of the proposal meets the standards set out in the District Plan for the Lower Density Residential Zone;
- The proposal includes two parking spaces per unit with sufficient manoeuvrability as depicted on the proposed parking plans;
- The safety and efficiency of the road network has been discussed in part 2 of the current application and it is concluded that the proposal will not compromise the safety of any road user;
- Frankton Road contains public transport services. Tracks to Frankton Road within the area have been considered by previous applications as set out in Attachment [D]. The ability of the subject site to provide further pedestrian walkways is limited by the existing topography where it is not considered practicable to improve connections to public transport services.



3.4 Proposed District Plan: Subdivision & Development – Chapter 27

Each relevant objective and policy from the Subdivision and Development Chapter 27 have been listed and assessed in Attachment [G4]. The reasons listed in part 3.2 above are directly applicable to the assessment undertaken under Chapter 27. As such, the following reasons are in addition to those listed above;

- Subject to conditions, the proposal will be consistent with the QLDC Subdivision Design Guidelines 2015;
- The proposal is for Unit Title subdivision where the size and shape of the proposed allotments are considered to directly align with the anticipated landuse;
- Actual and potential effects associated with the proposal have been considered in part 2 of this application document where it is concluded any effects in this regard are acceptable;
- Due to the existing topography of the site there is limited ability for the proposed buildings to “front” Potters Hill Drive or provide connections that are easy and safe to use for pedestrians and cyclists;
- The proposal is for Unit Title subdivision which limits the ability to provide integrated connections and accessibility beyond the boundaries of the site;
- The proposed dwellings overlook Potters Hill Drive and a portion of Highlands Close which is considered to promote informal surveillance for safety in urban areas;
- The proposed subdivision is not within the National Grid Corridor or near to electricity distribution lines.

4.0 DISTRICT PLAN: RULES AND ASSESSMENT CRITERIA

4.1 Operative District Plan: Earthworks - Part 22

4.1.1 Nature and scale of the Earthworks

- (a) *Whether the earthworks are a necessary part of subdivision, development or access construction and the extent to which the subdivision engineering works, building or finished project will remedy the effects of the earthworks.*
- (b) *Whether the design of the finished earthworks is sympathetic to natural topography, provides safe and stable building platforms and access with suitable gradient.*
- (c) *Whether the earthworks will be completed within a short period, reducing the duration of any adverse effects.*
- (d) *Whether the mitigation measures proposed, reflect the level of environmental effects from the project.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- Due to the steep topography across the site, the proposed earthworks are considered to be a necessary part of the proposal in order to establish safe and effective building platforms;



- The landform is not unique and not recognised as a notable landform by District Plan standards;
- The proposed earthworks will be completed within a five week period which reduces noise, dust and vibration effects;
- During earthworks a temporary fence structure will be erected around the downslope / lower edges of the worksite which will ensure all sediment and material remains on the subject site.

NB: The subject site is not located in the Rural General Zone, Rural Visitor Zone or Gibbston Character Zone.

4.1.2 Environmental Protection Measures

- (a) *Whether, and to what extent proposed sediment and erosion control techniques are adequate to ensure sediment remains on-site.*
- (b) *Whether appropriate measures to control dust emissions are proposed, including from associated transport on and off the site.*
- (c) *Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.*
- (d) *Hours of operation, including whether the activity will generate noise and vibration effects, which detract from the amenity values of the surrounding area.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- During earthworks a temporary fence structure will be erected around the downslope / lower edges of the worksite which will ensure all sediment and material remains on the subject site;
- The loading of earth shall be confined to the subject site. The applicant will 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 applicant shall take immediate action to clean the roads and conditions appear in Attachment [F] to ensure the same;
- Effects associated with dust emission, noise and vibration are considered to be adequately mitigated by conditions of consent as set out in Attachment [F];
- The subject site has no defined overland flow paths. As such, earthworks proposed will not adversely affect stormwater or overland flows;
- A condition of consent appears in Attachment [F] restricting the hours of operation.

4.1.3 Remedial works and re-vegetation

- (a) *The proposed rehabilitation of the site and to what extent re-vegetation will mitigate any adverse effects.*
- (b) *The timeframes proposed for remedial works and re-vegetation.*
- (c) *The effectiveness of the remedial works and re-vegetation taking into account the altitude and the alpine environment.*



The proposal is considered to be consistent with the criteria above for the following reasons:

- The proposed earthworks are associated with the construction of access and building platforms which will be surfaced;
- The subject site is not within an Alpine environment.

4.1.4 Effects on rural landscape and visual amenity values, including on Outstanding Natural Features and Outstanding Natural Landscapes.

- (a) *Whether, and to what extent, the scale and location of any cut and fill will adversely affect:*
 - (i) *The visual quality and amenity values of the landscape;*
 - (ii) *The natural landform of any ridgeline or visually prominent area;*
 - (iii) *The visual amenity values of surrounding sites.*
- (b) *Whether the earthworks will take into account the sensitivity of the landscape.*
- (c) *The potential for cumulative effects on the natural landform of the existing landscape.*
- (d) *Whether and to what extent the earthworks create an area that is consistent with the character of the surrounding landscape.*
- (e) *Whether the location and/or design of any new tracking can be modified in order to decrease the effects on stability, visual quality and amenity values of the landscape.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- Effects on landscape and visual amenity values have been considered in Part 2.2.1 of this application where any adverse effects are considered acceptable;
- There is no existing tracking on the site and no tracking is proposed as part of the current application.

4.1.5 Land Stability and Flooding

- (a) *Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.*
- (b) *Whether the earthworks will adversely affect the stability of neighbouring sites.*
- (c) *Whether cut, fill and retaining are done in accordance with engineering standards.*
- (d) *Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.*
- (e) *Whether and to what extent earthworks are necessary in order to undertake flood protection works recognising the long-term benefits of effective flood mitigation measures on the surrounding environment.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- Stability has been discussed in Part 2.2.7 where subject to conditions the proposal is not considered to exacerbate any existing natural hazards;
- Exposed excavation faces will be retained or battered at suitable gradient to ensure that the proposal will not compromise the stability of any neighbouring sites.



- The proposed excavation works will require permanent retention measures which will be subject to engineering approval as part of the subdivision completion certificates. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards. A condition appears in the suite of conditions contained in Attachment [F] to this application requiring engineering approval.
- The subject site does not contain any surface drainage patterns and all stormwater associated with the proposal will be appropriately directed to stormwater reticulation. As such, no adjoining land will be at a higher risk of inundation, or a raised water table.
- No earthworks are necessary in order to undertake flood protection works.

4.1.6 Water bodies

- The effectiveness of sediment control techniques.*
- Whether any groundwater is likely to be affected, and if any mitigation measures are proposed address likely effects.*
- The effects of earthworks on the natural character of wetlands, lakes and rivers and their margins.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- There is no water body within the vicinity of the subject site.

4.1.7 Impacts on Sites of Cultural Heritage Value

- The extent to which the activity modifies or damages waahi tapu or waahi taonga, and whether tangata whenua have been notified.*
- The extent to which the activity affects Ngai Tahu's cultural, spiritual, historic and traditional association with a Statutory Acknowledgment Area having regard to the relevant provisions of the Kai Tahu ki Otago and Te Ao Marama Incorporated Natural Resource Management Plans.*
- Whether the subject land contains a recorded archaeological site, and if so the extent to which the proposal would affect any such site and whether any necessary archaeological authority has been obtained from Heritage New Zealand.*
- The extent to which earthwork activities adversely affect values within Heritage Landscapes of the District.*
- The extent to which earthwork activities have the potential adversely affect heritage buildings or structures located in close proximity to the site of the proposed earthworks and the adequacy of any avoidance or mitigation measures put forward to address such risks or effects.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- The subject site is not recognised as a site of any cultural heritage value. However, should any sub-surface archaeological evidence be unearthed during works, work will cease in the immediate area of remains and the Historic Places Trust will be contacted.



4.1.8 Bulk Earthworks

The proposed earthworks are not considered to constitute bulk earthworks.

4.1.9 Cleanfill Facilities and Cleanfill Material

The subject site is not a cleanfill facility and the proposed earthworks do not include any cleanfill.

4.2 Proposed District Plan: Subdivision & Development – Chapter 27

As discussed in part 1.5.2, where land use consent is approved for residential development a controlled subdivision activity is to be undertaken pursuant to Rule 27.5.5 as long as the subdivision is undertaken in accordance with the approved land use consent, provided the matters listed under parts 5.1-5.3 are met.

4.2.1 All buildings must be in accordance with an approved land use resource consent.

The land use consent is detailed in part 1.3 of the current application and it is anticipated that condition 1 of any resource consent approved will require the construction of the proposed units in accordance with the plans contained in the resource consent application Attachment [E]. As such, it is considered that the proposed subdivision will be in accordance with the approved land use resource consent and the proposal is considered to satisfy this assessment matter.

4.2.2 All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.

The proposed unit title subdivision plan is contained in Attachment [E] and depicts all exclusive, and common areas associated with the occupation and use of the proposed buildings and subject site. As such, the proposal is considered to satisfy this assessment matter.

4.2.3 All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.

Infrastructure is considered in a services report contained in Attachment [J] which confirms that subject to conditions, the proposal can be adequately serviced.

4.2.4 Rule 27.5.5 specifies that the control Council has is reserved to:

- a. The effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;*
- b. The effects of and on infrastructure provision.*



The proposed apartment building typology is considered to respond to the steep landform, local context and opportunities for views where the unit title subdivision is considered the most appropriate subdivision design to facilitate land ownership. The size and shape of the proposed allotments are considered to directly align with the anticipated landuse.

Actual and potential effects associated with the proposal have been considered in part 2 of this application document where it is concluded any effects in this regard are acceptable;

Infrastructure is considered in a services report contained in Attachment [J] which confirms that subject to conditions, the proposal can be adequately serviced.

Given the above, the proposal is considered to satisfy matters set out in (a) and (b) above.

6.0 RESOURCE MANAGEMENT ACT 1991: PART 2

The proposal aligns with the Objectives and Policies of the Lower Density Suburban Residential Zone. Future development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy, and mitigate adverse effects of activities on the environment.

Overall, the proposal is in keeping with the purpose and principles of the RMA.

AEE prepared by **Nick Geddes**
CLARK FORTUNE MCDONALD & ASSOCIATES

20th June 2019

APPENDIX 3 – ENGINEERING ASSESSMENT

ENGINEERING REPORT

TO: Hamish Anderson

FROM: Cameron Jones

DATE: 21/08/2019

APPLICATION DETAILS	
REFERENCE	RM190644
APPLICANT	Alpha Properties Ltd
APPLICATION TYPE & DESCRIPTION	Consent is sought to undertake earthworks, construct four residential units within two buildings and undertake a 4 unit unit title subdivision.
ADDRESS	Lot 14 DP 490069 (at the end of Rocha Lane).
ZONING	ODP: Low Density Residential PDP: Lower Density Suburban Residential
LEGAL DESCRIPTION	Lot 14 DP 409969
SITE AREA	1,434m ²
ACTIVITY STATUS	Restricted Discretionary

Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	RM050520 (underlying subdivision). RM160718, RM170614 & RM180834 (consent to construct units in the lot to the north of the subject lot & variations).
	Date of site visit	26/06/2019

Comments	
Existing Use	Vacant residential allotment.
Neighbours	Potters Hill Drive to the south; vacant residential allotments to the east and west (consent has been granted to construct 10 units on the allotment to the east); occupied residential allotments to the north.
Topography/Aspect	Moderately to steeply sloping down towards the south.

ENGINEERING		COMMENTS	Condition
TRANSPORT	Parking	<p>Rooftop parking is proposed on top of each building consisting of four parking spaces, two each of which are to be allocated to each unit within the building.</p> <p>Two of the parking spaces on each roof have dimensions of 2.5m by 5.15m, with an aisle width of 7.2m. The third parking space has dimensions of 2.45m by 5.15m with an aisle width of 7.2m, and the fourth parking space has dimensions of 2.5m by 5m with an aisle width of approximately 9.8m. I am satisfied that these parking spaces will be suitable for class 1 (familiar) users, but the 2.45m wide spaces will be unsuitable for unfamiliar users, as they do not comply with any standard for unfamiliar users. I recommend an advice note that Units 1 & 3 will be unsuitable for visitor accommodation use.</p> <p>I am satisfied that manoeuvring from the site in compliance with District Plan requirements will be achievable, by using the proposed access way.</p> <p>I am satisfied that the parking spaces will be flat, and I recommend a condition that they be sealed in accordance with Council's requirements prior to occupation of the units/224c certification.</p> <p>I recommend appropriate conditions regarding the provision of vehicle protection barriers at all necessary locations, in accordance with the requirements of QLDC's Land Development and Subdivision Code of Practice (COP).</p> <p>I recommend that wheel stops be provided for all parking spaces, to help ensure that drivers do not shy from the barriers when parking.</p>	X

	Access	Means of Access	<p><u>Access</u></p> <p>Access to the development is via right of way easements over Lots 12 & 13 DP 409969. Table 3.2 of the COP indicates that this access should be formed in accordance with Figure E9 of the COP.</p> <p>The legal width of this right of way is unclear from the plans, but Council's engineering report for the underlying subdivision states that the legal width would be 6m. The formed width is approximately 3.1m. I am satisfied that these dimensions comply with the requirements of the COP.</p> <p>The COP also requires provision for passing every 50m. The existing length of the access way is approximately 53m. Given that turning within the subject lot will be feasible if there are no parking spaces available, I am satisfied that the lack of specific parking bays in the access is appropriate.</p> <p>The COP allows for a maximum grade of 20% on roads of this type, and I am satisfied that this is easily achieved.</p> <p>Overall, I am satisfied that the existing access to the lot is appropriate and I make no recommendations in this regard.</p> <p>Internal access will be a continuation of the existing access over the lots to the west, to be held as common property. I am satisfied that this formation is appropriate and that an appropriate formation (in terms of both width and gradient) will be easily achievable. I recommend a condition that the detailed design of the access be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the access be formed and sealed prior to occupation of the units / 224c certification.</p> <p>For completeness, I note that the applicant provided correspondence from the NZTA during the course of processing RM180674 (consent to construct 10 units to the northeast of the development), stating that any potential upgrades of the Potters Hill Drive / Frankton Road intersection will be part of a business case currently being prepared by the NZTA, and that these upgrades will be undertaken independently of the development on Potters Hill Drive.</p>	X
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	ENGINEERING	COMMENTS	Condition
EARTHWORKS	Description	Excavations to construct the buildings and access, and provide services to the units.	
	Cut /Fill Volume (m³)	Cut: 1,980m ³ (the AEE states 2,050m ³) Fill: 950m ³	
	Total Volume (m³)	2,930m ³	
	Area Exposed (m²)	Not specified.	
	Max Height Cut/Fill (m)	Max cut: 6.3m Max fill: 7m (to be retained by the proposed buildings).	

	Stability	Prox. to Boundary	The applicant proposes excavation up to the western boundary of the site, which will largely be in schist rock, with a shallow layer of topsoil near the surface. As the schist rock is fairly uniform across nearby sites and geotechnical experts recommend supervision to ensure that there are no unexpected issues, I am satisfied that undertaking the proposed excavations will be achievable, though temporary retaining may be required. I recommend appropriate conditions in this regard.	X
		Geotech assessment by	GeoSolve Ltd	
		Report reference	'Geotechnical Completion Report. Lots 2, 7-17 & 200, being a subdivision of Lot 2 DP 305273, Frankton Road, Queenstown.' GeoSolve ref 140412, dated April 2016.	
		Report Comment	The report presents the results of geotechnical investigations undertaken as part of the underlying subdivision works, along with certification of the fill placed on the site at that time. Specific engineering assessment and foundation design is recommended for all foundations constructed in close proximity to the slope crest. As the majority of the slope crest is to be excavated and the proposed buildings founded on schist rock, I am satisfied that these requirements will be met. Regardless, I recommend a condition that the foundations be designed in accordance with the recommendations of the GeoSolve report. I recommend a condition that all earthworks be supervised by a suitably qualified person in accordance with the GeoSolve findings.	X
		Rock breaking	Rock breaking will be required given the shallow depth to rock. Rock blasting is not anticipated. I recommend an advice note recommending that the consent holder undertakes a preconstruction survey.	
		Rock blasting		
		Preconstruction survey		
		Retaining	The plans indicate that the cut areas will be backfilled and supported by the walls of the residential units. A condition is recommended to ensure that all retaining is constructed to Council's standards and an advice note is recommended in regards to Building Act requirements for retaining structures.	X
		Recommendations on cut/batter slopes	To be no steeper than 2(H):1(V), as per the COP.	X
		Fill certification/specific foundation design required	The plans submitted with the application indicate that there will be an area of fill placed within the building footprint. The applicants will need to ensure that either the fill is placed in accordance with NZS 4431:1989 or that the foundations of the building are designed appropriately according to soil conditions. An appropriate condition is recommended.	X
		Engineers supervision	Required.	X
		Uncertified fill covenant	Not required.	
		Geotechnical Completion report / Schedule 2a Certificate	Volunteered.	X
		Clean fill only	Not required.	
	Site Management	Report reference	Appropriate conditions are recommended to ensure that the site management is undertaken in accordance with Council's Land Development and Subdivision Code of Practice.	X
		Specific sedimentation management	Not required.	

	Specific stormwater management		
	Neighbours	I am satisfied that the earthworks are feasible and no adverse effects will result on neighbouring sites.	
	Traffic management	Required for works affecting the road reserve.	X
	Construction crossing	Required.	X
	Revegetation	An appropriate condition is recommended to ensure all exposed areas are stabilised or re-vegetated at the completion of earthworks.	X

SERVICES	Existing / Proposed Services	<p>The site was provided with connections to Council's reticulated water, wastewater and stormwater networks at the time of the underlying subdivision. Reticulated power and telecommunications connections were also provided.</p> <p>As the proposal is within the density anticipated by the zoning, I am satisfied that there will be adequate capacity in Council's water and wastewater networks to cater for the development. The applicant has provided calculations based on the underlying subdivision's stormwater design demonstrating that there will be adequate capacity in the stormwater network for the proposed impervious area. I accept this analysis.</p> <p>I recommend appropriate conditions regarding Engineering Acceptance for the 3 waters connections, along with appropriate conditions regarding the provision of these connections prior to occupation of the units / 224c certification.</p> <p>There are existing fire hydrants in Potters Hill Drive within 135/270m of the development, which I am satisfied will provide adequate firefighting water in accordance with SNZ PAS 4509:2008. I make no recommendations in this regard.</p> <p>The applicant has provided letters from Aurora and Chorus, confirming that power and telecommunications connections are feasible, respectively. I recommend appropriate conditions that these connections be made prior to 224c certification.</p>	X
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NATURAL HAZARDS	Hazards on or near the site	<p>The QLDC Hazard Register Maps show the site falls within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being "Nil to Low". Based on this hazard category, I am satisfied that any future buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient. Foundation requirements for the buildings will be addressed under the related building consent and no conditions are necessary.</p>	
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PROJECT	Developers Engineering Representative	Required.	X
	Notice of commencement	Not required.	
	Traffic Management Plan	Required for works affecting the road reserve.	X
	Design Certificates	Required.	X

	Completion Certificates	Required.	X
	As built	Required.	X

TITLES	Consent Notices	Consent notice 10449745.29 is registered on the lot's title. This includes engineering conditions relating to provision of a vehicle crossing, geotechnical design and payment of headworks fees. I am satisfied that these conditions will be met by way of compliance with the conditions recommended herein. I make no recommendations for new consent notice conditions.	
	Easements	A condition is recommended to ensure all necessary easements are granted or reserved.	X
	Road Names on title plan	Not required.	
	Building platforms	Not required.	
	Amalgamation Condition	Not required.	

LAND USE RECOMMENDED CONDITIONS

It is recommended that the following conditions are included in the consent decision:

General

1. 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 May 2018 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>

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

2. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.
3. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
4. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering

Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:

- a) The provision of a water supply to each Unit within the development in terms of Council's standards and connection policy. This shall include an Acuflo GM900 toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017, for each unit located at the lot boundary. The costs of making these connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection to Units 1 – 4 in accordance with Council's standards and connection policy. This shall include an inspection chamber/rodding eye at the junction of any laterals for two units. The costs of making these connections shall be borne by the consent holder.
 - c) The provision of connections to the existing Council reticulated stormwater system that dispose of stormwater generated from all impervious areas within the site. The individual lateral connections shall be designed to provide gravity drainage for the entire impervious area they service. The costs of making these connections shall be borne by the consent holder.
 - d) The provision of a sealed access, parking facility and vehicle manoeuvring area that serves Units 1 – 4 that shall be constructed to Council's standards. Parking spaces shall be clearly and permanently marked out and allocated to the unit which they serve. Wheel stops shall be provided 0.8m from the end of the parking spaces.
 - e) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to the occupation of the units.
 - f) The provision of Design Certificates for all engineering works associated with this 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.
5. Prior to commencing any work on the site 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 to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
 6. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-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 (GeoSolve ref 140412, dated April 2016) and who shall supervise the earthworks procedure and retaining wall construction, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.
- To be monitored throughout earthworks***
7. No permanent batter slope within the site shall be formed at a gradient that exceeds 1(V):2(H).

8. The earthworks, retaining, foundation design and site management shall be undertaken in accordance with the recommendations of the report by GeoSolve Limited (GeoSolve ref 140412, dated April 2016).
9. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
10. 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.
11. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed on completion of the earthworks but prior to the construction of the units

12. On completion of earthworks within the building footprints and prior to the construction of the residential units, the consent holder shall complete the following:
 - a) The consent holder shall provide to the Manager of Resource Management Engineering at Council a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.2 and demonstrates to Council that the building platforms are suitable for building development. In the event that the conditions within the building platforms are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Manager of Resource Management Engineering at Council.

To be completed prior to occupation of the units

13. Prior to the occupation of any unit, 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 development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (4) above.
 - c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for each Unit, and evidence of supply shall be provided to Council's Subdivision Inspector.
 - d) Each Unit created by this subdivision shall be provided with a minimum electricity supply of single phase 15kVA capacity. Each supply shall be underground from any existing reticulation.
 - e) The consent holder shall provide a suitable telecommunications connection to each unit. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of the Network provider.
 - f) The submission of Completion Certificates from both the Contractor and Approved Certifier for all engineering works completed in relation to or in association with this 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.

- g) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Covenants

14. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a covenant in gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

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 Council.
2. There is repetition of some conditions in the land use consent and the subdivision consent. When a condition is satisfied in one it will be noted as having been satisfied in the other.

SUBDIVISION RECOMMENDED CONDITIONS

It is recommended that the following conditions are included in the consent decision:

General

1. 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 May 2018 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>

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

2. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.

3. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
4. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) The provision of a water supply to each Principal Unit within the development in terms of Council's standards and connection policy. This shall include an Acuflo GM900 toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017, for each unit located at the lot boundary. The costs of making these connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection to Units 1 – 4 in accordance with Council's standards and connection policy. This shall include an inspection chamber/rodding eye at the junction of any laterals for two units. The costs of making these connections shall be borne by the consent holder.
 - c) The provision of connections to the existing Council reticulated stormwater system that dispose of stormwater generated from all impervious areas within the site. The individual lateral connections shall be designed to provide gravity drainage for the entire impervious area they service. The costs of making these connections shall be borne by the consent holder.
 - d) The provision of a sealed access, parking facility and vehicle manoeuvring area that serves Units 1 – 4 that shall be constructed to Council's standards. Parking spaces shall be clearly and permanently marked out and allocated to the unit which they serve. Wheel stops shall be provided 0.8m from the end of the parking spaces.
 - e) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to the occupation of the units.
 - f) The provision of Design Certificates for all engineering works associated with this subdivision 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.

To be completed before Council approval of the Survey Plan

5. Prior to the Council signing the Title 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. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council's Land Development Engineer prior to Council signing the Survey Plan and prior to obtaining 'Engineering Review and Acceptance' for design of infrastructure.

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

- 6. 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 at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (4) above.
 - c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for each Principal Unit, and evidence of supply shall be provided to Council's Subdivision Inspector.
 - d) Each Principal Unit created by this subdivision shall be provided with a minimum electricity supply of single phase 15kVA capacity. Each supply shall be underground from any existing reticulation.
 - e) The consent holder shall provide a suitable telecommunications connection to each unit. These connections shall be underground from any existing reticulation and in accordance with any requirements/standards of the Network provider.
 - f) The submission of Completion Certificates from both the Contractor and Approved Certifier for all engineering works completed in relation to or in association with this subdivision (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.
 - g) All earthworks shall be carried out in accordance with the conditions of the Land Use Consent, as outlined above.
 - h) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

To be completed before issue of the s32(2)(a) certificate

- 7. Where a Section 224(c) has been issued on the Proposed Unit Development Plan, which shall only occur once all development contributions are paid and the conditions of consent have been met, bonded or shown within a consent notice, no application shall be made or granted for certification pursuant to section 32(2)a of the Unit Title Act 2010 on any of the additional stages or the complete unit plan until the required units are measurable as per the Unit Title Act 2010 definition.

Ongoing Conditions/Consent Notices

- 8. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Register of Titles detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of

Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

Advice Notes:

1. Prior to certification pursuant to 32(2)a of the Unit Titles Act, every building (if any) that is shown on the plan shall be erected, and all other development work shall be completed, the extent necessary to enable all the boundaries of every unit and the common property shown on the plan to be physically measured.
2. Prior to certification pursuant to 224(f) of the Act, every existing building or part of an existing building (including any building or part thereof under construction) to which the unit title plan relates complies with or will comply with the provisions of the building code described in section 116A of the Building Act 2004
3. 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 Council.
4. The consent holder is advised of their obligations under Section 114 Building Act 2004 which requires the owner to give written notice to Council's Building Department of any subdivision of land which may affect buildings on the site. It is the consent holder's responsibility to ensure that the subdivision does not result in any non-compliances with the building regulations.
5. There is repetition of some conditions in the land use consent and the subdivision consent. When a condition is satisfied in one it will be noted as having been satisfied in the other.

Prepared by:

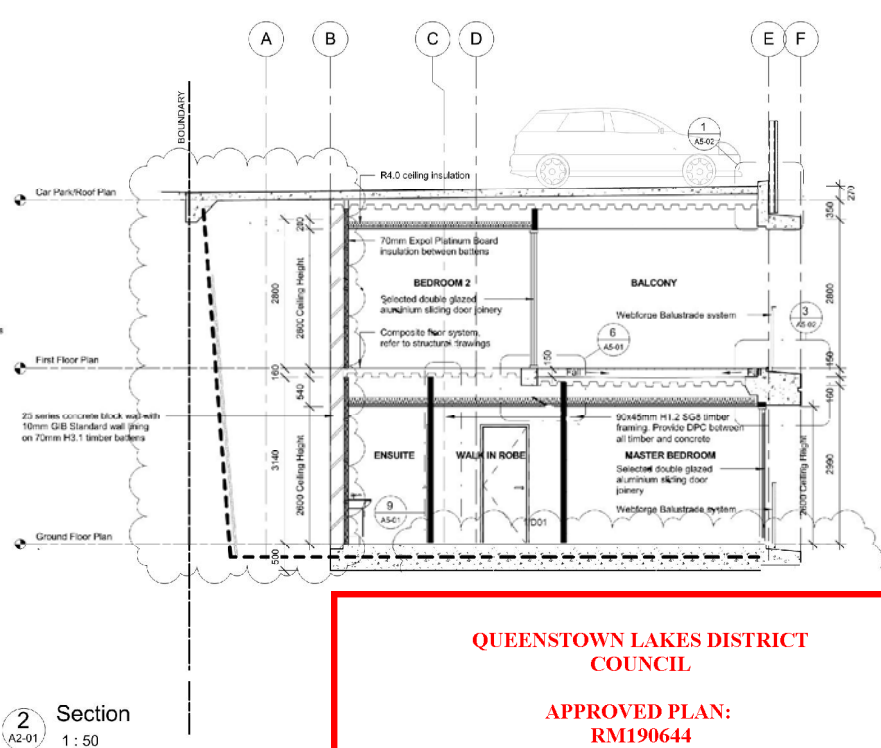
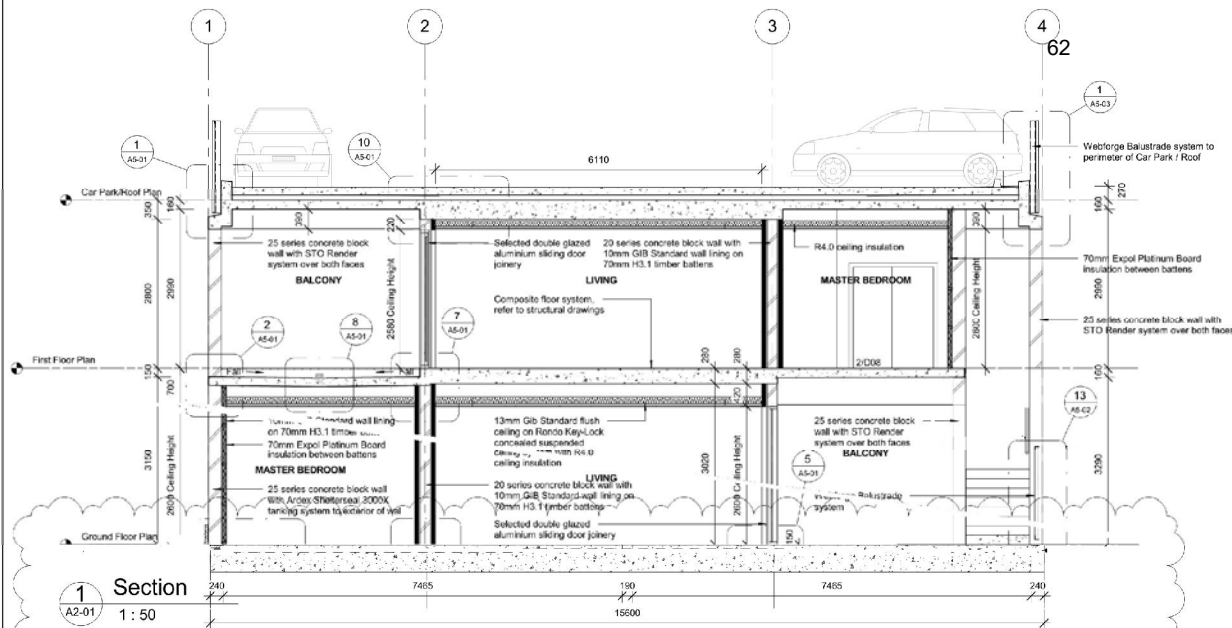


Cameron Jones
LAND DEVELOPMENT ENGINEER

Reviewed by:



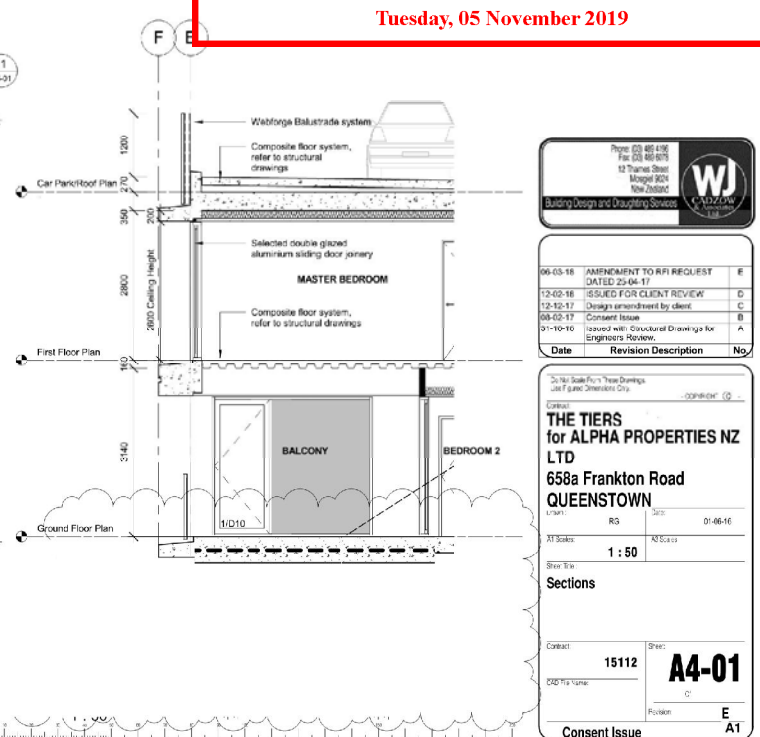
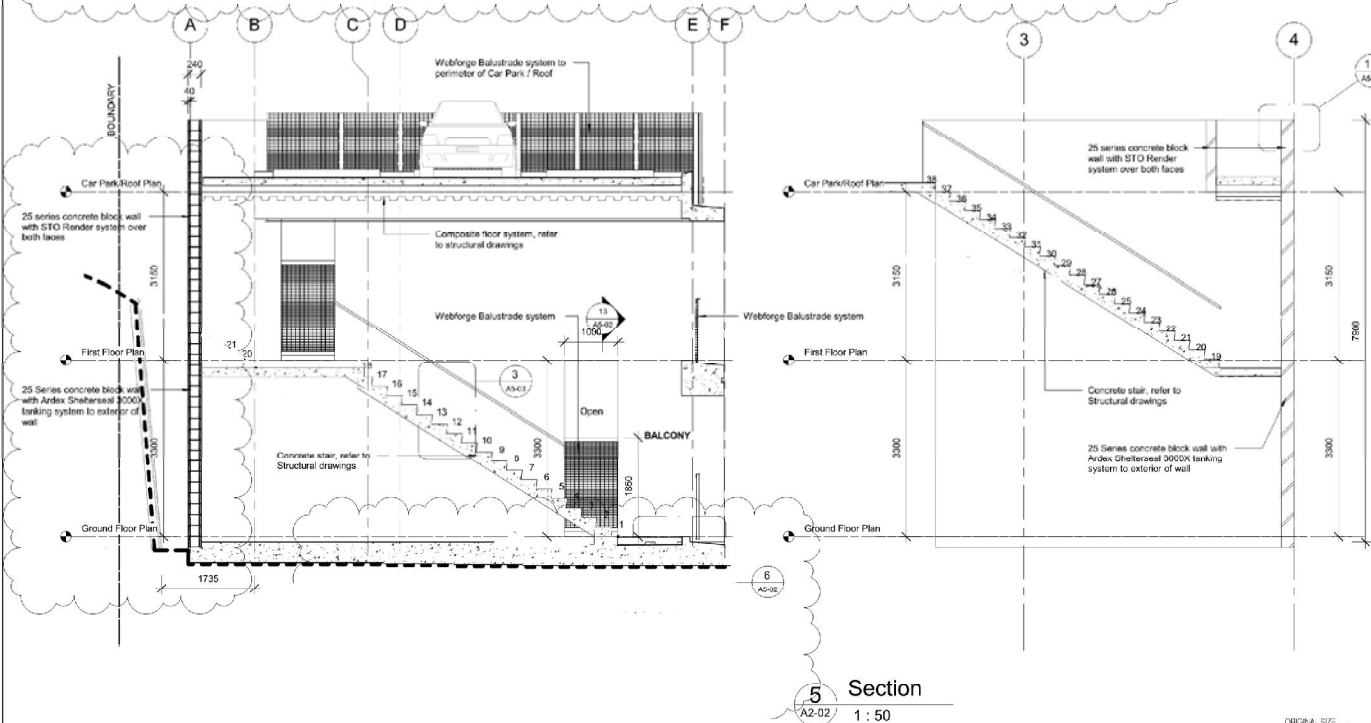
Steve Hewland
LAND DEVELOPMENT ENGINEER



QUEENSTOWN LAKES DISTRICT
COUNCIL

APPROVED PLAN:
RM190644

Tuesday, 05 November 2019



Date	Revision Description	No.
06-03-18	AMENDMENT TO RFI REQUEST DATED 23-04-17	E
12-03-18	ISSUED FOR CLIENT REVIEW	D
12-12-17	Design amendment by client	C
08-02-17	Consent Issue	B
01-10-16	Issued with Structural Drawings for Engineers Review	A

Do Not Scale From These Drawings
All Plans Dimensions Only

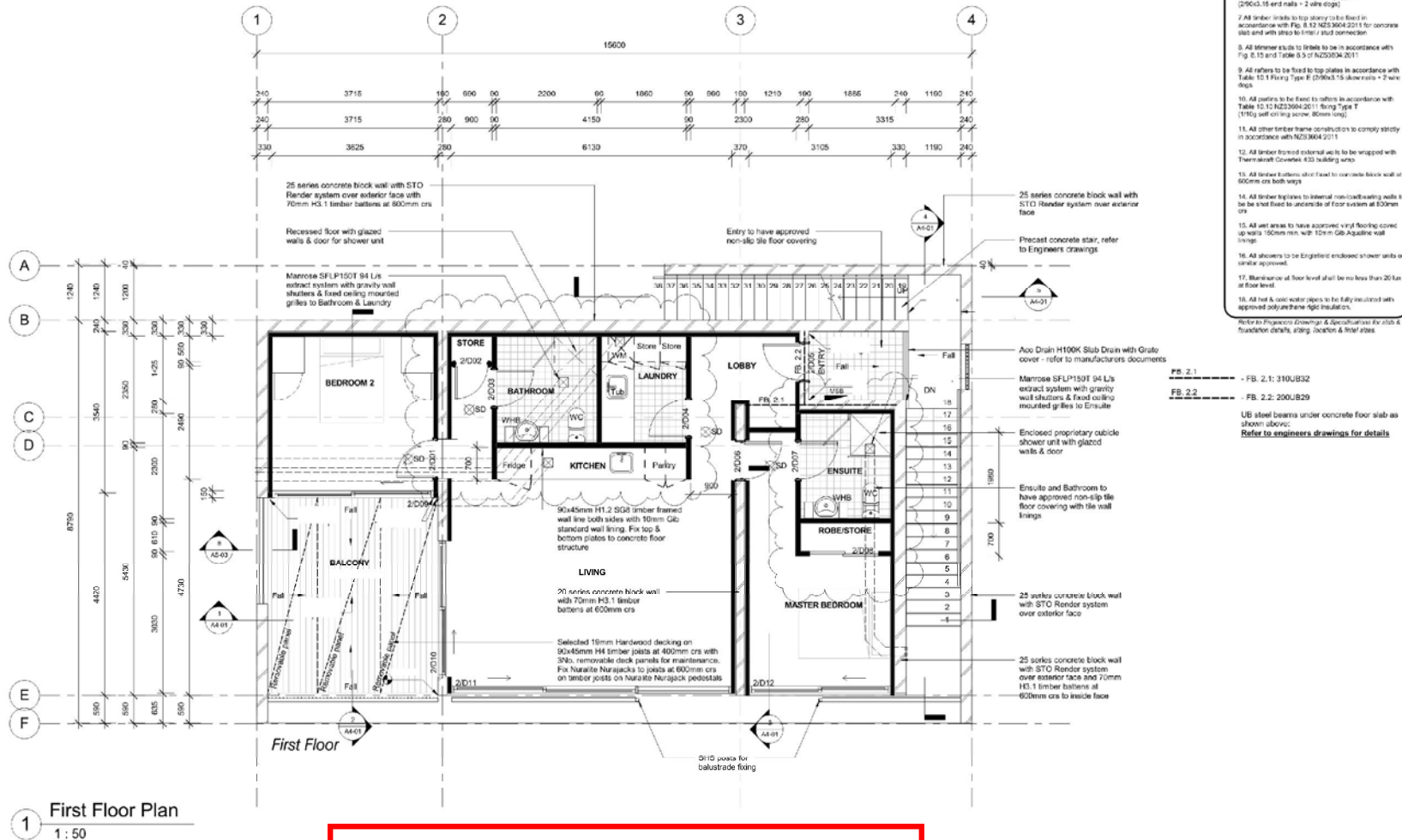
Project: **THE TIERS for ALPHA PROPERTIES NZ LTD**
658a Frankton Road
QUEENSTOWN

Client: RS
Date: 01-06-16

Scale: 1:50

Section: **A4-01**

Consent Issue



WALL LEGEND

- New 90x45mm H1.2 SGR framing
- Existing 90x45mm on max 10mm G/S Standard to interior
- 25 Series Concrete block
- Arctic Shellester 3000X building system to exterior
- 70x45mm H3.1 timber battens over 70mm Sound Performance Board insulation 10mm G/S Standard to interior
- 25 Series Concrete block
- Arctic Shellester 3000X building system to exterior
- 20 Series Concrete block
- 70x45mm H3.1 timber battens over 70mm Sound Performance Board insulation 10mm G/S Standard to interior
- Type 1 Domestic Smoke Detector
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board

FLOOR AREAS

Ground Floor Area	131.04m ²
First Floor Area	131.04m ²
TOTAL FLOOR AREAS	262.12m²

FLOOR FINISHES

- Concrete floor finish with all other areas to be selected scope.

WET AREAS

1. All internal & external walls to be finished with selected ceramic wall tiles fixed to manufacturers specifications.
2. All Ensuite & Bathroom Floors to be finished using selected ceramic floor tiles. Provide shower floor falls to floor waste gully. Prepare wall and floor surfaces using Mapei Mapagum WHB waterproofing system to comply with NZS/C 13:AS1 Figure 4 & 5.
3. All approved under and 3 coats of enamel paint to laundry area.
4. Showers to be fitted with toughened safety glass screens & doors.
5. Showers to be finished with stainless steel and sealed into floor with approved waterproofing on 'Metric' or equal primary carcass work, all piping and drains, all complying with the NZS/C Acceptable solutions (AS). First layout or plan to be submitted on site for client. All primary work including vent pipes to be sealed around perimeter to floor.



Date	Revision	Description	No.
06-05-18	AMENDMENT TO RFI REQUEST		F
12-02-18	ISSUED FOR CLIENT REVIEW		B
13-12-17	Design amendment by client		D
25-04-17	RFI Queries		C
08-02-17	Consent Issue		A
01-10-16	Issued with Structural Drawings for Engineers Review		B

Do Not Scale From These Drawings
Just Use Dimensions Only

Project: **THE TIERS - for ALPHA PROPERTIES NZ LTD**
658a Frankton Road
QUEENSTOWN

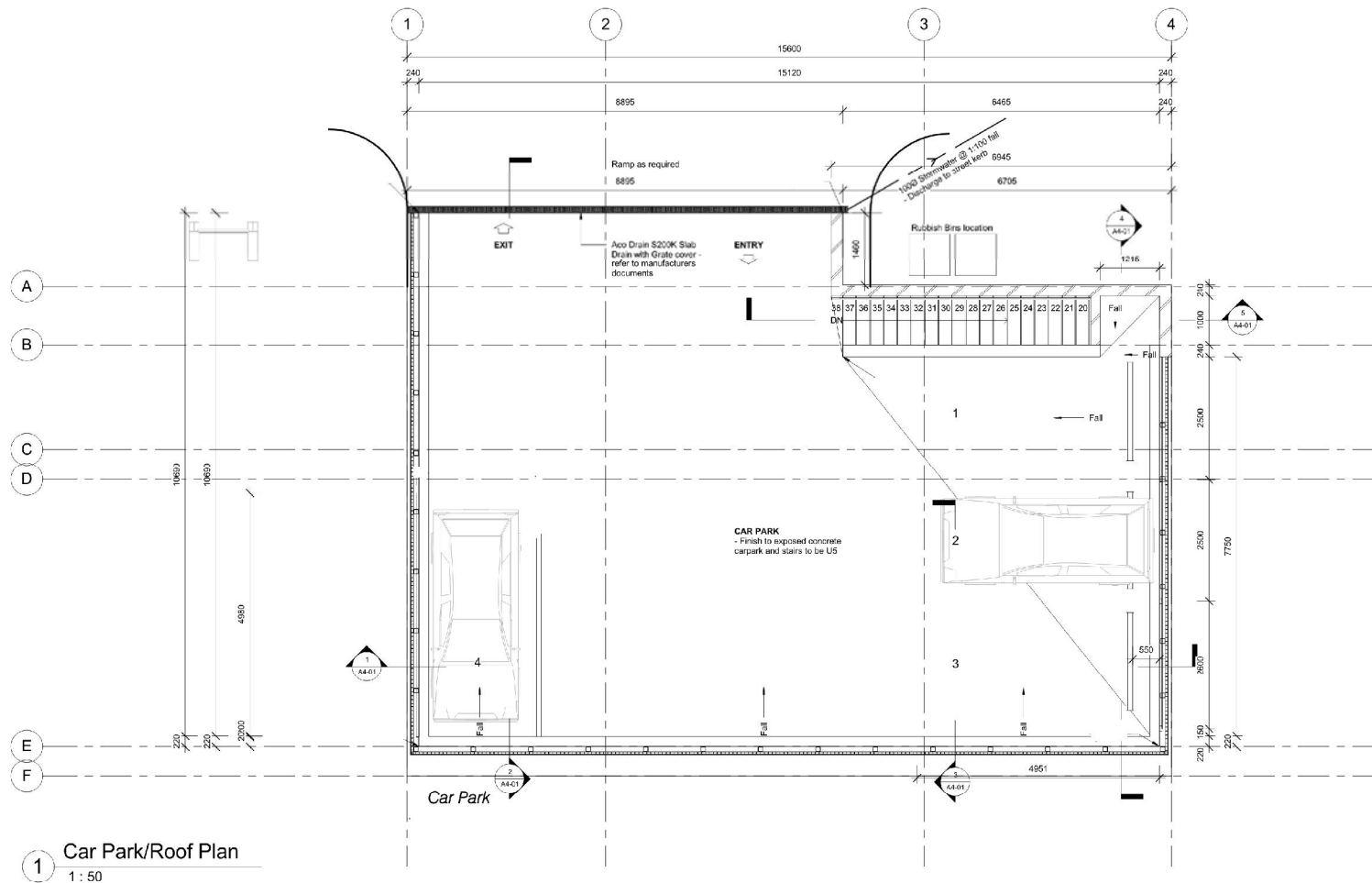
Unit: **15112** Site: **A2-02** Date: **01-06-16**

Scale: **1 : 50**

Sheet: **First Floor Plan**

Contact: **15112** Sheet: **A2-02**

Consent Issue: **F A1**



QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM190644**

Tuesday, 05 November 2019



Date	Revision Description	No.
25-04-17	RFI Queries	C
08-02-17	Consent Issue	B
31-10-16	Issued with Structural Drawings for Engineer's Review	A

Do Not Scale From These Drawings.
Use Full Scale Dimensions Only.

**THE TIERS -
for ALPHA PROPERTIES NZ
LTD**
658a Frankton Road
QUEENSTOWN

Version: R3 Date: 01-06-16
AT Scale: A2 Scale: 1:50
Sheet No: Car Park/Roof Plan

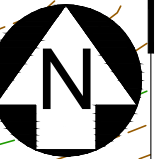
Contract: 15112
CDD Title: **A2-03**
Position: C
Consent Issue: **A1**

SITE BUILDING COVERAGE = 272m2 (19%)

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM190644

Tuesday, 05 November 2019



PROPOSED ACCESS

SECTION A-A

SECTION B-B

SECTION C-C

EXISTING ACCESS

PROPOSED ACCESS

UNIT 3 / 4
GFL 393.00
PARKING ON ROOF

BARRIER

SETBACK LINE

UNIT 1 / 2
GFL 394.600
PARKING ON ROOF

BARRIER

POTTERS HILL DRIVE

CLIENT REVIEW 10.05.19

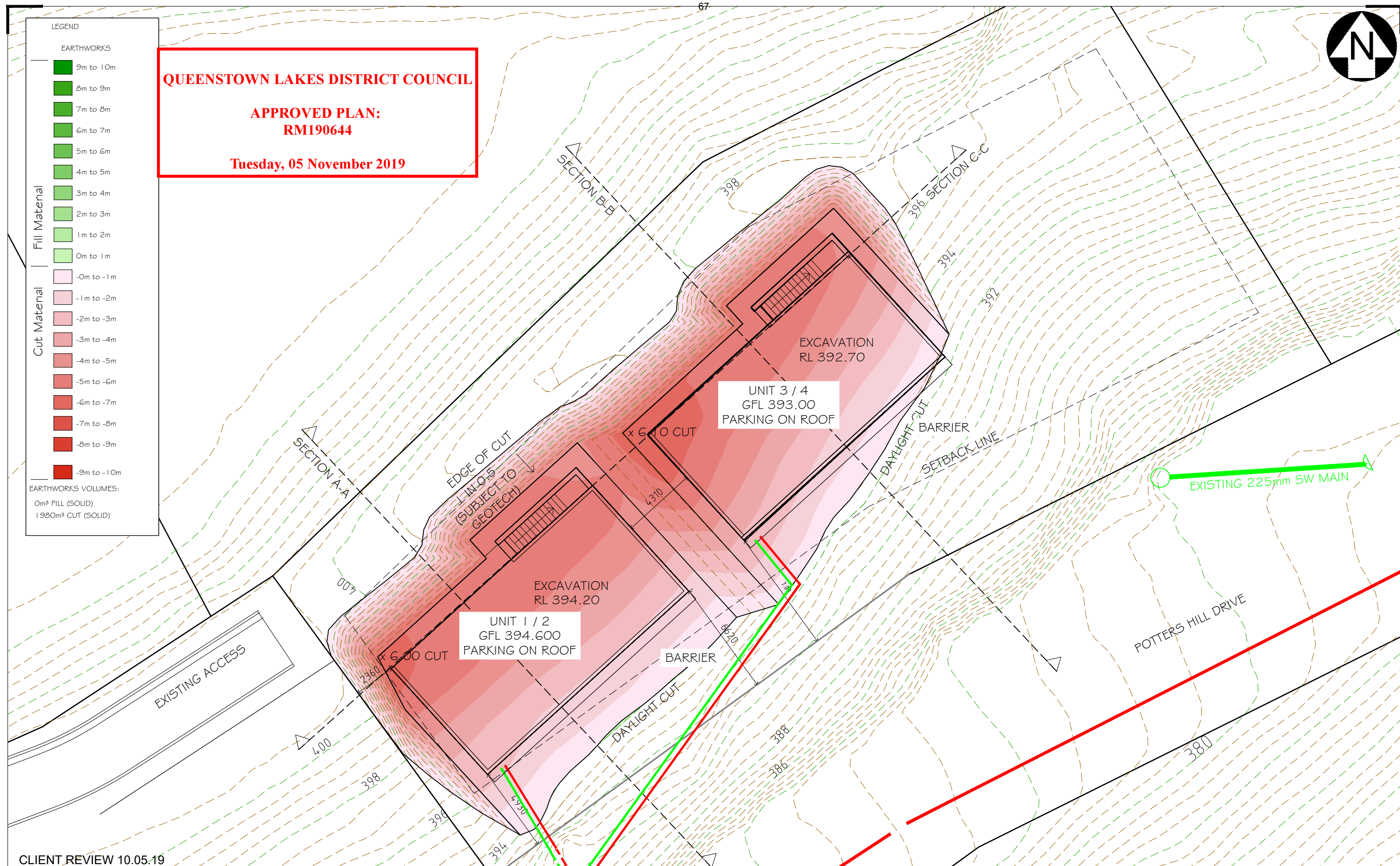
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Rev.	Date	Revision Details	By

**PROPOSED UNITS
LOT 14 DP 490069**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD				12377	27
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	RB		10.05.19		
	Designed	Signed	Date	Datum & Level	Rev.
				NZGD2000 / MSL	-

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APPROVED PLAN:
RM190644

Tuesday, 05 November 2019

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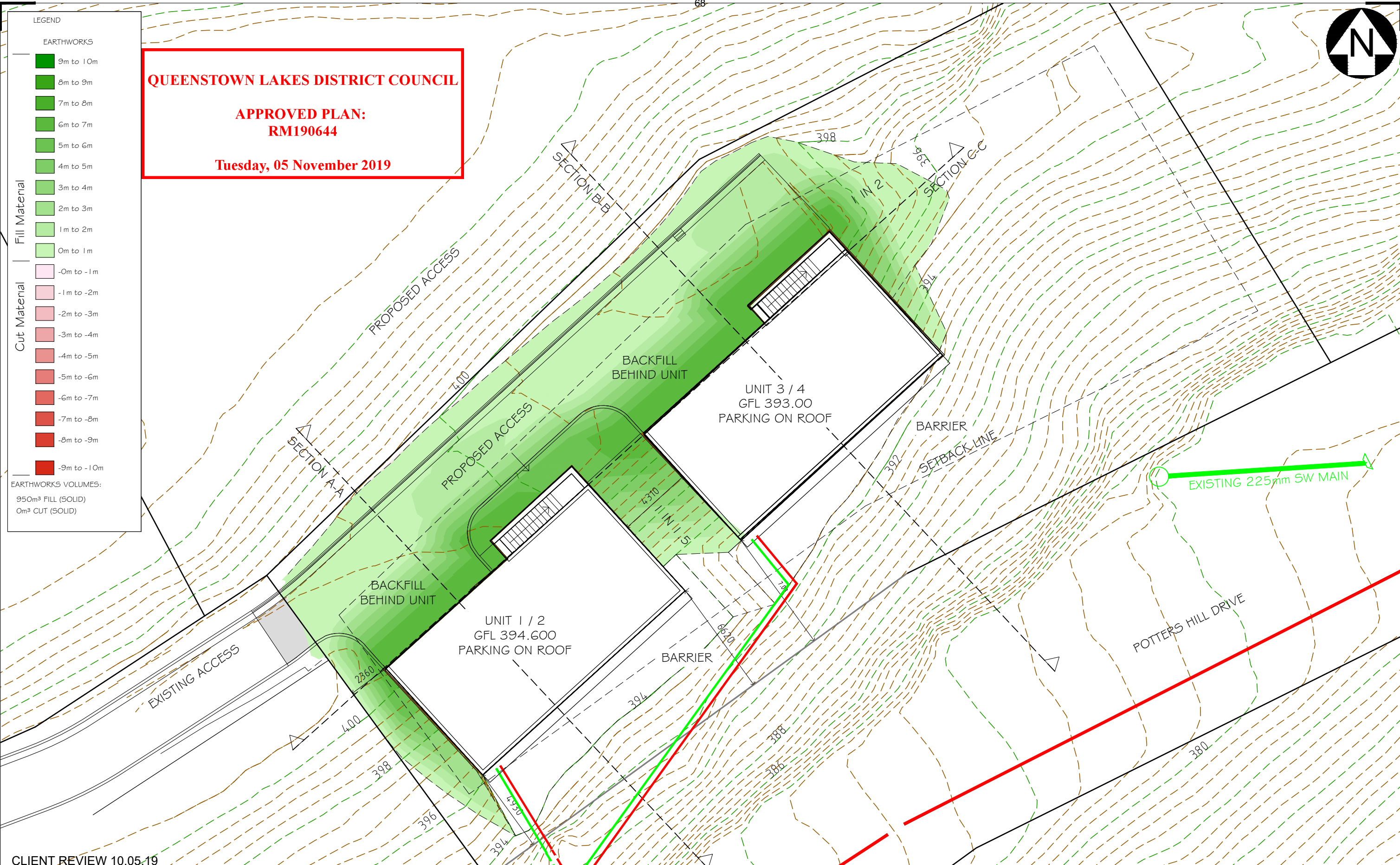
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PROPOSED UNITS
LOT 14 DP 490069
EXCAVATION FOR UNIT CONSTRUCTION

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD				12377	27
					Sheet 002
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	RB		10.05.19		
	Designed	Signed	Date	Datum & Level	Rev.
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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM190644

Tuesday, 05 November 2019

LEGEND

EARTHWORKS

Fill Material

- 9m to 10m
- 8m to 9m
- 7m to 8m
- 6m to 7m
- 5m to 6m
- 4m to 5m
- 3m to 4m
- 2m to 3m
- 1m to 2m
- 0m to 1m

Cut Material

- 0m to -1m
- 1m to -2m
- 2m to -3m
- 3m to -4m
- 4m to -5m
- 5m to -6m
- 6m to -7m
- 7m to -8m
- 8m to -9m
- 9m to -10m

EARTHWORKS VOLUMES:

- 950m³ FILL (SOLID)
- 0m³ CUT (SOLID)

CLIENT REVIEW 10.05.19

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Rev.	Date	Revision Details	By

PROPOSED UNITS
LOT 14 DP 490069
BACKFILL BEHIND UNITS POST CONSTRUCTION

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
					12377	27
						Sheet 003
Notes:						
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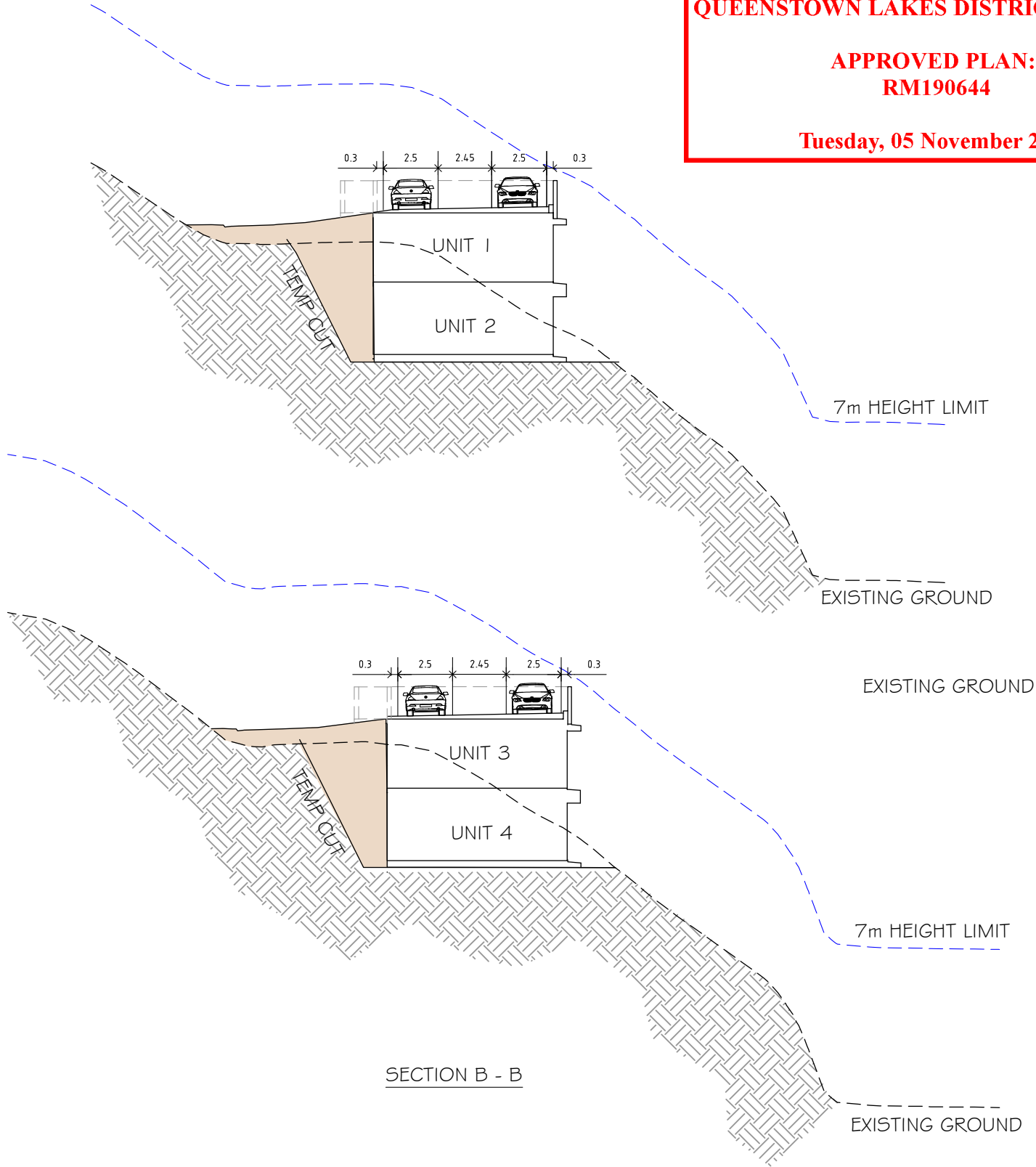
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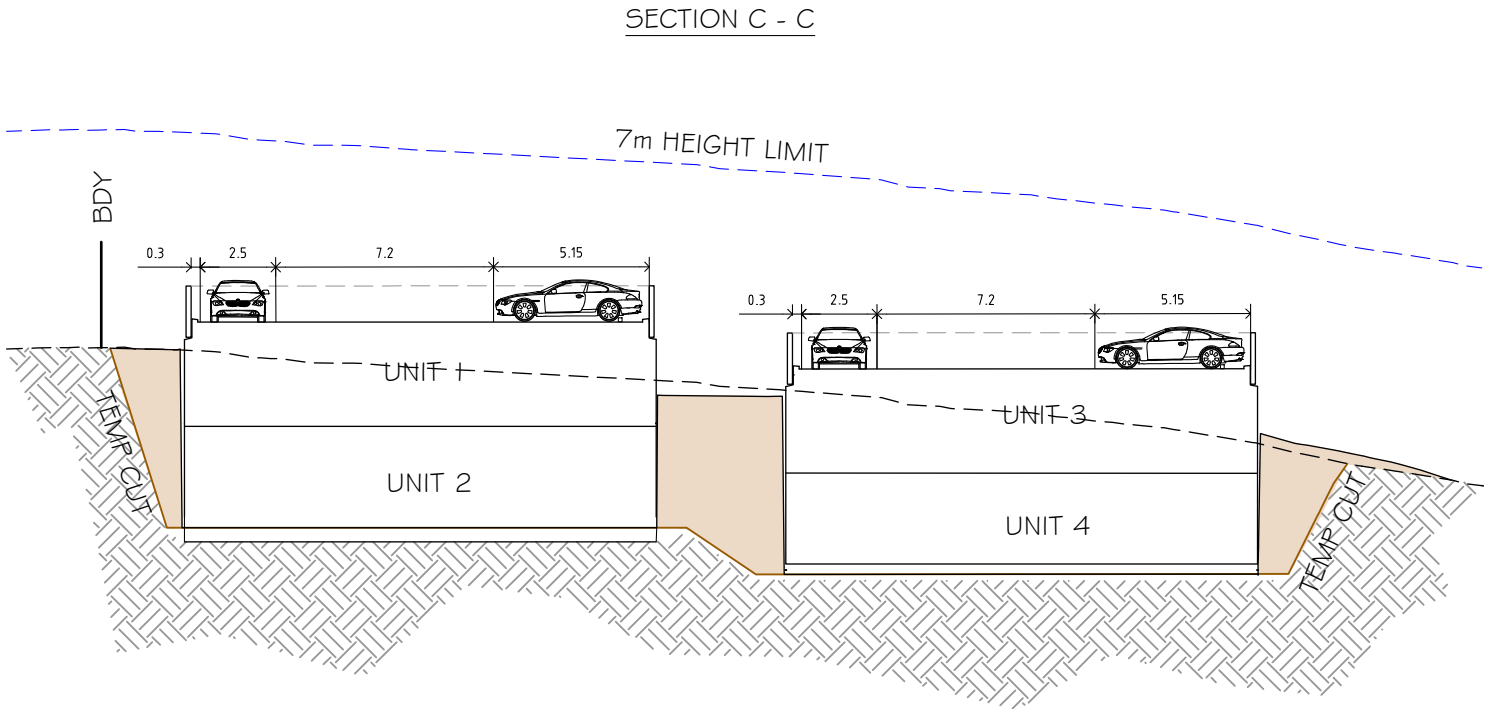
APPROVED PLAN:
RM190644

Tuesday, 05 November 2019

SECTION A - A



SECTION C - C



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**PROPOSED UNITS
LOT 14 DP 490069
SECTION VIEWS**



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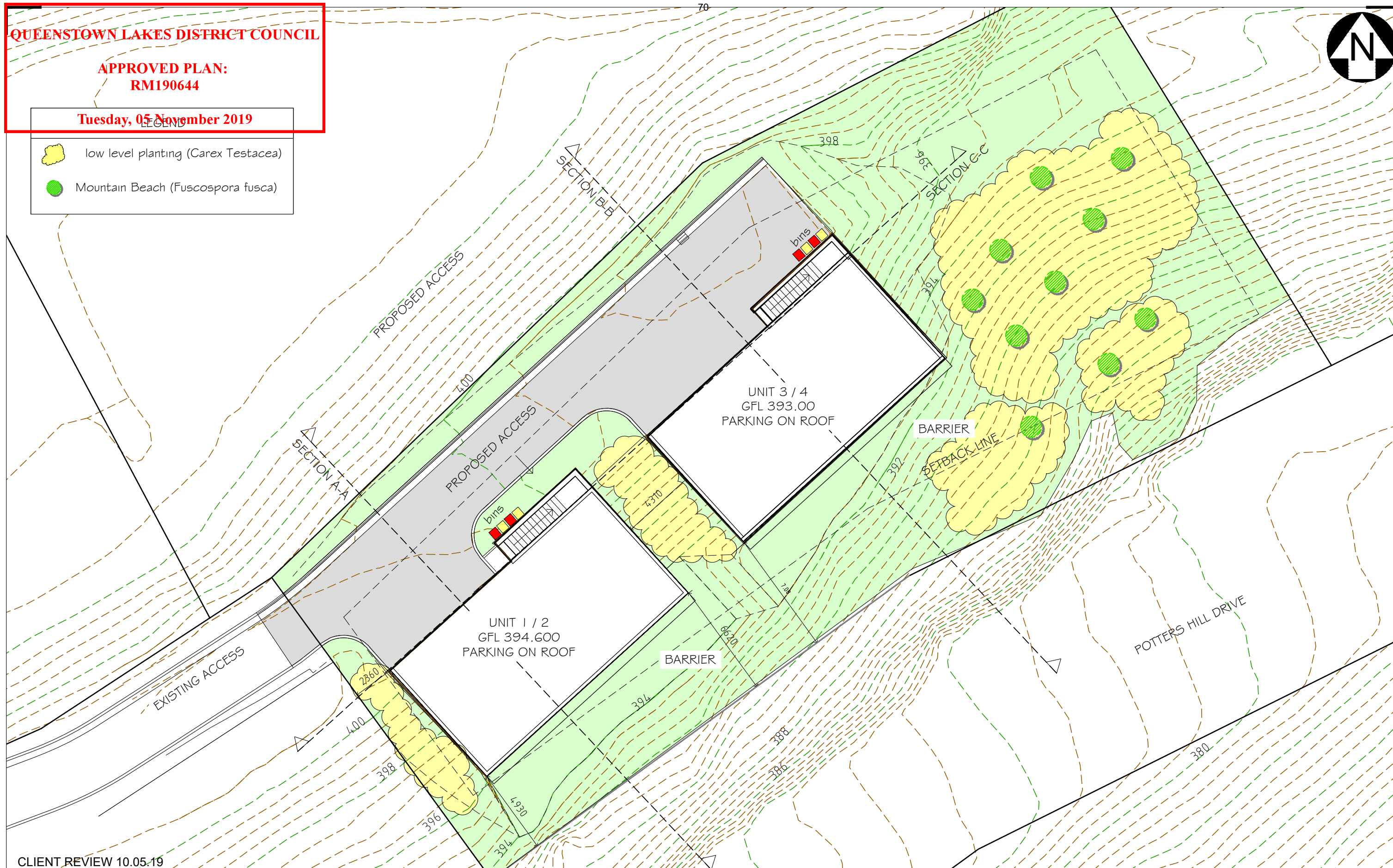
QUEENSTOWN LAKES DISTRICT COUNCIL

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RM190644

Tuesday, 05 November 2019

LEGEND

-  low level planting (Carex Testacea)
-  Mountain Beach (Fuscospora fusca)



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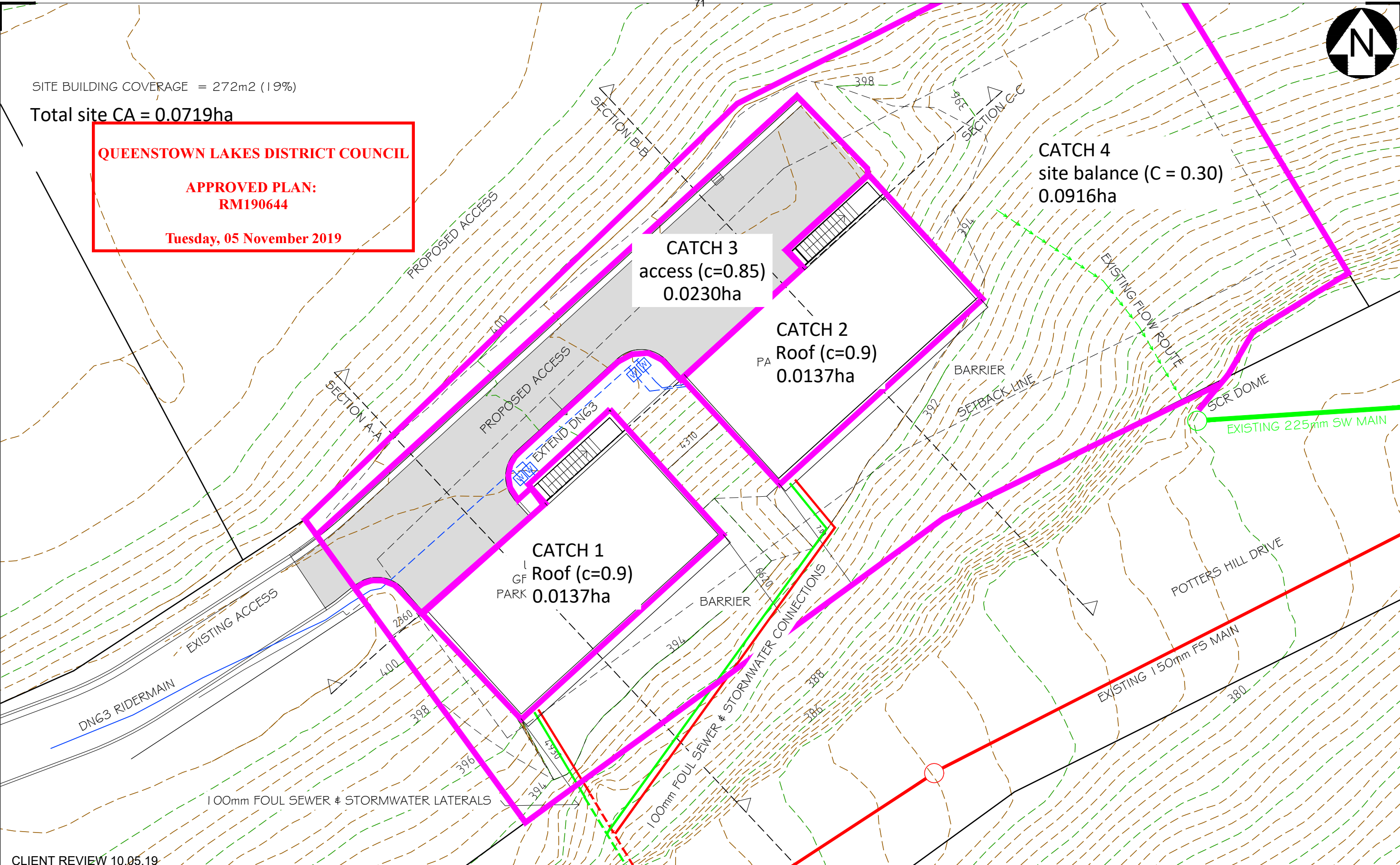
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PROPOSED UNITS LOT 14 DP 490069 LANDSCAPING

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ALPHA PROPERTIES LTD				12377	27
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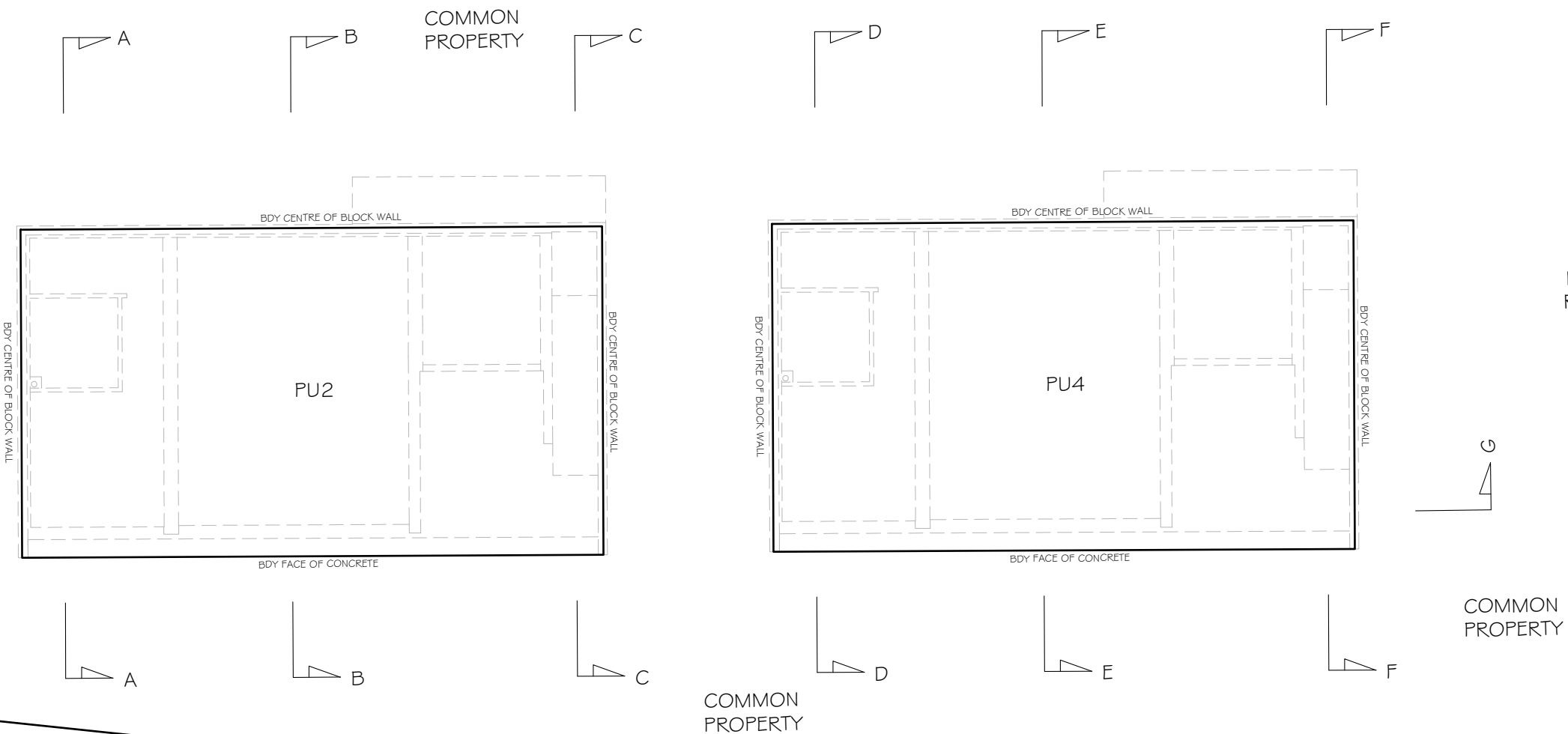
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**PROPOSED UNITS
LOT 14 DP 490069
SERVICES**

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
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Designed	Signed	Date	Datum & Level	Rev.		
			NZGD2000 / MSL	-		

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LOT 14
DP 512588
RT 706717

QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM190644**

Tuesday, 05 November 2019

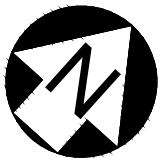
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**PROPOSED UNITS ON LOT 14 DP 490069
GROUND FLOOR LEVEL**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	28
	Drawn	Signed	Date	Scale	Sheet 001
	-	-	-	1:75 @ A1 1:150 @ A3	
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Designed	Signed	Date	Datum & Level	Rev.
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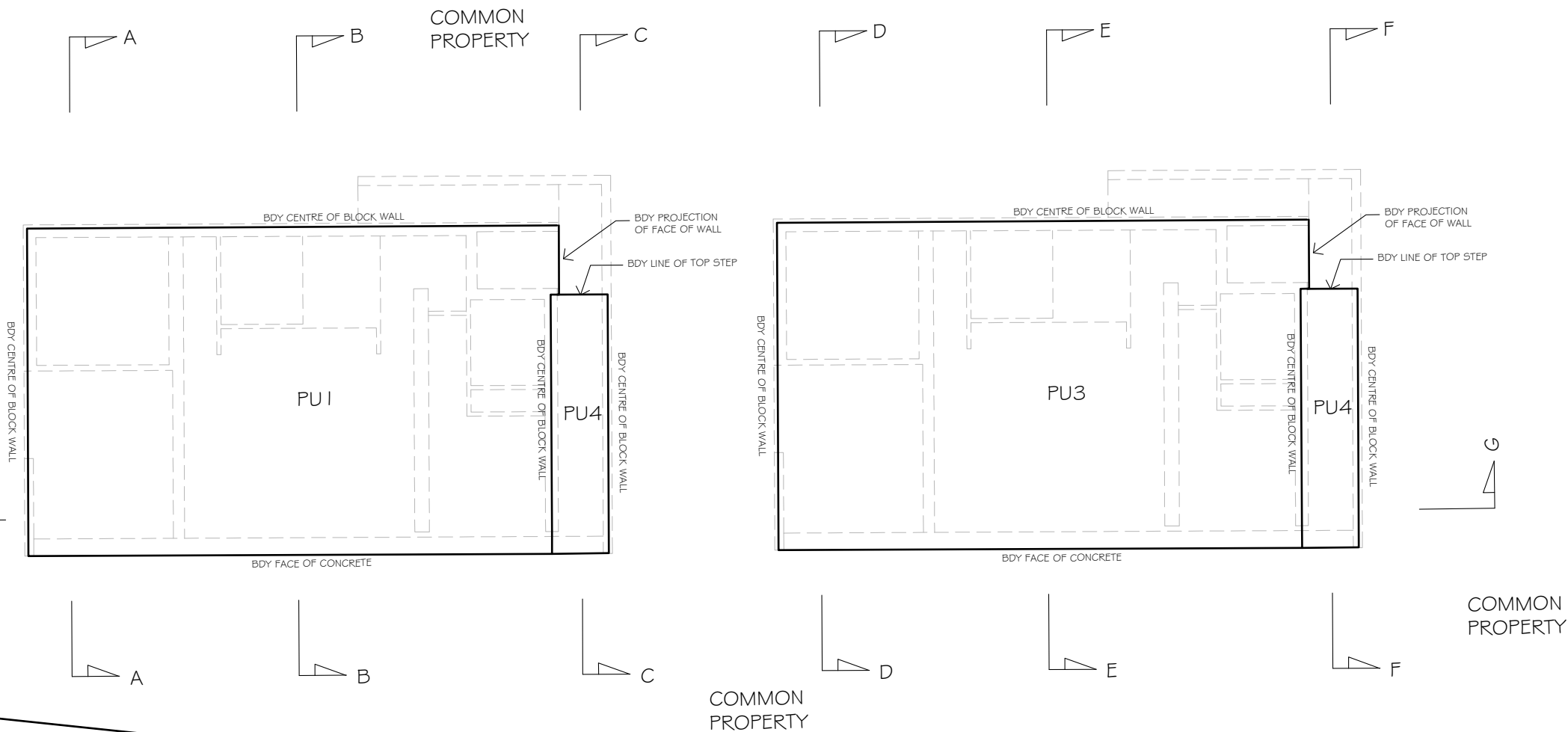
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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM190644

Tuesday, 05 November 2019



LOT 14
DP 512588
RT 706717

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Rev. Date Revision Details By

PROPOSED UNITS ON LOT 14 DP 490069
FIRST FLOOR LEVEL

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	-	Job No.	12377	Drawing No.	28
		Drawn	Signed	Date	-	Scale	1:75 @ A1 1:150 @ A3	Sheet	002
		Designed	Signed	Date	-	Datum & Level	NZGD2000 / MSL	Rev.	-

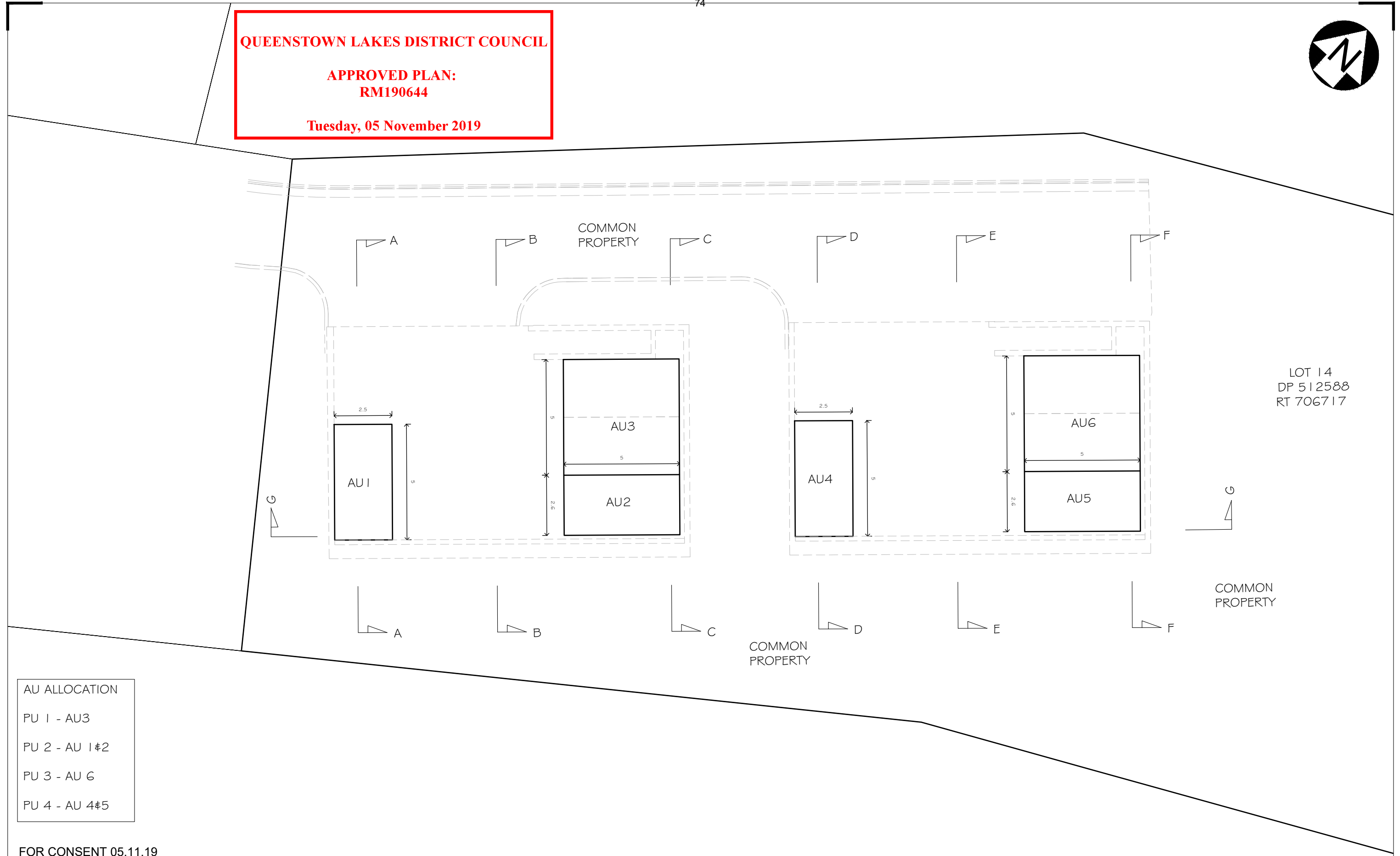
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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM190644

Tuesday, 05 November 2019



LOT 14
DP 512588
RT 706717

AU ALLOCATION
PU 1 - AU 3
PU 2 - AU 1 & 2
PU 3 - AU 6
PU 4 - AU 4 & 5

FOR CONSENT 05.11.19



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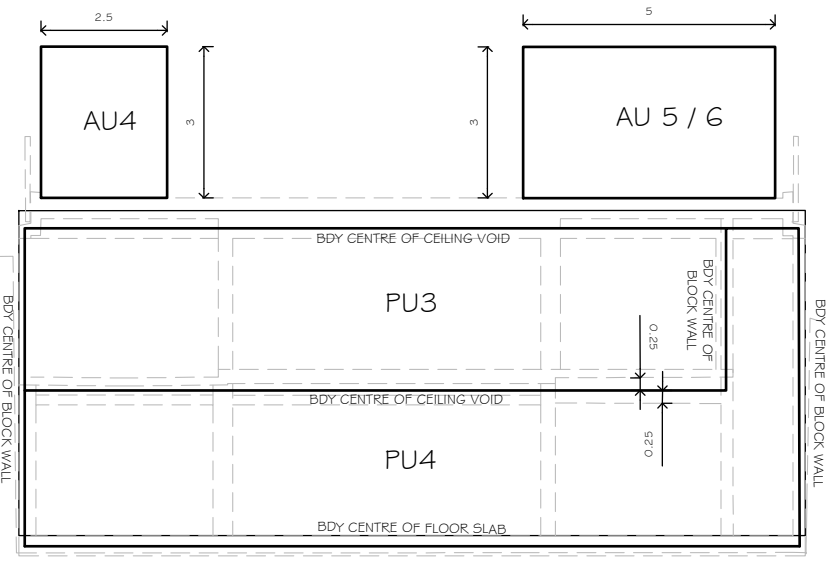
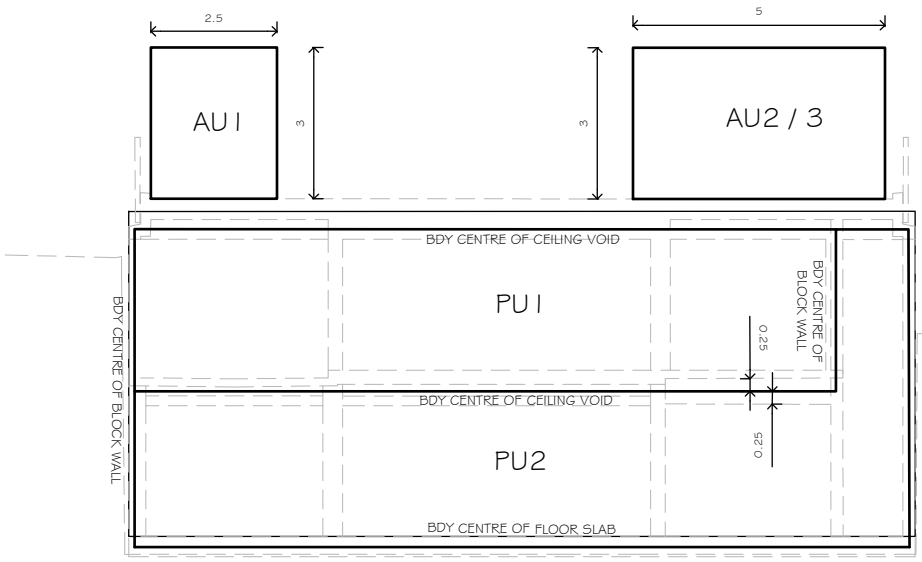
Rev.	Date	Revision Details	By

PROPOSED UNITS ON LOT 16 DP 512588

ROOF TOP CARPARK

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD				12377	28
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				Datum & Level	Rev.
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SECTION F - F



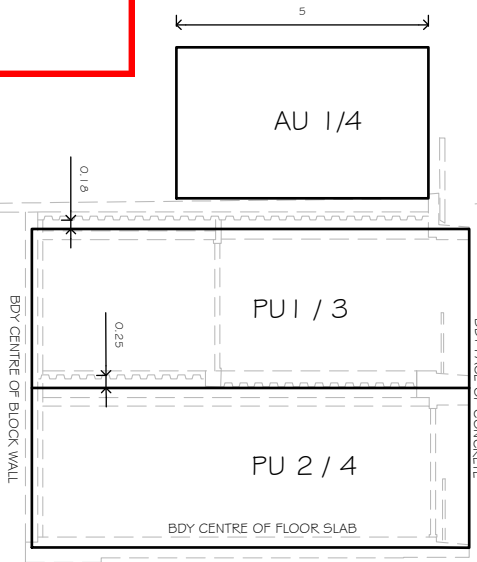
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RM190644

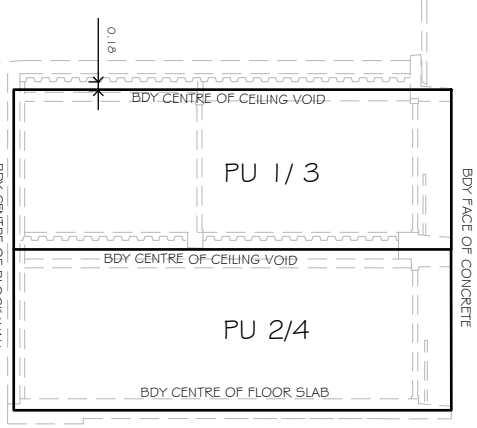
Tuesday, 05 November 2019

COMMON
PROPERTY

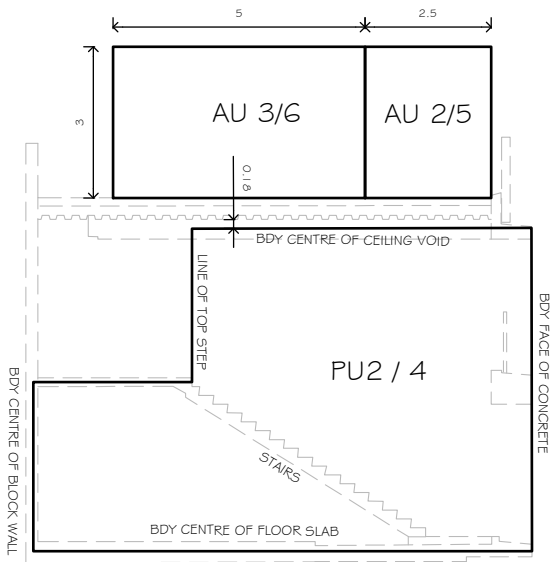
COMMON
PROPERTY



SECTION A & D



SECTION B & E



SECTION C & F

COMMON
PROPERTY

- AU ALLOCATION
- PU 1 - AU 3
 - PU 2 - AU 1 & 2
 - PU 3 - AU 6
 - PU 4 - AU 4 & 5

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PROPOSED UNITS ON LOT 14 DP 490069

SECTION VIEWS

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
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		Drawn	Signed	Date	Scale	Sheet 004
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				-	1:150 @ A3	
		Designed	Signed	Date	Datum & Level	Rev.
				-	NZGD2000 / MSL	-

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DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
CHANGE OF CONDITIONS – SECTION 127
NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104
RESOURCE MANAGEMENT ACT 1991

Applicant:	Alpha Properties NZ Ltd
RM reference:	RM180834
Application:	<p>Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent for a road boundary infringement via the vesting of a road to replace an approved right of way.</p> <p>And</p> <p>Application under Section 127 of the RMA to vary Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614 to vary the approved plans.</p>
Location:	Lot 10 Deposited Plan 490069, Potters Hill Drive, Queenstown
Legal Description:	Lot 10 Deposited Plan 490069, held in Computer Freehold Register 706713
Operative District Plan Zoning:	Low Density Residential
Proposed District Plan (Stage 1 – Decisions Version 2018) Zoning:	Lower Density Suburban Residential
Proposed District Plan (Stage 2) Zoning:	N/A
Activity Status:	Discretionary
Decision Date	30 October 2018
Re-issue Date	2 November 2018

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the 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 Alicia Hunter, Senior Planner, on 30 October 2018 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED** subject to the vary Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614 to vary the approved plans outlined in Section 6.4 of this decision. An updated set of conditions of RM170614 is provided in Appendix 1 of this decision. The consent only applies if the conditions outlined are met. The consent only applies if the conditions outlined are met.
3. 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. The consent only applies if the conditions outlined are met.
4. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Alicia Hunter, Senior Planner, as delegate for the Council.
5. This decision is a re-issue of RM180834. Pursuant to Section 133A of the RMA this consent is being re-issued to adjust Condition 10b of the subdivision suite of conditions as there is no longer a requirement for a management company. Adjusting this condition aligns it with the already deleted Condition 10a. The decision was made and the re-issue authorised by Alicia Hunter, Senior Planner, as delegate for Council on 2 November 2018. This re-issue is made 3 working days after the grant of the consent.

1. PROPOSAL AND SITE DESCRIPTION

Consent is sought for a road boundary infringement via the vesting of an approved right of way as Council road. That vesting will mean that the approved units on both the north and south side of the access will infringe minimum 4.5m road boundary infringement.

Consent is sought to vary Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614 to vary the approved plans to remove one unit, expand another and realign the boundaries of proposed allotments.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section 1.0 of the report entitled '*Alpha Properties Ltd: Variation RM170614: Land Use Conditions 1, 6(a), 6(b) and 6(g) Subdivision Conditions 1, 4, 7(a), 7(b), 7(g), 9(a) & 10(a)*', prepared by Nick Geddes of Clark Fortune McDonald and Associates, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as *Appendix 4*).

The site location is shown in Figure 1 below.



Figure 1: Application site

2. ACTIVITY STATUS

The proposal requires consent for the following reasons:

2.1 PROPOSED DISTRICT PLAN - STAGE 1

Council notified its decisions on Stage 1 of the Proposed District Plan on 5 May 2018 with an Appeals Version being made available in July 2018. The subject site is zoned Lower Density Suburban Residential and the proposed activity requires resource consent for the following reasons:

- A **discretionary** activity resource consent pursuant to Rule 7.5.9 for a breach of the road boundary setback. A number of the units will encroach into that 4.5m road boundary setback. The Units that will infringe will be Units 4 and 6 to 11. The setbacks are shown on Figure 4 of the Applicants AEE and range between 2.54 (Unit 6) and 4.17 (Unit 11).

2.2 PROPOSED DISTRICT PLAN (STAGE 2)

Council notified Stage 2 of the Proposed District Plan (Stage 2 Notified Version 2017) on 23 November 2017. There are no rules with legal effect that are relevant to this application.

2.3 RESOURCE MANAGEMENT ACT 1991

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 Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614, as outlined above, to provide for the changes to the approved plans.

2.4 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

2.5 OVERALL ACTIVITY STATUS

Overall, the application is considered to be a **discretionary** activity.

3. SECTION 95A NOTIFICATION

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 in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The applicant does not include 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, a restricted discretionary or discretionary subdivision or a residential activity, or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB and public notification is not precluded.

The proposal is not a prescribed activity (95A(5)(b)(i-iv)).

Therefore, public notification is not precluded by Step 2.

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 3.3.1 - 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)).*

3.3.2 *Assessment: Effects On The Environment*

Taking into account section 3.3.1 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)).

The relevant assessment matters are found in Section 7 of the Operative District Plan and Chapter 7 of the Proposed District Plan and have been considered in the assessment below.

The Assessment of Effects provided in Section 2 of the applicant's AEE, is considered accurate. It is therefore adopted for the purposes of this report with the following additional comments.

Visual amenity and neighbourhood character

The proposed works on Unit 7 will not be visible from off this site. The proposed unit on Lot 5 is no longer proposed under this stage of the works, the boundary adjustment to Lot 6 will not increase the development potential on that site.

The vesting of the accessway as road will bring the public realm closer to this development and the implications of that require assessment.

Proposed Units 4 and 6 to 11 will have road boundary setbacks (from the proposed vested road) ranging from 2.54 to 4.17m. Potters Hill Drive is currently a cul de sac with no vehicular or pedestrian through traffic. That will not change under this application as it is unlikely that non-residents will venture up this far on Potters Hill Drive.

Any adverse effect on the visual amenity and neighbourhood character of the area will be less than minor.

Servicing

With regard any servicing effects from the vesting of the road the application has been assessed by Council's Resource Management Engineer Cam Jones. Mr Jones noted the following:

- Servicing of the development was assessed under RM170614 for a total of 14 residential units and 4 residential flats.
- Mr Jones considers that the servicing of the current proposal is feasible, and recommends that the servicing conditions in RM170614 be amended to reflect the 13 proposed residential units.
- As all of the infrastructure associated with the development is to be vested, the management company previously required is no longer required for the maintenance of infrastructure.

The assessment and recommendations of Mr Jones are adopted and it is considered any adverse effect in terms of servicing will be less than minor.

3.3.3 *Decision: Effects On The Environment (S95A(2))*

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.

4.0 EFFECTS ON PERSONS

Section 95B(1) requires a decision 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.

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

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

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

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

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity.

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

Limited notification is not required under Step 3 as the proposal is not a boundary activity where the owner of an infringed boundary has not provided their approval, and it is not a prescribed activity.

The proposal therefore falls into the 'any other activity' category and the effects of the proposal on any persons are assessed in section 4.1 below to determine if limited notification is required:

4.1 ASSESSMENT OF EFFECTS ON PERSONS (s95E)

4.1.1 ASSESSMENT: EFFECTS ON PERSONS

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.

Resource Consent RM170614 was processed on a non notified basis with affected persons approvals being provided from the New Zealand Transport Agency (for additional traffic onto the State Highway) and from Albatross QT Ltd as the owner of the subject site. No additional persons were considered to be adversely affected.

In this instance, written approvals are not required for the following reasons:

- The proposal represents a decrease in the number of lots and therefore no need to seek approval from the New Zealand Transport Agency again.
- There will be a decrease in the number of units on the site.
- While Lot 6 has increased in size from 325m² to 475m² there is no increase in the development potential on that site.
- The extension of the proposed Unit 7 will be to the north side and toward a retaining wall internal to the site. That addition will not be visible from off-site.
- The vesting of the accessway as public road will not change the development potential of the site and road boundary infringements will not be perceivable from adjacent sites.

In summary, any adverse effects on adjacent properties and those in the vicinity will be less than minor and written approvals were not required.

4.2 DECISION: EFFECTS ON PERSONS (s95B(1))

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

4.3 STEP 4 – LIMITED NOTIFICATION IN SPECIAL CIRCUMSTANCES

Step 4: Further limited notification in special circumstances

Special circumstances do not apply that require limited notification.

5.0 OVERALL NOTIFICATION DETERMINATION

Given the decisions made above in Sections 3 and 4 above, the application is to be processed on a non-notified basis.

6.0 S104 ASSESSMENT

6.1 EFFECTS (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 3 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 Chapters 3 (Strategic Direction) and 7 (Lower Density Suburban Residential) of the District Plan. Section 3 of the Applicant's AEE thoroughly assessed the proposal against the relevant objectives and policies. That assessment is adopted and it is considered the proposal is not contrary to any relevant objectives and policies.

Proposed District Plan (Stage 1 – Decisions Version 2018)

The relevant operative objectives and policies are contained within Chapter 7. The assessment of these relevant objectives and policies is the same as for the Operative District Plan and for the same reasons it is considered the proposal is consistent with the relevant objectives and policies.

Proposed District Plan (Stage 2 Notified Version)

Council notified Stage 2 of the Proposed District Plan on 23 November 2017, which contains certain rules that have immediate legal effect pursuant to section 86B(3) of the RMA. In this case, there are no rule with immediate legal effect relevant to this application.

Weighting between Operative District Plan and Proposed District Plan (Stage 1 Decisions Version 2018 and Stage 2 Notified Version)

In this case, as the conclusions reached in the above assessment lead to the same conclusion under both the ODP and PDP, no weighting assessment is required.

6.3 PART 2 OF THE RMA

In this case the relevant District Plan provisions are valid, have complete coverage and are certain, the above assessment under s104 matters, which give substance to the principles of Part 2, illustrates that the proposed activity accords with Part 2 of the Act.

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

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

6.5 DECISION B: VARIATION PURSUANT TO SECTION 127 OF THE RMA

Consent is **granted** to the application by Alpha Properties NZ Limited to vary Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614 as follows (deleted text struck-through, added text **bold** and underlined), such that:

General Conditions

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

WJ Cadzow & Associates Ltd

- 'Block A – Typical Plans' Contract 16010 Sheet A-A2-02 Date 07/06/16
- 'Block A – Floor Plans' Contract 16010 RC-A-01 Date 06/26/14
- 'Block A – Elevations Contract 16010 RC-A-03 Date 06/26/14
- ~~'Block B – Floor Plans' Contract 16010 RC-B-01 Date 07/07/16~~
- ~~'Block B – Typical Plans' Contract 16010 Sheet RC-B-02 Date 07/07/16~~
- ~~'Block B – Elevations Contract 16010 RC-B-03 date 07/07/16~~
- ~~'Block B – B & Grid Layout Plans: Sheet A0-03', prepared by WJ CADZOW & Associated Ltd and dated 03/14/17'Elevations: Sheet A2-02', prepared by WJ CADZOW & Associated Ltd and dated 03/14/17'~~~~Block C – Floor Plans' Contract 16010 RC-C-01 Date 07/07/16~~
- **'Block B – Part Site Plan, 17030, Sheet A0-01' and dated 20/02/2018**
- **'Block B – 'Block & Grid Layout Plans', 17030, Sheet A0-02' and dated 20/02/2018**
- **'Block B – 'Unit 6 – Typical Plans', 17030, Sheet A1-061' and dated 20/02/2018**
- **'Block B – 'Unit 6 – Typical Plans', 17030, Sheet A1-062' and dated 20/02/2018**
- **'Block B – 'Unit 7 – Typical Plans', 17030, Sheet A1-071' and dated 20/02/2018**
- **'Block B – 'Unit 8 – Typical Plans', 17030, Sheet A1-081' and dated 20/02/2018**
- **'Block B – 'Unit 9 – Typical Plans', 17030, Sheet A1-091' and dated 20/02/2018**
- **'Block B – 'Unit 10 – Typical Plans', 17030, Sheet A1-101' and dated 20/02/2018**
- ~~'Tiers Villas: Unit 5 – context: drawing number INT 200', prepared by Yoke~~
- ~~'Tiers Villas: Unit 5 – GF FFL: drawing number INT 210', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – FF FFL: drawing number INT 211', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – SF FFL: drawing number INT 212', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – Courtyard: drawing number INT 213', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – Elevations: drawing number INT 220', prepared by Yoke and dated 15/09/2017~~
- 'Block C – Typical Plans' Contract 16010 Sheet RC-C-02 Date 07/07/16
- 'Block C – Elevations Contract 16010 RC-C-03 Date 07/07/16

Clark Fortune McDonald & Associates

- 'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev ~~DE~~ **DF**
- 'Proposed Units on Lot 10 DP 490069 Height Infringements' Job No 12377 Dwg 8 Sheet 002 Rev ~~DE~~ **GE**
- 'Proposed Units on Lot 10 DP 490069 Section Views' Job No 12377 Dwg 8 Sheet 003 Rev ~~DE~~ **DE**
- 'Proposed Units on Lot 10 DP 490069 Shading Diagrams' Job No 12377 Dwg 8 Sheet 004 Rev ~~DE~~ **DE**
- 'Proposed Units on Lot 10 DP 490069 Carparking' Job No 12377 Dwg 8 Sheet 006 Rev ~~DE~~ **DG**
- 'The Tiers Villas Car Parking Layout' Job No 12377 Dwg 10 Sheet 001 Rev **E**

- 'The Tiers Villas Landscaping & Outdoor Living Spaces: Drawing No. 09 Sheet 001, Rev ~~DG~~**G**', prepared by Clark Fortune McDonald & Associates and dated ~~17/09/2017~~ **08/01/17**
- 'Wheelie Bin Plan'
- 'Wheelie Bin Collection Plan'

stamped as approved on 23 January 2017 and 15 November 2017 and 29 October 2018

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

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~~ **May** 2015~~8~~ 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/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

6. 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 approval, 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 3, to detail the following engineering works required:

a) The provision of a water supply to the 44 **13** residential units and 4 residential flats in the development 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 the 44 **13** residential units and 4 residential flats 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for each of the units. The costs of the connections shall be borne by the consent holder.

g). The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. Parking shall be clearly and permanently marked out in accordance with the Clark Fortune McDonald & Associates, ~~Carparking Layout plan, Job No. 12377, Drawing No. 10, Sheet 001, Rev C,~~ **'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev E'** with visitor parking areas clearly signposted and include wheel stops and vehicle barriers where appropriate. Provision shall be made for stormwater disposal.

h).The design and formation of the internal Access Road in accordance with QLDC's Land Development and Subdivision Code of Practice. This shall include the formation of all intersections, in accordance with the latest Austroads intersection design guides. **This shall include an "L" turning head as per Drawing B2-21, Appendix B of QLDC's Land Development and Subdivision Code of Practice.**

7. The consent holder shall complete any identified geotechnical work from condition ~~7-6~~(k) above. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.
8. Prior to the occupation of any dwelling/unit, the consent holder shall complete the following:
 - b).The completion and implementation of all certified works detailed in Condition ~~7-6~~ above.

9. The consent holder shall complete any identified geotechnical work from condition ~~56~~(k) above. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.

Subdivision

General Conditions

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

Clark Fortune McDonald & Associates

- 'Lots 1 – 14 & 200 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 001 Rev J', dated ~~42/10/17~~ **13/09/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069 - Staging: drawing number 07: sheet 002 Rev J', dated ~~42/10/17~~ **13/09/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 003 Rev J', dated ~~42/10/17~~ **13/09/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 004 Rev J', dated ~~42/10/17~~ **13/09/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 005 Rev J', dated ~~42/10/17~~ **13/09/18**

stamped as approved on ~~13 November 2017~~ 29 October 2018

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

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~~ **May 2018** 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/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

4. This subdivision may be staged. For the purposes of issuing approvals under Sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:

Stage 1: Lots 1 – 4. **The access way may be retained as a private right of way.**

Stage 2: Lots 6 – 10. **The access way is required to be vested at this stage.**

Stage 3: Lots 11 – 14. **The access way is required to be vested at this stage.**

Stage 4: Lots 5 and 100

Stage 1 shall precede all other stages. Stages 2 - 4 thereafter may be progressed in any order, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under Sections 223 and 224(c) of the Resource Management Act 1991.

7. 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 approval, 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 3, to detail the following engineering works required:
- a) The provision of a water supply to the ~~44~~ **13** residential units in the development 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 the ~~44~~ **13** residential units 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for each of the units. The costs of the connections shall be borne by the consent holder.
 - g) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. Parking shall be clearly and permanently marked out in accordance with the Clark Fortune McDonald & Associates Carparking Layout plan, Job No. 12377, Drawing No. 10, Sheet 001, Rev C, **'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev E** with visitor parking areas clearly signposted and include wheel stops and vehicle barriers where appropriate. Provision shall be made for stormwater disposal.
 - h) The design and formation of the internal Access Road in accordance with QLDC's Land Development and Subdivision Code of Practice. This shall include the formation of all intersections, in accordance with the latest Austroads intersection design guides. **This shall include an "L" turning head as per Drawing B2-21, Appendix B of QLDC's Land Development and Subdivision Code of Practice.**
8. 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:
- b). The easement instrument for the right of way over the area shown as 'B' within Lot 5 shall include a clause providing for the surrender of the easement at the time the area shown as 'B' is vested in Council as legal road. Council's solicitors shall confirm the wording is acceptable at the consent holder's expense.**
9. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
- a) With the exception of Lot 5, p**Prior to certification pursuant to Section 224 (c) of the Act, the construction of one dwelling on each lot shall be confirmed. The residential units are to be completed to a stage where they are fully measurable (ie, the walls, floors and roof shall be constructed).
 - c) The completion and implementation of all works detailed in Condition ~~8-7~~ **8-7** above.

- h) All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geotechnical professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.

~~The consent holder shall provide a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms/lots are suitable for the building development. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.~~

- n) ~~The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure associated with the subdivision. The legal documents that are used to set up or that are used to engage the management company are to 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.~~
10. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
- a) ~~**deleted** All lot owners are required to be part of a management entity. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading, service infrastructure and facilities associated with the development.~~
- b) ~~**deleted** In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.~~
- d) In the event that the Schedule 2A certificate issued under Condition (89) contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers. The consent notice condition shall read; *"Prior to any construction work (other than work associated with geotechnical investigation), 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."*

Advice note

- All other conditions of RM160718 as varied by RM170614 shall continue to apply.

7.0 OTHER 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.

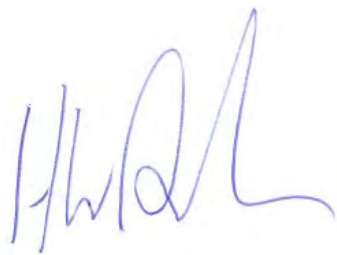
This resource consent is not a consent to build under the Building Act 2004. A consent under this Act must be obtained before construction can begin.

This resource consent must be exercised within five years from the date of this decision subject to the provisions of Section 125 of the Resource Management Act 1991.

If you have any enquiries please contact Hamish Anderson on phone 021 707 740 or email Hamish.anderson@qldc.govt.nz.

Report prepared by

Decision made by



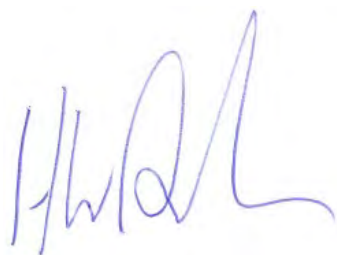
Hamish Anderson
CONSULTANT SENIOR PLANNER



Alicia Hunter
SENIOR PLANNER

Re-issued report prepared by

Decision made by



Hamish Anderson
CONSULTANT SENIOR PLANNER



Alicia Hunter
SENIOR PLANNER

- APPENDIX 1 – Consent Conditions**
- APPENDIX 2 – Applicant's AEE**
- APPENDIX 3 – Engineers Assessment**

APPENDIX 1 – UPDATED CONSENT CONDITIONS RM160718 AS VARIED BY RM170614 and RM180834

Land Use

General Conditions

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

WJ Cadzow & Associates Ltd

- 'Block A – Typical Plans' Contract 16010 Sheet A-A2-02 Date 07/06/16
- 'Block A – Floor Plans' Contract 16010 RC-A-01 Date 06/26/14
- 'Block A – Elevations Contract 16010 RC-A-03 Date 06/26/14
- 'Block B – Part Site Plan, 17030, Sheet A0-01' and dated 20/02/2018
- 'Block B – 'Block & Grid Layout Plans', 17030, Sheet A0-02' and dated 20/02/2018
- 'Block B – 'Unit 6 – Typical Plans', 17030, Sheet A1-061' and dated 20/02/2018
- 'Block B – 'Unit 6 – Typical Plans', 17030, Sheet A1-062' and dated 20/02/2018
- 'Block B – 'Unit 7 – Typical Plans', 17030, Sheet A1-071' and dated 20/02/2018
- 'Block B – 'Unit 8 – Typical Plans', 17030, Sheet A1-081' and dated 20/02/2018
- 'Block B – 'Unit 9 – Typical Plans', 17030, Sheet A1-091' and dated 20/02/2018
- 'Block B – 'Unit 10 – Typical Plans', 17030, Sheet A1-101' and dated 20/02/2018
- 'Block C – Typical Plans' Contract 16010 Sheet RC-C-02 Date 07/07/16
- 'Block C – Elevations Contract 16010 RC-C-03 Date 07/07/16

Clark Fortune McDonald & Associates

- 'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev F
- 'Proposed Units on Lot 10 DP 490069 Height Infringements' Job No 12377 Dwg 8 Sheet 002 Rev E
- 'Proposed Units on Lot 10 DP 490069 Section Views' Job No 12377 Dwg 8 Sheet 003 Rev E
- 'Proposed Units on Lot 10 DP 490069 Shading Diagrams' Job No 12377 Dwg 8 Sheet 004 Rev E
- 'Proposed Units on Lot 10 DP 490069 Carparking' Job No 12377 Dwg 8 Sheet 006 Rev G
- 'The Tiers Villas Car Parking Layout' Job No 12377 Dwg 10 Sheet 001 Rev E
- 'The Tiers Villas Landscaping & Outdoor Living Spaces: Drawing No. 09 Sheet 001, Rev DG', prepared by Clark Fortune McDonald & Associates and dated 08/01/17
- 'Wheelie Bin Plan'
- 'Wheelie Bin Collection Plan'

stamped as approved on 23 January 2017 and 15 November 2017 and 29 October 2018

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

- 2a. 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.
- 2b. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$290. This initial fee has been set under section 36(1) 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 May 2018 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/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

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

4. 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.
5. Prior to commencing works on site, 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.
6. 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 approval, 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 3, to detail the following engineering works required:
 - a) The provision of a water supply to the 13 residential units and 4 residential flats in the development 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 the 13 residential units and 4 residential flats 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for each of the units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within the site to the Council reticulated stormwater disposal system. The individual lateral connections shall be designed to provide gravity drainage for the entire area within the lot.
 - 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 approval in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service for the suitability of the access by a fire appliance to all hydrants to be constructed on site.

- f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. 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.
- g) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. Parking shall be clearly and permanently marked out in accordance with the Clark Fortune McDonald & Associates, 'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev E' with visitor parking areas clearly signposted and include wheel stops and vehicle barriers where appropriate. Provision shall be made for stormwater disposal.
- h) The design and formation of the internal Access Road in accordance with QLDC's Land Development and Subdivision Code of Practice. This shall include the formation of all intersections, in accordance with the latest Austroads intersection design guides. This shall include an "L" turning head as per Drawing B2-21, Appendix B of QLDC's Land Development and Subdivision Code of Practice.
- i) The provision of barriers for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. These barriers shall be designed in accordance with Part 2.4.5 of AS/NZS 2890.1:2004 and a PS1 producer statement provided to the Principal Engineer at Council prior to installation. A PS4 producer statement or Schedule 1C Completion Certificate from QLDC's Land Development and Subdivision Code of Practice shall be provided following construction and prior to the occupation of the dwelling/building.
- j) All earthworks and water mains relocation for the site shall be carried out under the conditions of RM160181.
- k) The consent holder shall provide a geotechnical report addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site is maintained.
- 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 NZS4404 Schedule 1A Certificate.

Prior to construction of any dwelling/unit

- 7. The consent holder shall complete any identified geotechnical work from condition 6(k) above. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.

To be completed when works finish and before occupation of any dwelling/unit

- 8. Prior to the occupation of any dwelling/unit, 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 way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all certified works detailed in Condition 6 above.
 - c) Any power supply connection to the dwelling shall be underground from existing reticulation and in accordance with any requirements and standards of the Network providers.

- d) Any wired telecommunications connection to the dwelling shall be underground from existing reticulation and in accordance with any requirements and standards of the Network provider.
- e) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
- f) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- g) The submission of Completion Certificates from both the Contractor and Approved Engineer for all infrastructure 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 the NZS4404 Schedule 1B and 1C Certificate.
- h) The consent holder shall provide a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms/lots are suitable for the building development. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to occupation.

Prior to construction of any dwelling/unit

- 9. The consent holder shall complete any identified geotechnical work from condition 6(k) above. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.

Accidental Discovery Protocol

- 10. 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.

Surveyor's Certificate

11. In order to ensure that the proposed buildings are located exactly as proposed in the application and comply with the maximum height control of the Queenstown Lakes District Plan, or the degree of infringement applied for (as it relates to Block 2 and Block 5), the consent holder shall employ an appropriately qualified surveyor at their expense who shall:
 - a) Certify to Council in writing that the foundations of each building subject to this consent (comprising 14 Residential Units) have been set out in accordance with the approved consent in terms of levels and position; and
 - b) Confirm to Council in writing upon completion of each building that it has been built in accordance with the approved plans, and complies with the maximum height control/degree of infringement applied for.

Note: The consent holder is advised that they will require a suitably qualified surveyor to carry out a survey of the land, recording the ground levels, prior to any earth works being carried out on the site.

Advice Note:

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 that the proposed upper level dwellings lots are close to the existing reservoir level and are reliant upon the completion of bonded works within Stage 1 RM050520 to achieve necessary domestic and fire fighting flows and pressures. The bonded works will need to be complete prior to occupation.
3. The consent holder is advised that any retaining 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.

Subdivision

General Conditions

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

Clark Fortune McDonald & Associates

- 'Lots 1 – 14 & 200 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 001 Rev J', dated 13/09/18
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069 - Staging: drawing number 07: sheet 002 Rev J', dated 13/09/18
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 003 Rev J', dated 13/09/18
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 004 Rev J', dated 13/09/18
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 005 Rev J', dated 13/09/18

stamped as approved on 29 October 2018

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 May 2018 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/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

4. This subdivision may be staged. For the purposes of issuing approvals under Sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:

Stage 1: Lots 1 – 4. The access way may be retained as a private right of way.
 Stage 2: Lots 6 – 10. The access way is required to be vested at this stage.
 Stage 3: Lots 11 – 14. The access way is required to be vested at this stage.
 Stage 4: Lots 5

Stage 1 shall precede all other stages. Stages 2 - 4 thereafter may be progressed in any order, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under Sections 223 and 224(c) of the Resource Management Act 1991.

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

5. 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.
6. Prior to commencing works on site, 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.

7. 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 approval, 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 3, to detail the following engineering works required:
- a) The provision of a water supply to the 13 residential units in the development 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 the 13 residential units 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for each of the units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within the site to the Council reticulated stormwater disposal system. The individual lateral connections shall be designed to provide gravity drainage for the entire area within the lot.
 - 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 approval in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service for the suitability of the access by a fire appliance to all hydrants to be constructed on site.
 - f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. 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.
 - g) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. Parking shall be clearly and permanently marked out in accordance with the Clark Fortune McDonald & Associates, 'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev E with visitor parking areas clearly signposted and include wheel stops and vehicle barriers where appropriate. Provision shall be made for stormwater disposal.
 - h) The design and formation of the internal Access Road in accordance with QLDC's Land Development and Subdivision Code of Practice. This shall include the formation of all intersections, in accordance with the latest Austroads intersection design guides. This shall include an "L" turning head as per Drawing B2-21, Appendix B of QLDC's Land Development and Subdivision Code of Practice.
 - i) The provision of barriers for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. These barriers shall be designed in accordance with Part 2.4.5 of AS/NZS 2890.1:2004 and a PS1 producer statement provided to the Principal Engineer at Council prior to installation. A PS4 producer statement or Schedule 1C Completion Certificate from QLDC's Land Development and Subdivision Code of Practice shall be provided following construction and prior to the occupation of the dwelling/building.
 - j) All earthworks and water mains relocation for the site shall be carried out under the conditions of RM160181.

- k) The consent holder shall provide a geotechnical report addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site is maintained.
- 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 NZS4404 Schedule 1A Certificate.

To be completed before Council approval of the Survey Plan

- 8. 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.

Note: No service easements in gross shall be created without prior written approval from Council.

- b) The easement instrument for the right of way over the area shown as 'B' within Lot 5 shall include a clause providing for the surrender of the easement at the time the area shown as 'B' is vested in Council as legal road. Council's solicitors shall confirm the wording is acceptable at the consent holder's expense.

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

- 9. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) With the exception of Lot 5, prior to certification pursuant to Section 224 (c) of the Act, the construction of one dwelling on each lot shall be confirmed. The residential units are to be completed to a stage where they are fully measurable (ie, the walls, floors and roof shall be constructed).
 - b) 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).
 - c) The completion and implementation of all works detailed in Condition 7 above.
 - d) 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.
 - e) 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.
 - f) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
 - g) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

- h) All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.
- i) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition 6 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 NZS4404 Schedule 1B and 1C Certificate.
- j) The submission of Practical Completion Certificates from the Contractor for all assets to be vested in the Council.
- k) 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.
- l) 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.
- m) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.

Ongoing Conditions/Consent Notices

10. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
 - a) deleted
 - b) deleted
 - c) All owners/occupiers of any Residential Unit shall ensure that rubbish and recycling bins are located in immediate proximity to their residential units and on their own sites, or within the '*right to store rubbish*' easement identified on the scheme plan, on all days except for those when refuse/recycling by Council is scheduled. Bins may however be taken to the collection points on the evening of the day preceding the scheduled collection.
 - d) In the event that the Schedule 2A certificate issued under Condition (9) contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers. The consent notice condition shall read; *"Prior to any construction work (other than work associated with geotechnical investigation), 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."*

Advice Note:

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 that the proposed upper level dwellings lots are close to the existing reservoir level and are reliant upon the completion of bonded works within Stage 1 RM050520 to achieve necessary domestic and fire fighting flows and pressures. The bonded works will need to be complete prior to occupation.
3. The consent holder is advised that any retaining 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.

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 – APPLICANT’S AEE

ATTACHMENT [A]

Information and Assessment of Effects on the Environment

Alpha Properties Ltd

Variation RM170614:

Land Use Conditions 1, 6(a), 6(b) & 6(g)

Subdivision Conditions 1, 4, 7(a), 7(b), 7(g), 9(a), 9(n) & 10(a)

Landuse – Front Yard Setbacks

September 2018

Prepared by: Nick Geddes

CLARK FORTUNE MCDONALD & ASSOCIATES
REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS

1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description

The subject site is located on the northern side of Frankton Road (State Highway 6A), between Queenstown and Frankton. The site is legally described as Lot 10 DP 490069, being 0.9886 hectares in area and contained within computer freehold register identifier 706713. A recent search copy of computer freehold register is contained within Attachment [B].

The topography of the site rises up from the southern boundary to the northern. Exploratory earthworks have been undertaken on the subject site under RM160181 to establish the nature of subsurface conditions while RM160718 approved 12 residential units on the property.

An internal access Potters Hill Drive has been constructed in accordance with the original subdivision consent RM050520.01. This Road provides access to the subject site via a formed intersection with Frankton Road.

A location plan is contained in Attachment [C] to this application.

1.2 Site History

RM050520	Approved on 20 May 2008, by Commissioners Mr Trevor Shields and Mr Lyall Cocks. This granted consent to subdivide Lot 2 Deposited Plan 305273 into 17 fee simple residential allotments with associated earthworks.
RM160181	Application to carry out earthworks on Lots 10 and 11 of approved subdivision RM050520 as amended by RM050520.01 involving 7200m ³ of earthworks at Frankton Road, Frankton.
RM160718	Application to construct a comprehensive residential development with 12 residential units that will breach maximum height and outdoor living space, including subdivision of the site into 12 allotments, each to contain a residential unit. Consent is also sought to breach transportation standards. Approved 24 th January 2017.
RM170614	Application under Section 88 of the Resource Management Act 1991 (RMA) to add two residential units and a residential flat to this existing comprehensive residential development and subdivision; AND Application under Section 127 of the RMA to vary Condition 1 of consent RM160181 to provide for additional earthworks and to vary Conditions 6a, 6b, 6g (landuse) and Conditions 1, 4, 7a,

7b and 7g (subdivision) of RM160718 to include the two additional units in the previous development and subdivision plans.

A full copy of the relevant decisions listed above are contained in Attachment [D] to this application.

Summary;

The subject site was created by subdivision consent RM050520 which approved the creation of 17 separate fee simple allotments. RM160181 approved earthworks on the subject site which has enabled the design of the proposed development while RM160718 approved the construction of twelve residential allotments each containing one unit. The twelve approved units were subsequently adjusted to provide for 14 units by RM170614.

1.3 The Proposal

The earthworks approved under RM160181 and later adjusted by RM170614 have been completed. Units 1 & 2 have been constructed while Units 3 & 4 are nearing completion. These units constitute Stage 1 of the RM170614 subdivision where it is anticipated that Stage 1 completion certificates are to be lodged in the near future.

The applicant seeks consent for development (RM180674) on Lot 5 of RM170614. In the assessment of this proposal QLDC have expressed an interest in owning the access which traverses across Lots 1-14 RM170614. This was not anticipated by the RM170614 consent. Should the completion of Stage 1 occur prior too vesting of the access the subsequent subdivision process and vesting of the access becomes increasingly complex.

In order to avoid unnecessary complexity, the current application is made to adjust the approved scheme plan to provide a road allotment to vest to QLDC as set out in part 1.3.5 below. The new road boundary presented by this allotment invites a number of District Plan infringements which are the subject of the current landuse consent due to insufficient 'scope' to be included in the variation and these are discussed in part 1.3.6 below.

In addition to the above, the applicant seeks minor variations to RM170614 as set out in parts 1.3.1 – 1.3.4 below.

In summary, the current application is made as both a variation to RM170614 and landuse consent where this assessment has been split into Parts A and B respectively. The individual components of the consent application are discussed in parts 1.3.1 – 1.3.6.

Part A: Variation

For the purposes of the part of this application which relates to the variation of RM170614 the application made towards the approval of RM170614 and contained in the consent decision is

referred as the “original application” while the RM170614 decision is referred as the “original decision”. The original decision and application are contained in Attachment [B] of this application.

1.3.1 Unit 5 / Lot 5 RM170614

The original land use decision approves the construction of Unit 5 while the subdivision approves the creation of Lot 5 RM170614 as depicted in figure 1 below.

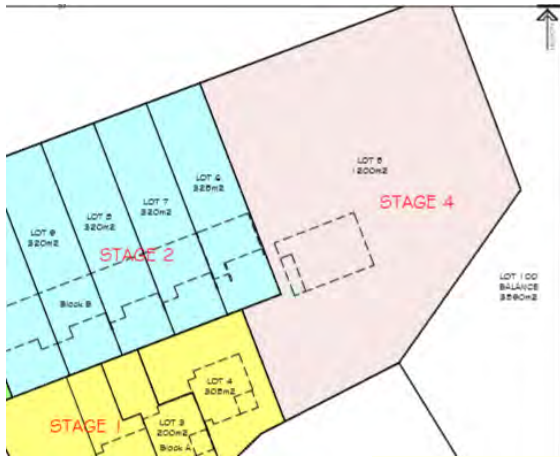


Figure 1, Unit 5 / Lot 5 RM170614

RM180674 has been lodged with QLDC offices for residential development on Lot 5 and Lot 100 RM170614. The development on Lot 5 and Lot 100 is considered to supersede the aspirations for Unit 5 and Lot 5. Therefore, to avoid future complications at the time of completion certification for RM170614 it is considered prudent to remove reference to Unit 5 / Lot 5 form RM170614 where Lot 100 will be subsumed by Lot 5 RM170614 (balance allotment) as depicted in figure 2 below:

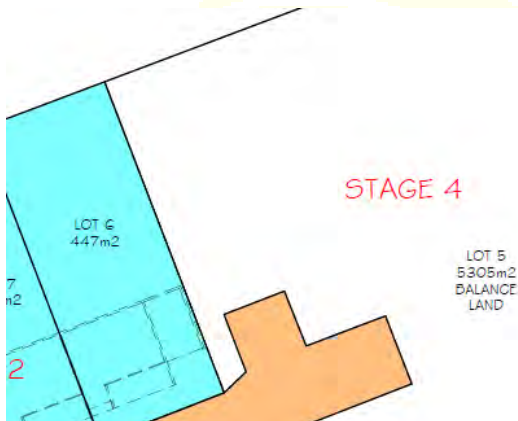


Figure 2, Proposed Lot 5, Attachment [E].

Please note: Clark Fortune McDonald & Associates drawing “Proposed Units on Lot 10 DP 490069” Job No 12377 Dwg 8 Sheet 001 Rev E” now depicts the car parking layout so “The Tiers Villas Car Parking Layout” Job No 12377 Dwg 10 Sheet 001 Rev D” can be removed from the plan set.

The removal of Unit 5 results in the original subdivision now relating to 13 residential units which requires a number of amendments which are set out on the plans contained in Attachment [F]. This includes a revised Staging condition (subdivision condition 4) where Lot 5 is now the balance allotment so reference to Lot 100 can be removed and since Lot 5 is in excess of the minimum allotment size for the zone (600m²) and contains no residential unit there is no requirement for the building to be fully measurable as required by Subdivision Condition 9(a).

1.3.2 Lot 6 RM170614

With the removal of Unit 5 from the original consent the applicant (consent holder) has elected to provide Unit 6 / Lot 6 with an increased lot balance from 325m² to 475m² by shifting the boundary of Lot 6 east into the original Lot 5 area. An additional car parking space has been located between the wall of Unit 6 and the Lot 6 / Lot 5 boundary. The revised drawings which depict these amendments are contained in Attachment [E] while with proposed amendments to relevant conditions are set out in Attachment [F].

1.3.3 Unit 7 RM170614

Subsequent to the approval of the original consent the applicant (consent holder) has elected to provide an extension to the approved floor plan of Unit 7. The extension is on the northern side of the Unit and provides a revised kitchen and bathroom layout. The revised drawings which depict these amendments are contained in Attachment [E] while with proposed amendments to relevant conditions are set out in Attachment [F].

1.3.4 Management Company

RM170614 Condition 9 (n) requires:

"The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure associated with the subdivision. The legal documents that are used to set up or that are used to engage the management company are to 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."

The engineering report which introduced the above requirement is contained on pages 63-75 of the RM160718 decision contained in Attachment [D] to this application. No assessment or comment can be found to confirm the requirement for the above. Notwithstanding, the access allotment detailed below is proposed to vest to QLDC and become public road which removes the requirement for any management company. As such, the applicant seeks the removal of condition 9 (n).

1.3.5 Access Allotment

As discussed in part 1.3 above, QLDC have expressed an interest in owning the access which traverses across Lots 1-14 RM170614. This was not anticipated by the RM170614 consent. Should the completion of Stage 1 and title issue precede without adjustment for the vesting of the access the subdivision process and vesting of the access becomes increasingly complex. In order to avoid unnecessary complexity, the current application is made to adjust the approved scheme plan and provide for an additional road allotment:

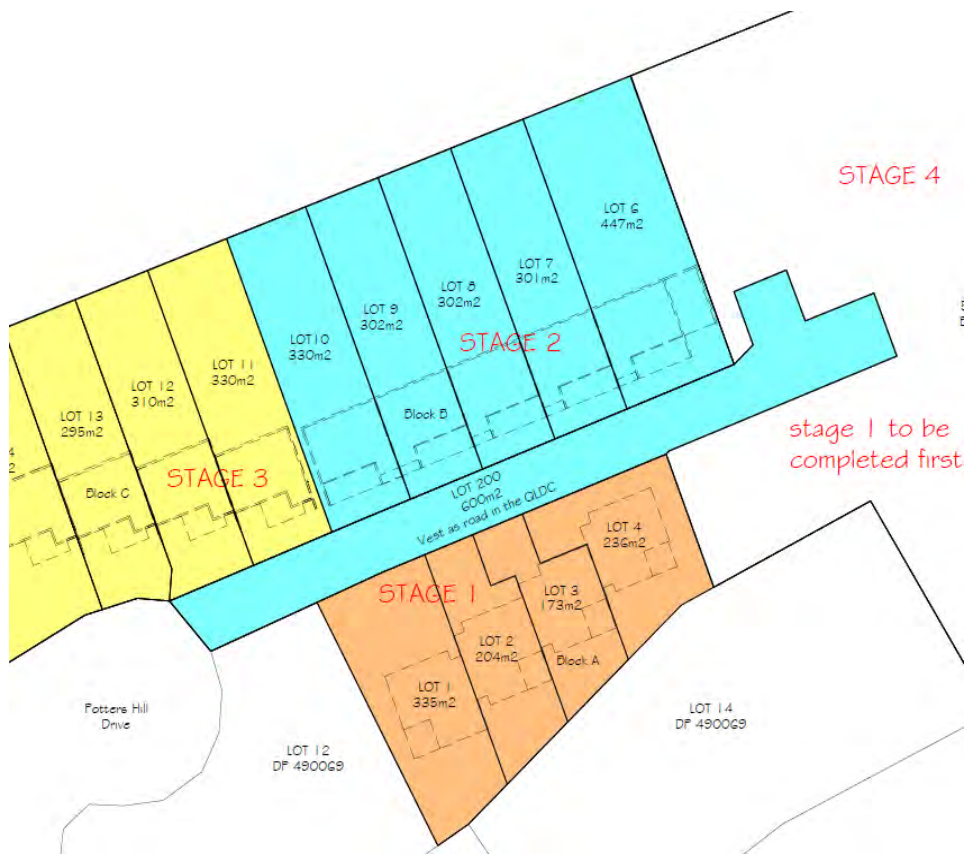


Figure 3, Proposed Lot 200, Attachment [E].

With a public road (Lot 200) containing services there is no reliance on a series of easements to administer the provision of services to each Lots 1-14 so a revised schedule appears on the amended scheme plan contained in Attachment [E] to this application.

Lot 200 is intended to vest to QLDC and become public road. As such, an amended staging condition is contained in Attachment [F].

It should be noted that the net site areas calculated for allotments under RM170614 did not include the area where easements were applied for services (road allotment) so there is no resultant change in density or minimum allotment sizes.

Part B: Landuse

1.3.6 Front Yard Setbacks

The bulk and location of the apartment complex known as The Tiers has been approved under the various consents set out and discussed in part 1.2 above. The new road boundary presented by the amendment to the scheme plan detailed in Fig 3 above results in a number of breaches to the required front yard setback.

These breaches have been denoted on the landuse plan contained in Attachment [G] and range from 0.33m to 1.96m respectively:



Figure 4, Front Yard Setbacks, Attachment [G].

Further discussion on these breaches is contained in part 2 of this application document.

1.4 Statutory requirements

Part A: Variation

1.4.1 Queenstown Lakes District Operative Plan

RM170614 was approved under the Operative District Plan's Low Density Residential Zone and the site did not contain any known protected items, areas of significant vegetation or designations.

The net site areas calculated for allotments under RM170614 did not include the area where easements were applied for services (road allotment) so there is no resultant change in density or minimum allotment sizes. Notwithstanding the breaches set out below, the proposed variation will not introduce any additional non-compliances with relevant District Plan rules already assessed and approved under the original consent.

1.4.2 Resource Management Act 1991

Section 127 of the Resource Management Act provides for the holder of a resource consent to apply for a change of a condition of the consent. Section 127 states:

- (3) Sections 88 to 121 apply, with all necessary modifications, as if—
 - (a) the application were an application for a resource consent for a discretionary activity; and
 - (b) the references to a resource consent and to the activity were references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.
- (4) For the purposes of determining who is adversely affected by the change or cancellation, the local authority must consider, in particular, every person who—
 - (a) made a submission on the original application; and
 - (b) may be affected by the change or cancellation.

In accordance with Section 3(a) above the proposed variation is for a discretionary activity.

Part B: Landuse

1.4.3 Queenstown Lakes District Proposed Plan

The decisions version of the Proposed District Plan was released 7th May 2018 which included Chapter 7 Lower Density Suburban Residential. The appeal period closed 19th June 2018 and an appeals version of Chapter 7 is contained in Attachment [H].

Rule 7.5.8.1 requires a 4.5m minimum setback from road boundaries. This Rule is not subject to any appeals per se. However, the Objectives and Policies to be assessed are subject to appeal as set out in the appeals version contained in Attachment [H]. The relief sought by the appeal by

Queenstown Airport Corporation relates to Objective 7.2.2 and Activities Sensitive to Aircraft Noise (ASAN). This is not considered to be relevant to the current application. The appeal by Transpower seeks amendments to Objective 7.2.6 and related policies 7.2.6.1 – 7.2.6.3. The relief sought is not considered to be relevant to the current application.

Based upon the above, it is considered that Rule 7.5.8.1 and the assessment of the current proposal under the relevant Objectives and Policies of Chapter 7 of the PDP can be afforded full weight. It is noted that the status of the current application is discretionary and does not evoke the gateway tests of s.104 requiring an assessment of ODP Objectives and Policies alongside those of the PDP.

An assessment of PDP Objectives and Policies has been undertaken in part 3 of the current application document.

1.4.4 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012.

RM170614 addressed NES considerations and based upon the scale and nature of the proposal it is considered that the current application does not necessitate any further consideration of NES.

1.5 Classes of activities

Part A of the current application is made under section 127 of the Resource Management Act 1991 as detailed in Part 1.3 above. There are no associated activities included in the proposal which have not already been consented under the original consent or can be undertaken on the property as-of-right.

A number of instruments are registered on the titles for the subject property:

Land Covenant 10097957.3, requires all buildings to be new and signed off by Albatross QT Ltd, building design and materials must be authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Encumbrance 10154387.2, relates to the management of the company The Tiers Management Limited in its duties to monitor and maintain roading, stormwater disposal, pedestrian access and water supply.

Land Covenant 10449745.28, requires all buildings to be new and signed off by Albatross QT Ltd, building design and materials must be authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing

of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Consent Notice 10097957.4, requires the construction of a vehicle crossing to Council standard and payment of additional head works fees where applicable.

Consent Notice 10449745.29, requires to geotechnical constraints on the subject site and payment of additional head works fees where applicable.

Consent Notice 10154387.11, requires lot owners to locate rubbish and recycling bins within their lots on certain days.

Land Covenant 10449745.28, relates to buildings, use of land, no further subdivision, insurance, consequences of breach and conflict.

Copies of the above are contained in Attachment [B] to this application.

The creation of a road boundary in proximity to the approved buildings on the site does not require any further consideration under the above instruments.

Overall, with Parts 1.4 and 1.5 fully considered the current application is a **discretionary** activity.

2.0 ASSESSMENT OF THE ACTIVITY'S EFFECTS ON THE ENVIRONMENT

2.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

It is considered that the proposal will not result in any significant adverse effect on the environment and the location proposed is considered appropriate.

2.2 An assessment of the actual or potential effect on the environment of the activity:

2.2.1 Part A: Variation

It is usual when assessing applications to amend a consented development to treat consented development as forming a consented baseline where any consequent environmental effects could be implemented at any time until it expires, so the purpose of the Act is best met by confining the enquiry to consideration of differences between what is now proposed and what is already consented.

Part 1.3.1 details the removal of Unit 5 and adjustments to the proposed RM170614 scheme plan which are not considered to result in any physical works which are beyond the ambit of the original decision.

The additional balance of land to be transferred as detailed in part 1.3.2 above is not considered to result in any in any physical works which are beyond the ambit of the original decision.

The additional physical works as set out in part 1.3.3 is located on the northern side of the already approved two storey apartment building. Due to the size and location of this extension in relation to the consented apartment building any additional adverse effects upon the environment are considered to be de minimis.

Given the above, the proposal is considered acceptable for the following reasons:

- a. The current application is not considered to frustrate the assessment undertaken and conclusions reached in the approval of the original consent in terms of any physical effect on the locality, including any landscape and visual effects. Therefore, any additional adverse effect on the locality including any landscape and visual effects above or beyond that approved in the original consent is considered to be de minimis.
- b. The current proposal is considered to be within the ambit of the original consent approval and any additional effect above or beyond the original consent on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects is considered to be de minimis.
- c. The current proposal is not considered to frustrate the assessment undertaken and conclusions reached in the approval of the original consent in terms of any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity.
- d. The current proposal is not considered to frustrate the assessment undertaken and conclusions reached in the approval of the original consent in terms of any effect on natural or physical resources.
- e. The original proposal and the current proposal do not include the discharge of contaminants.
- f. The original application and consent decision provided consideration of natural hazards where by virtue of the nature of the original consent application no effect on natural hazards was identified. The current application is not considered to have any bearing on natural hazards.
- g. The original proposal and the current proposal do not include the use of hazardous substances or installations.
- h. The original application was processed on a non-notified basis and due to the nature of the original proposal no persons were considered to be adversely affected. Due to the nature of the

current application no persons are considered to be adversely affected and the notification determination of the original decision remains unfettered by the current application.

- i. No monitoring above or beyond standard consent conditions as required by the original consent.
- j. The proposal will not have any adverse effect on the exercise of a protected customary right.

2.2.2 Part B: Landuse

2.2.2.1 Permitted Baseline

Section 104 of the Resource Management Act 1991 provides that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. A number of activities are permitted on the site and therefore form part of the permitted baseline for the site:

- Residential buildings are a permitted activity in the Low Density Residential Zone up to a maximum height of 8m above ground level.
- Earthworks up to 100m³ of over an area of 200m².
- 40% of the net site area or 3739.2m² of building coverage is anticipated on the subject site.
- 1 residential unit per 450m² is anticipated or 20 units on the subject site.

2.2.2.2 Consented Baseline

Part 1.3 details RM160718 and RM170614 while copies of these decisions are contained in Attachment [D]. RM160181 approves substantial earthworks on the subject site. RM170614 approves the bulk and location of the apartment complex known as The Tiers on the subject site.

2.2.2.3 Any physical effect on the locality, including any landscape and visual effects

The residential scale and character, height, bulk, privacy, views and access to sunlight has been assessed and approved as part of RM170614 where the site affords a considerable consented baseline in this respect.

The streetscape which will result from the vesting of Lot 200 and a roadside boundary will not be a typical streetscape normally contemplated in this zone. It is considered that the streetscape is somewhat unique by virtue of a number of physical attributes of the site where the topography is steep and geological conditions demand considerable work in order for buildings to be constructed. The length of the road is limited and there is no logical connectivity which results in the predominate type of road user being those whom live on the street and are familiar with the road and its configuration.

The roadside setback of buildings appears open at the Potters Hill access point and is only confined towards its mid-section where the reduced setback appears consistent and treated with landscaped areas where possible. The landscape treatment is set out on the plan contained in Attachment [E].

The material appearance of buildings in the street are considered acceptable and appear consistent by virtue of being approved and constructed under one (or two) resource consents and by the same developer. Normally, individual lot owners would determine setback and material appearance which can often lead to inconsistent design themes and appearances.

Based upon the above, it is considered that any adverse effects from the proposal in terms of any physical effect on the locality, including any landscape and visual effects will be de minimis.

2.2.2.4 Any effect on those in the neighbourhood and, where relevant, the wider community including any social, economic or cultural effects:

The subject site is owned by the applicant and the scale and character, height, bulk, privacy, views and access to sunlight has been assessed and approved as part of RM170614. Based upon the consented baseline afforded on the property any adverse effects above or beyond the baseline in terms of any effect on those in the neighbourhood and, where relevant, the wider community including any social, economic or cultural effects are considered to be de minimis.

2.2.2.5 Any effect on ecosystems, including on plants or animals and any physical disturbance of habitats in the vicinity

The site has already been modified from its natural state due to the earthworks undertaken in accordance with RM170614, therefore if any habitats were to be disturbed it would have already occurred.

2.2.2.6 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual or cultural value, or other special value, for present or future generations:

The subject site is not recognised as a site containing any significant aesthetic, recreational, scientific, historical, spiritual or cultural values.

2.2.2.7 Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants.

The proposal does not include the discharge of contaminants.

2.2.2.8 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

An assessment of potential geotechnical constraints has been undertaken by Geosolve Ltd as part of RM170614. The current application is not considered to alter any assessment or conclusion reached as part of RM170614. Subject to the conditions offered in Attachment [F] the current application is not considered to result in any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

3.0 DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT

3.1 Part A: Variation

The original consent considered relevant Objectives and Policies of the Operative District Plan and concluded that the original proposal was consistent with relevant Objectives and Policies.

Section 127 asks that the assessment under the current application references only to the change or cancellation of a condition and the effects of the change or cancellation respectively. Given the scale and nature of the proposed changes to original consent contained in the current application it is considered that the assessment and conclusions reached in terms of relevant Objectives and Policies of the Operative District Plan are not frustrated by the current proposal.

The relevant Chapters of the Proposed District Plan have been assessed and it has been concluded that the current application has little or no bearing on the Objectives, Policies, Standards or Rules contained in the Proposed District Plan.

3.2 Part B: Landuse

3.2.1 Chapter 3 - Strategic Direction

Objective 3.2.1

The development of a prosperous, resilient and equitable economy in the District. (addresses Issue 1)

Policies

- 3.2.1.1 *The significant socioeconomic benefits of well designed and appropriately located visitor industry facilities and services are realised across the District.*
- 3.2.1.2 *The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.*
- 3.2.1.3 *The Frankton urban area functions as a commercial and industrial service centre, and provides community facilities, for the people of the Wakatipu Basin.*
- 3.2.1.4 *The key function of the commercial core of Three Parks is focused on large format retail development.*

- 3.2.1.5 *Local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wanaka town centres 2, Frankton and Three Parks, are sustained.*
- 3.2.1.6 *Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.*
- 3.2.1.7 *Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)*
- 3.2.1.8 *Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)*
- 3.2.1.9 *Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. (also elaborates on S.O. 3.2.2 following)*

In relation to Objective 3.2.1 and related policies 3.2.1.1 – 3.2.1.9 above, the proposal is considered to be consistent with each for the following reasons:

- The proposal does not include visitor industry facilities, services or agricultural landuse;
- The subject site is not located in the Town Centre Zone, Frankton urban area, Three Parks Zone, commercial or industrial centre or Rural area;
- The proposal includes residential development which does not diversify the District's economic base. However, it does create employment opportunities and for the purposes of the Proposed District Plan can be considered 'sustainable';
- The current application has no bearing on the infrastructure already approved as part of RM170614.

Objective 3.2.2

Urban growth is managed in a strategic and integrated manner. (addresses Issue 2)

Policies

- 3.2.2.1 *Urban development occurs in a logical manner so as to:*
 - a. *promote a compact, well designed and integrated urban form;*
 - b. *build on historical urban settlement patterns;*
 - c. *achieve a built environment that provides desirable, healthy and safe places to live, work and play;*
 - d. *minimise the natural hazard risk, taking into account the predicted effects of climate change;*
 - e. *protect the District's rural landscapes from sporadic and sprawling development;*
 - f. *ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;*
 - g. *contain a high quality network of open spaces and community facilities; and.*

h. be integrated with existing, and planned future, infrastructure. (also elaborates on S.O. 3.2.3, 3.2.5 and 3.2.6 following)

In relation to Objective 3.2.2.1 and related policy above, the proposal is considered to be consistent with each for the following reasons set out in part 2 above.

Objective 3.2.3

Policies

3.2.3.1 The District's important historic heritage values are protected by ensuring development is sympathetic to those values.

Objective 3.2.3 is not considered relevant as the site does not contain any District Plan references of historical importance.

Objective 3.2.4

The distinctive natural environments and ecosystems of the District are protected. (addresses Issue 4)

Policies

- 3.2.4.1 Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.*
- 3.2.4.2 The spread of wilding exotic vegetation is avoided.*
- 3.2.4.3 The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved or enhanced.*
- 3.2.4.4 The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.*
- 3.2.4.5 Public access to the natural environment is maintained or enhanced.*

Objective 3.2.4 and related policies have been assessed and due to the location of the subject site coupled with the scale and nature of the current application are not considered to be relevant.

Objective 3.2.5

The retention of the District's distinctive landscapes. (addresses Issues 2 and 4)

Policies

3.2.5.1 The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.

3.2.5.2 The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.

Objective 3.2.5 and related policies have been assessed and due to the location of the subject site coupled with the scale and nature of the current application are not considered to be relevant.

Objective 3.2.6

The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. (addresses Issues 1 and 6)

In relation to Objective 3.2.6, the proposal is considered to be consistent with each for the reasons set out under Objective 3.2.1 above.

Objective 3.2.7

The partnership between Council and Ngāi Tahu is nurtured. (addresses Issue 6).

Policies

- 3.2.7.1 Ngāi Tahu values, interests and customary resources, including taonga species and habitats, and wahi tupuna, are protected.*
- 3.2.7.2 The expression of kaitiakitanga is enabled by providing for meaningful collaboration with Ngāi Tahu in resource management decision making and implementation.*

Objective 3.2.7 and policies 3.2.7.1 and 3.2.7.2 have been assessed and the proposal is considered to be consistent with these as the site is not recognised as containing any items of cultural significance.

Strategic Policies

Strategic policies 3.3.1 – 3.3.35 have been assessed and are not considered to be relevant for the following reasons:

- The subject site is not located in a Town Centre, Commercial, Industrial Zone, Significant Natural Area, Rural area, Outstanding Natural Landscape, and is not located outside of the Urban Growth Boundary;
- The subject site does not contain any District Plan references of historical importance;
- Policies 3.3.33 to 3.3.35 have been assessed and the proposal is considered to be consistent with this policy as the site is not recognised as containing any items of cultural significance.

5.2.2 Chapter 4 – Urban Development

Objective 4.2.1

Objective 4.2.1 and related policies have been assessed and are not considered to be relevant as this policy relates to the administration and application of Urban Growth Boundaries (UGB) where the proposal does not seek to amend the UGB.

Objective 4.2.2A

A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services.

The proposal is considered to be consistent the above Objective for the following reasons:

- The proposal is considered to be a compact and integrated urban form within the UGB;
- The current application has no bearing on the infrastructure already approved as part of RM170614.

Objective 4.2.2B

Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)

Policies

- 4.2.2.1 *Integrate urban development with the capacity of existing or planned infrastructure so that the capacity of that infrastructure is not exceeded and reverse sensitivity effects on regionally significant infrastructure are minimised.*
- 4.2.2.2 *Allocate land within Urban Growth boundaries into zones which are reflective of the appropriate land use having regard to:*
- a. its topography;*
 - b. its ecological, heritage, cultural or landscape significance if any;*
 - c. any risk of natural hazards, taking into account the effects of climate change;*
 - d. connectivity and integration with existing urban development;*
 - e. convenient linkages with public transport;*
 - f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;*
 - g. the need to make provision for the location and efficient operation of regionally significant infrastructure;*
 - h. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;*
 - i. the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies;*
and

- j. the need to locate emergency services at strategic locations.*
- 4.2.2.3 *Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.*
- 4.2.2.4 *Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.*
- 4.2.2.5 *Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.*
- 4.2.2.6 *Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.*
- 4.2.2.7 *Explore and encourage innovative approaches to design to assist provision of quality affordable housing.*
- 4.2.2.8 *In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.*
- 4.2.2.9 *Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting "Crime Prevention Through Environmental Design".*
- 4.2.2.10 *Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.*
- 4.2.2.11 *Ensure that the location of building platforms in areas of low density development within Urban Growth boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.*
- 4.2.2.12 *Ensure that any transition to rural areas is contained within the relevant Urban Growth boundary.*

In relation to Objective 4.2.2B and related policies 4.2.2.1 – 4.2.2.12 above, the assessment under RM170614 has addressed the policies above and subject to conditions of consent the current application is considered to meet the above.

Wakatipu Basin Specific Policies

Policies

- 4.2.2.13 *Define the Urban Growth boundary for Arrowtown, as shown on the District Plan maps that preserves the existing urban character of Arrowtown and avoids urban sprawl into the adjacent rural areas.*
- 4.2.2.14 *Define the Urban Growth boundaries for the balance of the Wakatipu basin, as shown on the District Plan maps that:*
- a. are based on existing urbanised areas;*
 - b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases over the planning period;*

- c. *enable the logical and sequenced provision of infrastructure to and community facilities in new areas of urban development;*
 - d. *avoid Outstanding Natural Features and Outstanding Natural Landscapes;*
 - e. *avoid sprawling and sporadic urban development across the rural areas of the Wakatipu basin.*
- 4.2.2.15 *Ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.*
- 4.2.2.16 *Manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries while at the same time providing for the efficient operation of Queenstown Airport.*
- 4.2.2.17 *Protect the airport from reverse sensitivity effects of any Activity Sensitive to Aircraft Noise via a range of zoning methods.*
- 4.2.2.18 *Ensure that Critical Listening Environments of all new buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise boundary or Outer Control boundary are designed and built to achieve appropriate Indoor Design Sound Levels.*
- 4.2.2.19 *Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise management Plan and a Queenstown Airport Liaison Committee.*
- 4.2.2.20 *Ensure that development within the Arrowtown Urban Growth boundary provides:*
- a. *an urban form that is sympathetic to the character of Arrowtown, including its scale, density, layout and legibility, guided by the Arrowtown Design Guidelines 2016;*
 - b. *opportunity for sensitively designed medium density infill development in a contained area closer to the town centre, so as to provide more housing diversity and choice and to help reduce future pressure for urban development adjacent or close to Arrowtown's Urban Growth boundary;*
 - c. *a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown;*
 - d. *for Feehley's Hill and land along the margins of bush Creek and the Arrow River to be retained as reserve areas as part of Arrowtown's recreation and amenity resource;*
 - e. *recognition of the importance of the open space pattern that is created by the inter-connections between the golf courses and other Rural Zone land.*
- 4.2.2.21 *Rural land outside of the Urban Growth boundaries is not used for urban development until further investigations indicate that more land is needed to meet demand for urban development in the Wakatipu basin and a change to the Plan amends the Urban Growth boundary and zones additional land for urban development purposes.*

In relation to Policies 4.2.2.13 – 4.2.2.21 above, the proposal is considered to be consistent with each for the following reasons:

- The subject site is outside the Arrowtown Urban Growth boundary

- The subject site is outside the control boundaries for Activities Sensitive to Aircraft Noise;
- The proposal does not seek to define the UGB;
- The subject site is not within a Rural area;

3.2.3 Chapter 5 - Tangata Whenua

The current application is for a resource consent. As such, Objective 5.4.1 and its related policies are not considered relevant. It is considered that the proposal is not sufficient in scale to require a collaborative approach with Ngai Tahu in the design of built environment, planting or public spaces. Objectives 5.4.3 to 5.4.5 and related policies have been assessed and these are not considered to be relevant as the site is not recognised as containing any items of cultural significance.

3.2.4 Chapter 6 - Landscapes and Rural Character

The subject site is located in the LDS Zone and not within any ONL or ONF landscapes. Therefore, Chapter 6 is not considered to be relevant.

3.3.5 Lower Density Suburban Residential (LDSR)

Objective 7.2.1

Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.

Policies

- 7.2.1.1 Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure and is designed in a manner consistent with the capacity of infrastructure networks.
- 7.2.1.2 Encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing suburban residential development and maintains suburban residential amenity values including predominantly detached building forms, and predominantly one to two storey building heights.
- 7.2.1.3 Ensure that the height, bulk and location of development maintains the suburban-intensity character of the zone and maintains the amenity values enjoyed by users of neighbouring properties, in particular, privacy and access to sunlight.
- 7.2.1.4 Require, as necessary, all new buildings, relocated buildings and additions and alterations to existing buildings that contain an Activity Sensitive to Road Noise located adjacent to a State Highway to be designed to maintain internal residential amenity values and, in particular provide protection to sleeping occupants from road noise.

In relation to Objective 7.2.1 and related policies 7.2.1.1 – 7.2.1.4 above, the proposal is considered to be consistent with each for the following reasons:

- The current application has no bearing on the infrastructure already approved as part of RM170614.
- Residential intensity, existing and proposed residential scale and character, height, bulk, privacy, views and access to sunlight has been assessed and approved as part of RM170614.
- The subject site is not location adjacent to a State Highway.

Objective 7.2.2

Development is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the severe amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.

Objective 7.2.2 and its related policies 7.2.2.1 – 7.2.2.3 have been assessed and are not considered to be relevant to the proposal as the location of the subject site is outside the Outer Control Boundary.

Objective 7.2.3

Encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.

Policies

- 7.2.3.1 Encourage densities higher than 1:450 square metres per residential unit where this is designed to fit well with the immediate context, with particular significance attached to the way the development:
- a. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping;
 - b. achieves a reasonable level of privacy between neighbours through measures such as deeper boundary setbacks, offsetting habitable room windows that face each other, or the use of screening devices or landscaping;
 - c. provides activation of streets through the placement of doors, windows and openings that face the street.
- 7.2.3.2 Limit building height on sites smaller than 900 square metres that are proposed to be developed for two or more principal units (i.e. excluding residential flats) so as to mitigate a reduction in spaciousness around and between buildings that otherwise forms part of suburban residential amenity values.
- 7.2.3.3 Encourage landscaped areas to be well-designed and integrated into the development layout and design, providing high amenity spaces for recreation and enjoyment, having particular regard to the visual amenity of streets and street frontages.

In relation to Objective 7.2.3 and related policies 7.2.3.1 – 7.2.3.3 above, the proposal is considered to be consistent with each for the following reasons:

- The density of development has been assessed and approved under RM170614;
- The applicant owns the subject site which is yet to be subdivided. This is considered to diminish assessments of effects on neighbours with particular reference to privacy;
- The residential scale and character, height, bulk, privacy, views and access to sunlight has been assessed in part 2 and 4 of the current application;
- The visual amenity of the streetscape is confined by the already approved location of buildings. The buildings design and material appearance are considered acceptable as confirmed by RM170614. The roadside 'building line' appears consistent and treated with landscaped areas where possible as detailed on the landscape plan contained in Attachment [E].
- The future public road offers no thoroughfare or logical connectivity which would invite users other than occupants of the units or visitors to them. This is considered somewhat unique and confirms the reduced setback sought by this consent application will be acceptable to those whom frequent the street.

Objective 7.2.4

Residential development in Arrowtown compatible with the town's existing character.

Objective 7.2.4 and its related policies 7.2.4.1 – 7.2.4.2 have been assessed and are not considered to be relevant to the proposal as the location of the subject site is not located in Arrowtown.

Objective 7.2.5

Community activities serving the needs of people within the zone locate within the zone on sites where adverse effects are compatible with residential amenity values.

Objective 7.2.5 and its related policies 7.2.5.1 – 7.2.5.3 have been assessed and are not considered to be relevant as the proposal does not include any community facilities / activities.

Objective 7.2.6

Development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.

Policies

- 7.2.6.1 Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimises impacts on on-street vehicle parking.
- 7.2.6.2 Ensure development is designed consistent with the capacity of existing infrastructure networks and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.

- 7.2.6.3 Integrate development with all transport networks and in particular, where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).

In relation to Objective 7.2.6 and related policies 7.2.6.1 – 7.2.6.3 above, the proposal is considered to be consistent with each for the following reasons:

- The proposal includes two parking spaces per unit with sufficient manoeuvrability as depicted on the parking plan approved under RM170614;
- The safety and efficiency of the access has been approved under RM170614 where it was concluded that the access arrangements will not compromise the safety of any road user. The use of the same access as public road is not considered to alter the conclusion reached under RM170614;
- Frankton Road contains public transport services. Tracks to Frankton Road within the area have been considered by previous applications as set out in Attachment [D]. The ability of the subject site to provide further pedestrian walkways is limited by the existing topography where it is not considered practicable to improve connections to public transport services.

Objective 7.2.7

Commercial development in the zone is small scale and generates minimal amenity value impacts.

Objective 7.2.7 and its related policies 7.2.7.1 – 7.2.7.4 have been assessed and are not considered to be relevant as the proposal does not include any commercial development.

4.0 OPERATIVE DISTRICT PLAN: RULES AND ASSESSMENT CRITERIA

4.1 Part A: Variation

Queenstown Lakes District Council District Plan

Section 127 asks that the assessment under the current application references only to the change or cancellation of a condition and the effects of the change or cancellation respectively.

The original application was found to be consistent with District Plan assessment criteria as detailed in the assessment set out in the decision document contained in Attachment [D]. The relevant assessment criteria have been considered and due to the limited scale and nature of the current proposal it is concluded that the assessment and conclusions reached towards relevant assessment criteria contained in the District Plan are not frustrated by the current proposal.

4.1 Part B: Landuse

For the reasons set out in part 1.4.3 the only relevant assessment is contained in part 3 above where the proposal is considered to be consistent with each relevant Objective and Policy.

5.0 RESOURCE MANAGEMENT ACT 1991 (RMA 91): PART 2

5.1 Part A: Variation

Section 127 asks that the assessment under the current application references only to the change or cancellation of a condition and the effects of the change or cancellation respectively. The original application was found consistent with Part 2 of the RMA 91. Part 2 of the RMA 91 has been considered and due to the limited scale and nature of the current proposal it is concluded that the assessment and conclusions reached in the original decision are not frustrated by the current proposal.

5.1 Part A: Landuse

The proposal aligns with the Objectives and Policies of the Lower Density Suburban Residential Zone. Future development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy, and mitigate adverse effects of activities on the environment.

Overall, the proposal is in keeping with the purpose and principles of the RMA.

AEE prepared by **Nick Geddes**
CLARK FORTUNE MCDONALD & ASSOCIATES

13th September 2018

ATTACHMENT [B]..... Certificate of Title

ATTACHMENT [C]..... Site Location Plan

ATTACHMENT [D]..... Consent History

ATTACHMENT [E]..... Proposed Plans Variation

ATTACHMENT [F]..... Proposed Conditions

ATTACHMENT [G]..... Proposed Plans Landuse

ATTACHMENT [H]..... PDP Chapter 7



APPENDIX 3 – ENGINEERS ASSESSMENT



ENGINEERING REPORT

TO: Hamish Anderson

FROM: Cameron Jones

DATE: 27/09/2018

APPLICATION DETAILS	
REFERENCE	RM180834
APPLICANT	Alpha Properties NZ Ltd
APPLICATION TYPE & DESCRIPTION	Land Use consent is sought to amend RM170614 to remove one consented unit.
ADDRESS	Lot 10 DP 490069, Potters Hill Drive, Queenstown
ZONING	Low Density Residential
LEGAL DESCRIPTION	Lot 10 DP 490069
SITE AREA	9,886m ²
ACTIVITY STATUS	Discretionary

Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	RM160181 (bulk earthworks for the development). RM160718 & RM170614 (previously consented development and variation).
	Date of site visit	18/05/2018

Location Diagram



Comments		
	Existing Use	The site has consent to construct 14 residential units (RM160718 as varied by RM170614), including associated earthworks (RM160181 as varied by RM170614).
	Neighbours	Residential allotment with an existing development to the east; Council reserve to the north; vacant residential allotments to the south; Potters Hill Drive cul-de-sac head to the west.
	Topography/Aspect	Moderately to steeply sloping towards the south.

The site currently has consent for earthworks and construction of 14 units, as approved by RM160718 & RM160181 and then varied by RM170614. This application seeks to vary RM170614 by removing one residential unit, extending Unit 6, and expanding the balance allotment. This is required to enable access to a further proposed development to the east (RM180674, currently processing).

Transport

Access

As this application opens up the eastern half of the site for further development (a total of 23 units are proposed), both Council's Land Development and Subdivision Code of Practice and Site Standard 14.2.4.1(vi) require the access way to be vested in Council. It is therefore proposed to form the access to the standard shown, which has been agreed upon by Council engineers and the applicant, with a compliant turning head at a point where 8 further units will be serviced (to be constructed if RM170614 is approved).

It has been agreed with Council that reciprocal easements will be put in place for Stage 1 to enable access to Lots 1-4, and the access will vest in Council at Stage 2, including the construction of a turning head. This approach is required as the parent title is subject to a number of legal instruments, and time is needed to remove them in order to vest the road. I recommend an amendment to the staging conditions to make this clear. I recommend a condition that access be provided prior to 224c certification. I recommend a condition that the easement instrument for this right of way include specific provision for the vesting of the access upon completion of Stage 2.

Parking

RM170614 consented parking for all 14 units. The current application removes the parking previously required for Unit 5, and adds two external parking spaces each for Units 7-10. However, the aisle width available for these spaces is inadequate (being 6.0m for a 2.5m space width, where 6.6m is required for Class 1 users), so they have not been included as part of this assessment.

Unit 6 previously had a double garage. In this application the unit has been extended, and a single garage is proposed. Two external parking spaces are shown, 3.5m wide by 5m long, with a 6m aisle. I am satisfied that these parking spaces have been designed in accordance with Council requirements with regard to dimensions, gradient, surfacing and manoeuvring. I recommend a condition that all parking spaces be formed and sealed prior to 224c certification.

Earthworks

Earthworks were approved under RM160181 and varied under RM170614. The landscape plan provided with this application shows the same final contours as the previously approved consents, and I am satisfied that no further earthworks will be required for the current proposal. I make no recommendations with regard to earthworks.

Servicing

Servicing of the development was assessed under RM170614 for a total of 14 residential units and 4 residential flats. I am satisfied that the servicing of the current proposal is feasible, and I recommend that the servicing conditions in RM170614 be amended to reflect the 13 proposed residential units.

Natural Hazards

Council's engineering report for RM170614 makes the following assessment of hazards at the site:

'The QLDC Hazard Register Maps show the site falls within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being "Nil to Low". Based on this hazard category and the site being founded on schist rock, I am satisfied that the proposed buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient. Foundation requirements for the buildings will be addressed under the related building consent and no conditions are necessary.'

I accept this assessment, and I make no recommendations in regard to hazards.

PROJECT INFORMATION	Developers Engineering Representative	Required.	X
	Notice of commencement	Not required.	
	Traffic Management Plan	Required.	X
	Design Certificates	Required.	X
	Completion Certificates	Required.	X
	As built	Required.	X

TITLE	Covenants/consent notices	<p>Council's engineering report for RM170614 makes the following comment regarding the existing consent notices on the lot's title:</p> <p><i>'The following consent notice is relevant (summarised):</i></p> <p><i>Consent notice 10449745.29 conditions:</i></p> <ol style="list-style-type: none"> 1) <i>Geotechnical investigations</i> 2) <i>Construct a vehicle crossing</i> 3) <i>Geotechnical constraints</i> 4) <i>Engineering design to address 3)</i> 5) <i>Geotechnical design</i> 6) <i>Headworks fee upon further subdivision</i> 7) <i>Water pressure system</i> 8) <i>Management company of internal assets</i> <p><i>All of the above matters are addressed satisfactorily in conditions of RM160181 and RM160718 and remain relevant to the revised proposal. I do not recommend any additional conditions.'</i></p> <p>As all of the infrastructure associated with the development is to be vested, the management company previously required is no longer required for the maintenance of infrastructure.</p> <p>However, no consideration was previously made regarding the maintenance of the retaining wall and rock anchors near the northern boundary of the site. As this is one system, failure of one part could lead to failure of the other parts, and maintenance should be undertaken communally by all lot owners. I therefore recommend that an easement be registered over the rock face in favour of all lots, including the requirement for equal shares in any maintenance requirements of the wall.</p>	X
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The recommended changes to the conditions of RM170614 are highlighted yellow below. Additions are underlined and deletions are shown with ~~strike through~~. All conditions not highlighted below are unchanged as part of this assessment.

Varied Land Use Conditions of RM170614

Land Use

General Conditions

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

WJ Cadzow & Associates Ltd

- 'Block A – Typical Plans' Contract 16010 Sheet A-A2-02 Date 07/06/16
- 'Block A – Floor Plans' Contract 16010 RC-A-01 Date 06/26/14
- 'Block A – Elevations Contract 16010 RC-A-03 Date 06/26/14
- ~~'Block B – Floor Plans' Contract 16010 RC-B-01 Date 07/07/16~~
- ~~'Block B – Typical Plans' Contract 16010 Sheet RC-B-02 Date 07/07/16~~
- ~~'Block B – Elevations Contract 16010 RC-B-03 date 07/07/16~~
- ~~'Block B – B & Grid Layout Plans: Sheet A0-03', prepared by WJ CADZOW & Associated Ltd and dated 03/14/17 'Elevations: Sheet A2-02', prepared by WJ CADZOW & Associated Ltd and dated 03/14/17 'Block C – Floor Plans' Contract 16010 RC-C-01 Date 07/07/16~~
- **'Block B – Part Site Plan, 17030, Sheet A0-01' and dated 20/02/2018**
- **'Block B – 'Block & Grid Layout Plans', 17030, Sheet A0-02' and dated 20/02/2018**
- **'Block B – 'Unit 6 – Typical Plans', 17030, Sheet A1-061' and dated 20/02/2018**
- **'Block B – 'Unit 6 – Typical Plans', 17030, Sheet A1-062' and dated 20/02/2018**
- **'Block B – 'Unit 7 – Typical Plans', 17030, Sheet A1-071' and dated 20/02/2018**
- **'Block B – 'Unit 8 – Typical Plans', 17030, Sheet A1-081' and dated 20/02/2018**
- **'Block B – 'Unit 9 – Typical Plans', 17030, Sheet A1-091' and dated 20/02/2018**
- **'Block B – 'Unit 10 – Typical Plans', 17030, Sheet A1-101' and dated 20/02/2018**
- ~~'Tiers Villas: Unit 5 – context: drawing number INT 200', prepared by Yoke~~
- ~~'Tiers Villas: Unit 5 – GF FFL: drawing number INT 210', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – FF FFL: drawing number INT 211', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – SF FFL: drawing number INT 212', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – Courtyard: drawing number INT 213', prepared by Yoke and dated 15/09/2017~~
- ~~'Tiers Villas: Unit 5 – Elevations: drawing number INT 220', prepared by Yoke and dated 15/09/2017~~
- 'Block C – Typical Plans' Contract 16010 Sheet RC-C-02 Date 07/07/16
- 'Block C – Elevations Contract 16010 RC-C-03 Date 07/07/16

Clark Fortune McDonald & Associates

- 'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev ~~D~~**E**
- 'Proposed Units on Lot 10 DP 490069 Height Infringements' Job No 12377 Dwg 8 Sheet 002 Rev ~~E~~**E**
- 'Proposed Units on Lot 10 DP 490069 Section Views' Job No 12377 Dwg 8 Sheet 003 Rev ~~E~~**E**
- 'Proposed Units on Lot 10 DP 490069 Shading Diagrams' Job No 12377 Dwg 8 Sheet 004 Rev ~~E~~**E**
- 'The Tiers Villas Car Parking Layout' Job No 12377 Dwg 10 Sheet 001 Rev D
- 'The Tiers Villas Landscaping & Outdoor Living Spaces: Drawing No. 09 Sheet 001, Rev ~~D~~**E**', prepared by Clark Fortune McDonald & Associates and dated ~~17/09/2017~~ **08/01/17**
- 'Wheelie Bin Plan'
- 'Wheelie Bin Collection Plan'

stamped as approved on 23 January 2017 and 15 November 2017,

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

- 2a. 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.
- 2b. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$290. This initial fee has been set under section 36(1) 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 ~~May~~ 2015~~8~~ 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/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

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

4. 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.
5. Prior to commencing works on site, 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.
6. 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 approval, 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 3, to detail the following engineering works required:
 - a) The provision of a water supply to the 44 **13** residential units and 4 residential flats in the development 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 the 44 **13** residential units and 4 residential flats 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for each of the units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within the site to the Council reticulated stormwater disposal system. The individual lateral connections shall be designed to provide gravity drainage for the entire area within the lot.
 - 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 approval in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service for the suitability of the access by a fire appliance to all hydrants to be constructed on site.
 - f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. 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.
 - g) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. Parking shall be clearly and permanently marked out in accordance with the Clark Fortune McDonald & Associates, ~~Carparking Layout plan, Job No. 12377, Drawing No. 10, Sheet 001, Rev C, 'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev E~~ with visitor parking areas clearly signposted and include wheel stops and vehicle barriers where appropriate. Provision shall be made for stormwater disposal.
 - h) The design and formation of the internal Access Road in accordance with QLDC's Land Development and Subdivision Code of Practice. This shall include the formation of all intersections, in accordance with the latest Austroads intersection design guides. This shall include an appropriate turning head, as per Appendix B of QLDC's Land Development and Subdivision Code of Practice.**
 - i) The provision of barriers for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. These barriers shall be designed in accordance with Part 2.4.5 of AS/NZS 2890.1:2004 and a PS1 producer statement provided to the Principal Engineer at Council prior to installation. A PS4 producer statement or Schedule 1C Completion Certificate from QLDC's Land Development and Subdivision Code of Practice shall be provided following construction and prior to the occupation of the dwelling/building.
 - j) All earthworks and water mains relocation for the site shall be carried out under the conditions of RM160181.
 - k) The consent holder shall provide a geotechnical report addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site is maintained.
 - 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 NZS4404 Schedule 1A Certificate.

Prior to construction of any dwelling/unit

7. The consent holder shall complete any identified geotechnical work from condition **76(k)** above. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.

To be completed when works finish and before occupation of any dwelling/unit

8. Prior to the occupation of any dwelling/unit, 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 way and access lots), Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).

- b) The completion and implementation of all certified works detailed in Condition **7-6** above.
- c) Any power supply connection to the dwelling shall be underground from existing reticulation and in accordance with any requirements and standards of the Network providers.
- d) Any wired telecommunications connection to the dwelling shall be underground from existing reticulation and in accordance with any requirements and standards of the Network provider.
- e) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
- f) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- g) The submission of Completion Certificates from both the Contractor and Approved Engineer for all infrastructure 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 the NZS4404 Schedule 1B and 1C Certificate.
- h) The consent holder shall provide a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms/lots are suitable for the building development. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to occupation.

Prior to construction of any dwelling/unit

- 9. The consent holder shall complete any identified geotechnical work from condition **56(k)** above. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Principal Resource Management Engineer at Council.

Accidental Discovery Protocol

- 10. 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.

Surveyor's Certificate

11. In order to ensure that the proposed buildings are located exactly as proposed in the application and comply with the maximum height control of the Queenstown Lakes District Plan, or the degree of infringement applied for (as it relates to Block 2 and Block 5), the consent holder shall employ an appropriately qualified surveyor at their expense who shall:
- a) Certify to Council in writing that the foundations of each building subject to this consent (comprising 14 Residential Units) have been set out in accordance with the approved consent in terms of levels and position; and
 - b) Confirm to Council in writing upon completion of each building that it has been built in accordance with the approved plans, and complies with the maximum height control/degree of infringement applied for.

Note: The consent holder is advised that they will require a suitably qualified surveyor to carry out a survey of the land, recording the ground levels, prior to any earth works being carried out on the site.

Advice Note:

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 that the proposed upper level dwellings lots are close to the existing reservoir level and are reliant upon the completion of bonded works within Stage 1 RM050520 to achieve necessary domestic and fire fighting flows and pressures. The bonded works will need to be complete prior to occupation.
3. The consent holder is advised that any retaining 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.

Subdivision

General Conditions

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

Clark Fortune McDonald & Associates

- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 001 Rev F', dated 42/10/17 **22/05/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069 - Staging: drawing number 07: sheet 002 Rev F', dated 42/10/17 **22/05/18**

- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 003 Rev F', dated ~~12/10/17~~ **22/05/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 004 Rev F', dated ~~12/10/17~~ **22/05/18**
- 'Lots 1 – 14 & 100 Being a Subdivision of Lot 10 DP 490069: drawing number 07: sheet 005 Rev F', dated ~~12/10/17~~ **22/05/18**

stamped as approved on ~~13 November 2017~~,

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 ~~May~~ 2015~~8~~ 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/planning/resource-consents/qldc-land-development-and-subdivision-code-of-practice/>

4. This subdivision may be staged. For the purposes of issuing approvals under Sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:

Stage 1: Lots 1 – 4. **The access way may be retained as a private right of way.**

Stage 2: Lots 6 – 10. **The access way is required to be vested at this stage.**

Stage 3: Lots 11 – 14. **The access way is required to be vested at this stage.**

Stage 4: Lots 5 and 100

Stage 1 shall precede all other stages. Stages 2 - 4 thereafter may be progressed in any order, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under Sections 223 and 224(c) of the Resource Management Act 1991.

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

5. 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.
6. Prior to commencing works on site, 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.

7. 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 approval, 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 3, to detail the following engineering works required:
- a) The provision of a water supply to the 44 **13** residential units in the development 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 the 44 **13** residential units 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for each of the units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within the site to the Council reticulated stormwater disposal system. The individual lateral connections shall be designed to provide gravity drainage for the entire area within the lot.
 - 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 approval in writing by the Area Manager for the Central North Otago branch of the New Zealand Fire Service for the suitability of the access by a fire appliance to all hydrants to be constructed on site.
 - f) The provision of road lighting in accordance with Council's road lighting policies and standards, including the Southern Light lighting strategy. 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.
 - g) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. Parking shall be clearly and permanently marked out in accordance with the Clark Fortune McDonald & Associates Carparking Layout plan, Job No. 12377, Drawing No. 10, Sheet 001, Rev C, **'Proposed Units on Lot 10 DP 490069' Job No 12377 Dwg 8 Sheet 001 Rev E** with visitor parking areas clearly signposted and include wheel stops and vehicle barriers where appropriate. Provision shall be made for stormwater disposal.
 - h) The design and formation of the internal Access Road in accordance with QLDC's Land Development and Subdivision Code of Practice. This shall include the formation of all intersections, in accordance with the latest Austroads intersection design guides. This shall include an appropriate turning head, as per Appendix B of QLDC's Land Development and Subdivision Code of Practice.**
 - i) The provision of barriers for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. These barriers shall be designed in accordance with Part 2.4.5 of AS/NZS 2890.1:2004 and a PS1 producer statement provided to the Principal Engineer at Council prior to installation. A PS4 producer statement or Schedule 1C Completion Certificate from QLDC's Land Development and Subdivision Code of Practice shall be provided following construction and prior to the occupation of the dwelling/building.
 - j) All earthworks and water mains relocation for the site shall be carried out under the conditions of RM160181.

- k) The consent holder shall provide a geotechnical report addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site is maintained.
- 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 NZS4404 Schedule 1A Certificate.

To be completed before Council approval of the Survey Plan

- 8. 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. **This shall include an easement in favour of all lots over the retaining wall and rock anchors near the northern boundary of the site, which shall include a clause regarding the fact that all lot owners are equally responsible for the maintenance of the retaining wall and rock anchors on the site. Council's solicitors shall confirm the wording is acceptable at the consent holder's expense.**

Note: No service easements in gross shall be created without prior written approval from Council.

- b) **The easement instrument for the right of way over the area shown as 'B' within Lot 5 shall include a clause providing for the surrender of the easement at the time the area shown as 'B' is vested in Council as legal road. Council's solicitors shall confirm the wording is acceptable at the consent holder's expense.**

- c) 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]

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

- 9. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:

- a) **With the exception of Lot 5, p**Prior to certification pursuant to Section 224 (c) of the Act, the construction of one dwelling on each lot shall be confirmed. The residential units are to be completed to a stage where they are fully measurable (ie, the walls, floors and roof shall be constructed).
- b) 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).
- c) The completion and implementation of all works detailed in Condition **8-7** above.
- d) 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.

- e) 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.
- f) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
- g) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
- h) **All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geotechnical professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision, with the Schedule 2A certification including a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall also include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.**
- ~~i) The consent holder shall provide a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.3 and demonstrates to Council that the proposed building platforms/lots are suitable for the building development. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.~~
- j) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition 6 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 NZS4404 Schedule 1B and 1C Certificate.
- k) The submission of Practical Completion Certificates from the Contractor for all assets to be vested in the Council.
- l) 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.
- m) 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.
- n) Road naming shall be carried out, and signs installed, in accordance with Council's road naming policy.
- ~~o) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure associated with the subdivision. The legal documents that are used to set up or that are used to engage the management company are to 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.~~

Ongoing Conditions/Consent Notices

10. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.

- a) ~~With the exception of Lot 5, a~~ All lot owners are required to be part of a management entity. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading, service infrastructure and facilities associated with the development.
- b) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
- c) All owners/occupiers of any Residential Unit shall ensure that rubbish and recycling bins are located in immediate proximity to their residential units and on their own sites, or within the 'right to store rubbish' easement identified on the scheme plan, on all days except for those when refuse/recycling by Council is scheduled. Bins may however be taken to the collection points on the evening of the day preceding the scheduled collection.
- d) In the event that the Schedule 2A certificate issued under Condition **(89)** contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers. The consent notice condition shall read; *"Prior to any construction work (other than work associated with geotechnical investigation), 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."*

Advice Note:

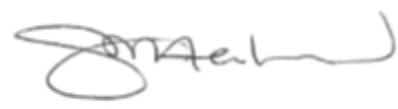
1. This consent triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information please contact the DCN Officer at QLDC.
2. The consent holder is advised that the proposed upper level dwellings lots are close to the existing reservoir level and are reliant upon the completion of bonded works within Stage 1 RM050520 to achieve necessary domestic and fire fighting flows and pressures. The bonded works will need to be complete prior to occupation.
3. The consent holder is advised that any retaining 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.

Prepared by:



Cameron Jones
LAND DEVELOPMENT ENGINEER

Reviewed by:



Steve Hewland
LAND DEVELOPMENT ENGINEER

DRAWING INDEX

Sheet Number	Sheet Name	Current Revision Date	Current Revision
A0-01	Part Site Plan		
A0-02	Block B - Block & Grid Layout Plans		
A0-03	Block B - Drainage Connection Plan		
A1-061	Unit 6 - Typical Plans		
A1-062	Unit 6 - Typical Plans		
A1-063	Unit 6 - Concrete Plans		
A1-064	Unit 6 - Concrete Plans		
A1-065	Unit 6 - Reflected Ceiling Plans		
A1-066	Unit 6 - Roof Plans		
A1-071	Unit 7 - Typical Plans		
A1-072	Unit 7 - Concrete Plans		
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A1-081	Unit 8 - Typical Plans		
A1-082	Unit 8 - Concrete Plans		
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A1-092	Unit 9 - Concrete Plans		
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A8-02	Isometric Views		
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A8-04	Isometric Views		
A8-05	Isometric Views		

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018

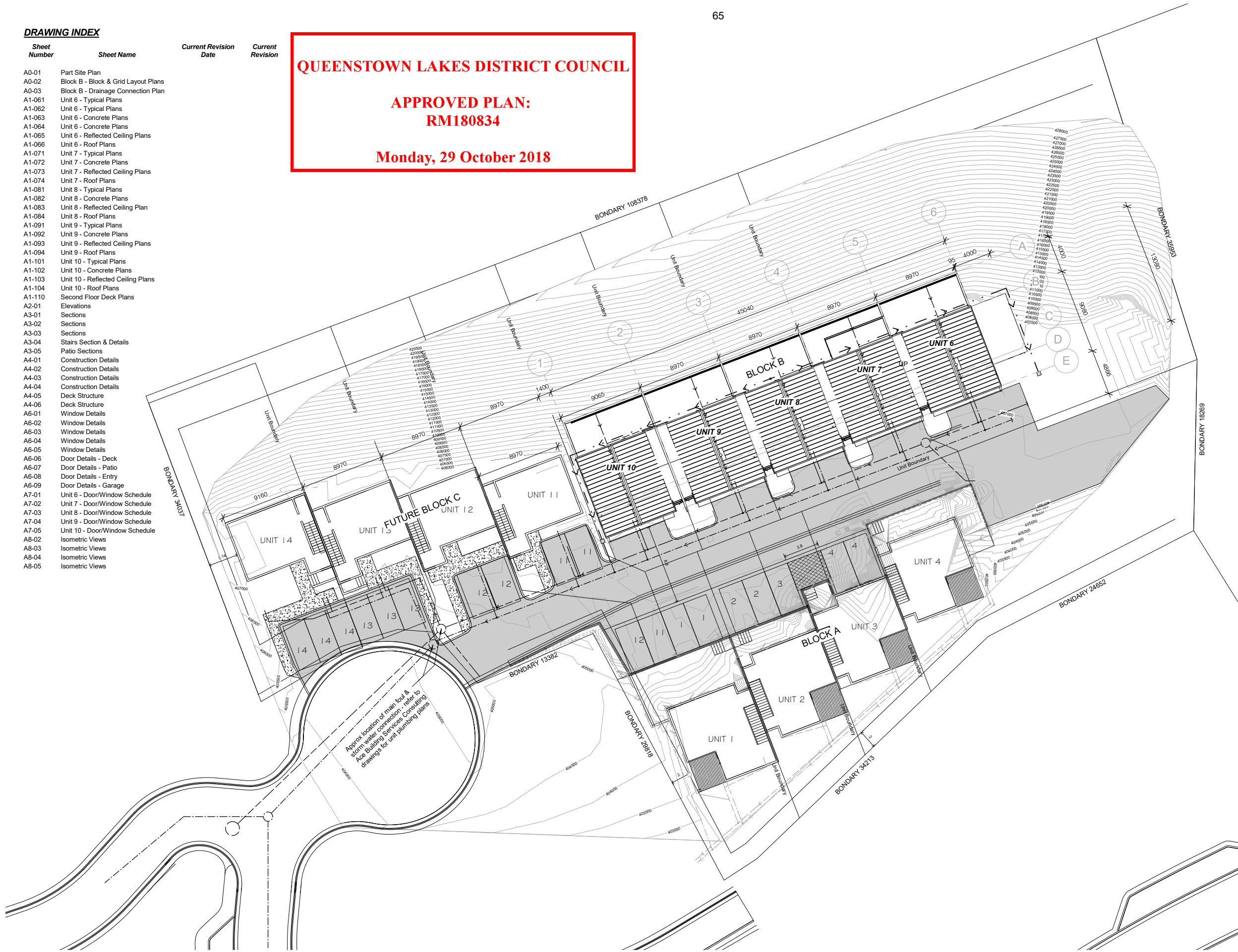


LEGAL DESCRIPTION

658a Frankton Road, Frankton
Lot 384 DP 490069
Site Area: 5426m²
Building Footprint: 495m²
Site Coverage: 12%
Wind Zone: VERY HIGH
Altitude: 408m (sub-alpine)

NOTE:

Drawings to be read in conjunction with Clark Fortune McDonald & Associates Engineering Design plans.
Refer to CFM design plans for Foul Drainage layout, Stormwater Drainage layout, Water Reticulation Layout & Gas Reticulation layout.



Site Plan -

1 : 200

PRELIMINARY
FOR APPROVAL
20/02/2018 9:44:37 AM



Date	Revision Description	No.

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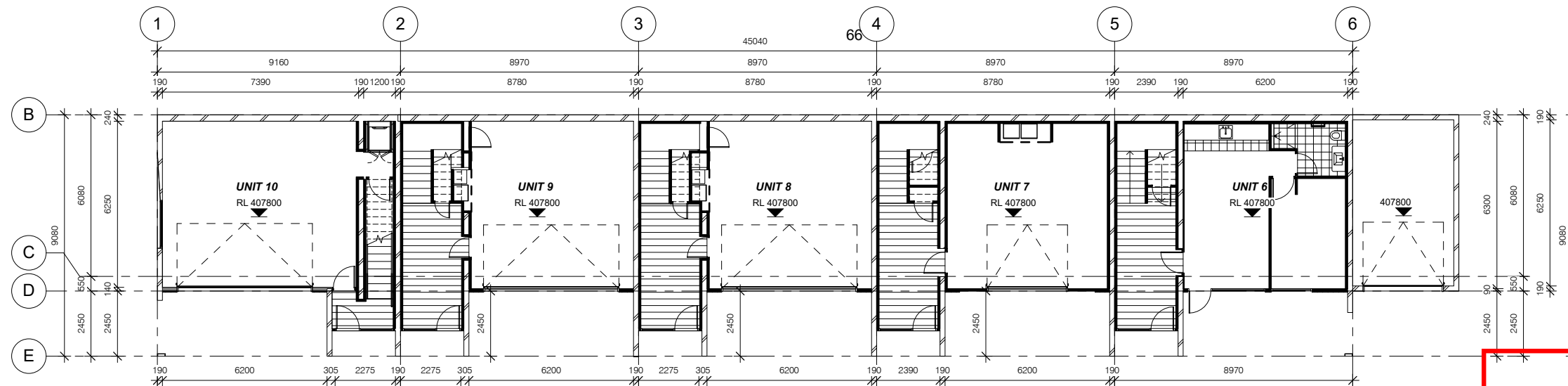
Contract: **THE TIERS VILLAS - Block B**
For: **ALPHA PROPERTIES NZ LTD**
658a Frankton Road
Queenstown

AT Scale: **As indicated** Date: 03/04/14

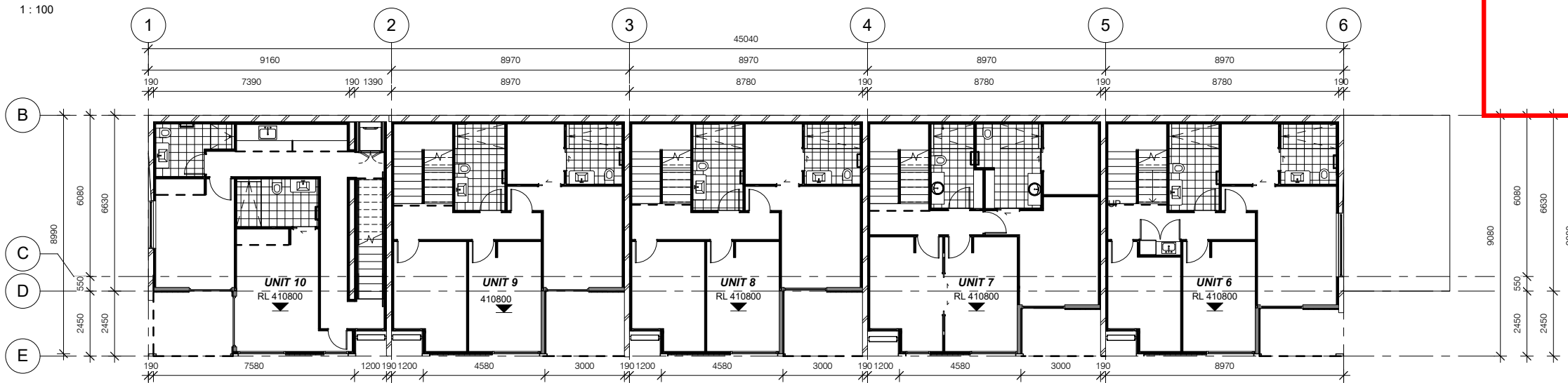
Sheet Title: **Part Site Plan**

Contract: **17030** Sheet: **A0-01**
CAD File Name: _____
Revision: _____

FOR APPROVAL **A1**



Part Block B Ground Floor Plan
1 : 100



Part Block B First Floor Plan
1 : 100



Part Block B Second Floor Plan
1 : 100

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



Date	Revision Description	No.

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Contract:
THE TIERS VILLAS - Block B
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

AT Scales: 1 : 100 Date: 07/07/16

Sheet Title:
Block B - Block & Grid Layout Plans

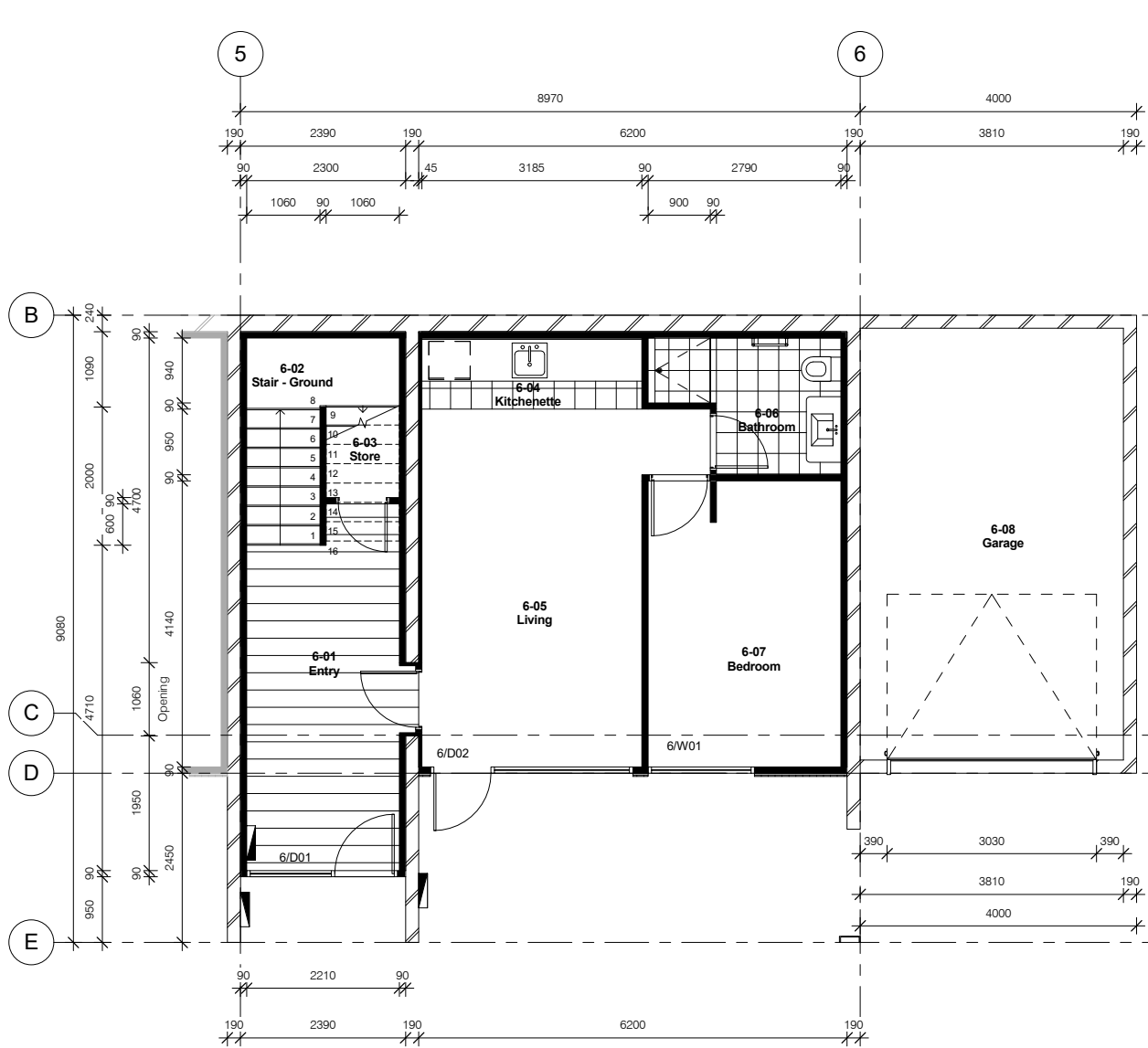
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CAD File Name: Or

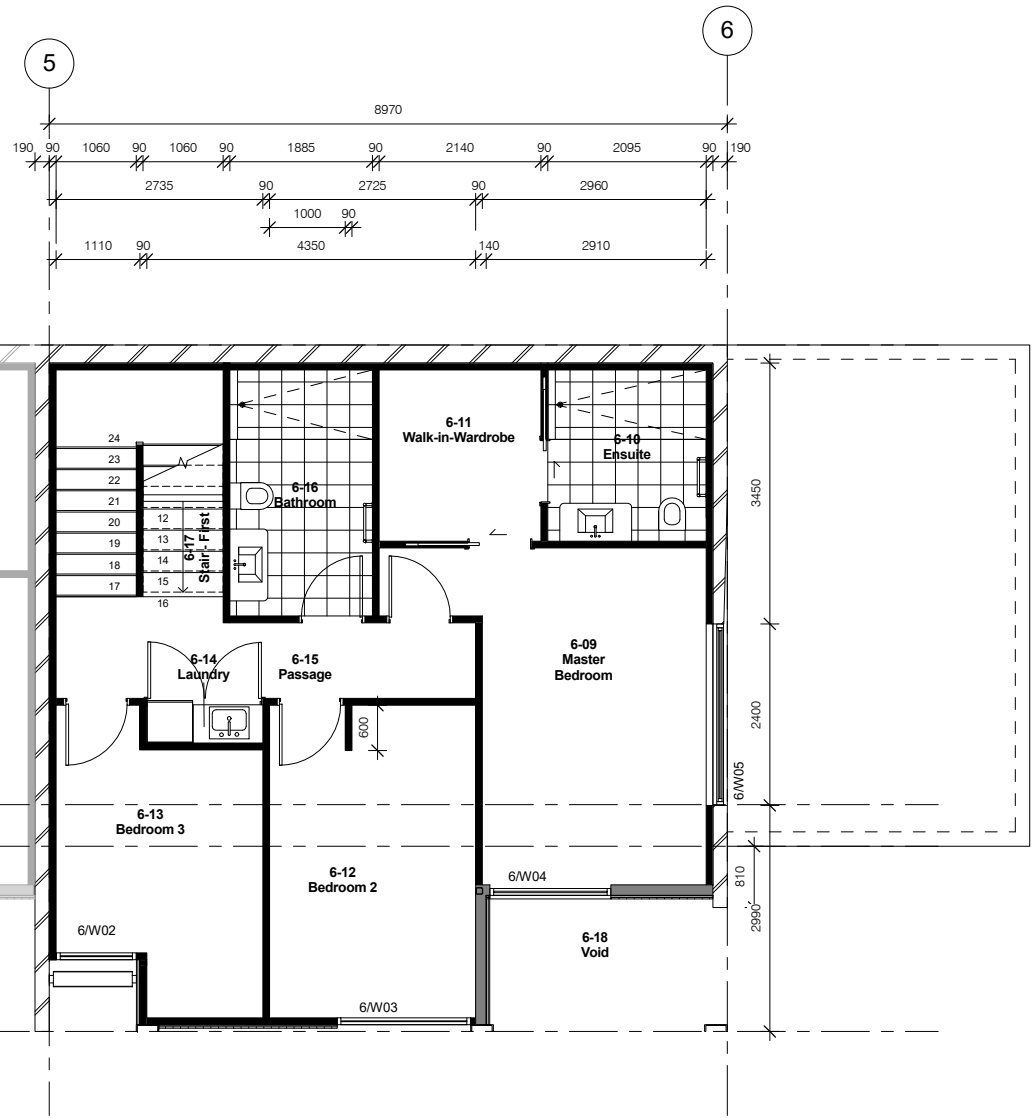
Revision: FOR APPROVAL A1

PRELIMINARY
FOR APPROVAL
20/02/2018 9:44:40 AM





Unit 6 Ground Floor Plan
1 : 50



Unit 6 First Floor Plan
1 : 50

GENERAL NOTES

1. Stud spacings to all exterior framed walls to be 400mm, unless noted otherwise
2. Stud spacings to all interior non-loadbearing walls to be 600mm unless noted otherwise
3. All bottom plates to exterior wall framing to be fixed to concrete slab with M12 galvanised anchor bolts @ 800mm c/s max. Bolts to be complete with 50x50x3mm washers
4. All bottom plates to internal framed walls to be fixed to concrete slab with M12 Trubolts @ 800mm c/s max
5. All bottom plates to have a minimum of two fixings per plate
6. All top plates to be fixed to all studs in accordance with Table 8.18 NZS3604:2011, Fixing Type B (2/90x3.15 end nails + 2 wire dogs)
7. All timber lintels to top storey to be fixed in accordance with Fig. 8.12 NZS3604:2011 for concrete slab and with strap to lintel / stud connection
8. All trimmer studs to lintels to be in accordance with Fig. 8.15 and Table 8.5 of NZS3604:2011
9. All trusses to be fixed to top plates in accordance with Table 10.14 Fixing Type E (2/90x3.15 skew nails + 2 wire dogs)
10. All purlins to be fixed to trusses in accordance with Table 10.10 NZS3604:2011 Fixing Type T (1/10g self drilling screw, 80mm long)
11. All other timber frame construction to comply strictly in accordance with NZS3604:2011
12. All timber framed external walls to be wrapped with James Hardie 6mm RAB Board.
13. All timber topplates to internal non-loadbearing walls to be be shot fixed to underside of floor system at 800mm c/s
14. All wet areas to have approved non-slip flooring tiles, walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications
15. All showers to be wet floor tiled showers, Provide shower floor falls to floor waste gully.

Refer to Engineers Drawings & Specifications for slab & foundation details, sizing, location & lintel sizes.

WALL LEGEND

- New 90x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- New 140x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- 20 Series Concrete block Ardex Shelterseal 5000HD tanking system to exterior 70x45mm H3.1 timber battens over Thermakraft Covertex 403 building wrap 70mm Expol Platinum Board insulation 10mm Gib Standard to interior
- Interconnected Smoke Detection System - go to NZS4514:2009. Refer fire report
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board (Location TBC)

WET AREAS

1. Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications.
2. Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapel Mapepeum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4 & 5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
3. Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
4. All joinery units including vanities to be sealed around perimeter to floor.

FLOOR FINISHES

- Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuities, Laundry's & Kitchen areas
- Selected timber strip flooring overlay on backing
- Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdure Quickbuild Deck Frame and Support System
- All other areas, including stair, to be selected carpet

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018

Unit 6 Room Names

6-01	Entry	11 m²
6-02	Stair - Ground	3 m²
6-03	Store	2 m²
6-04	Kitchenette	3 m²
6-05	Living	17 m²
6-06	Bathroom	4 m²
6-07	Bedroom	11 m²
6-08	Garage	24 m²
6-09	Master Bedroom	14 m²
6-10	Ensuite	5 m²
6-11	Walk-in-Wardrobe	5 m²
6-12	Bedroom 2	11 m²
6-13	Bedroom 3	9 m²
6-14	Laundry	1 m²
6-15	Passage	6 m²
6-16	Bathroom	6 m²
6-17	Stair - First	7 m²
6-18	Void	0 m²
6-19	Dining	15 m²
6-20	WC	2 m²
6-21	Kitchen	13 m²
6-22	Living	26 m²
6-23	Deck	0 m²
6-24	Stair - Second	7 m²
6-25	Patio	34 m²
		238 m²

PRELIMINARY
FOR APPROVAL
20/02/2018 9:44:40 AM



Date	Revision Description	No.
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Contract: **THE TIERS VILLAS - Block B**
For : **ALPHA PROPERTIES NZ LTD**
658a Frankton Road
Queenstown

AT Scales: 1 : 50 Date: 03/14/17

Sheet Title: **Unit 6 - Typical Plans**

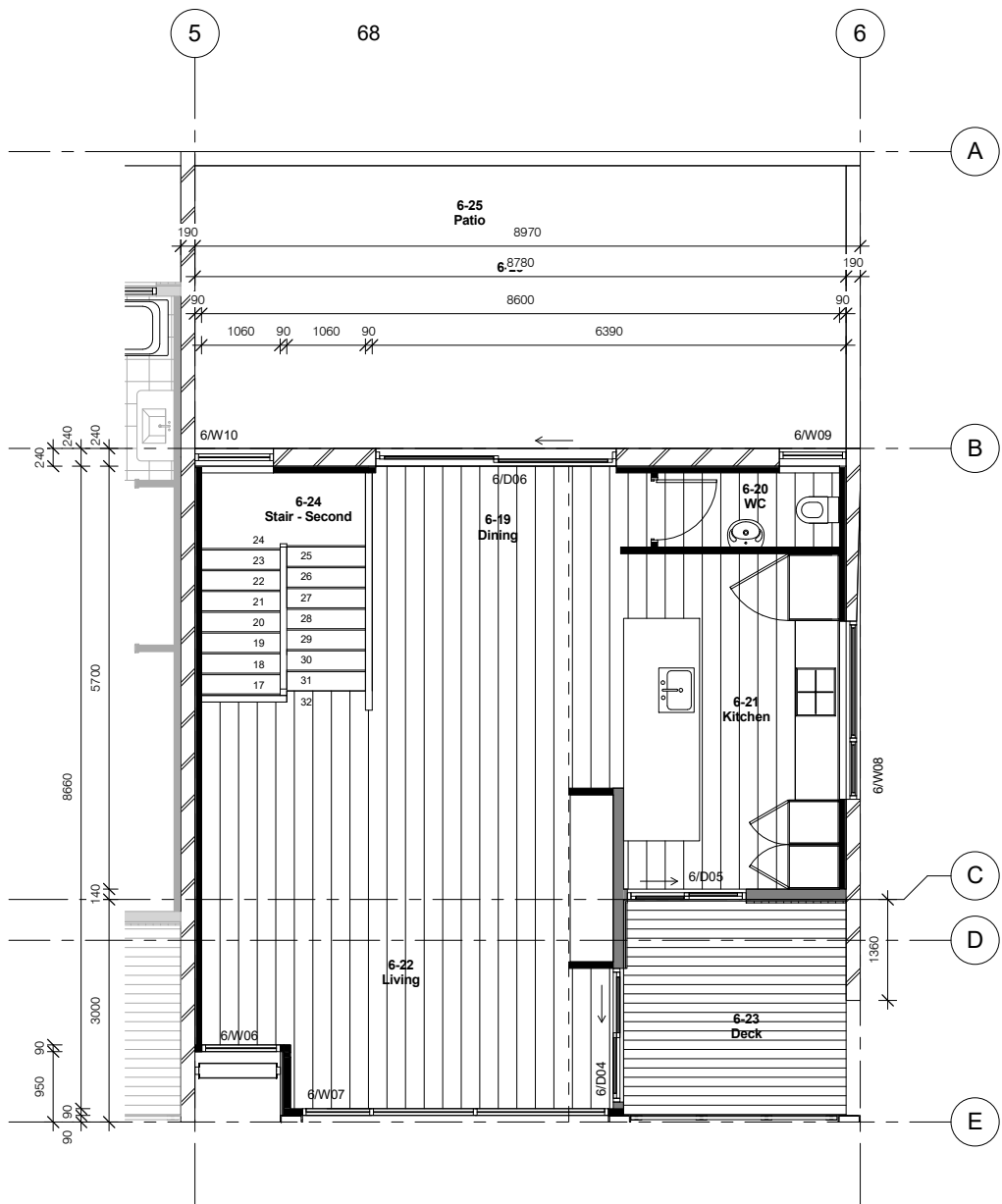
Contract: **17030** Sheet: **A1-061**
CAD File Name: Or
Revision: FOR APPROVAL **A1**



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



Unit 6 Second Floor Plan

1 : 50

GENERAL NOTES

- Stud spacings to all exterior framed walls to be 400mm, unless noted otherwise
- Stud spacings to all interior non-loadbearing walls to be 600mm unless noted otherwise
- All bottom plates to exterior wall framing to be fixed to concrete slab with M12 galvanised anchor bolts @ 800mm c/s max. Bolts to be complete with 50x50x3mm washers
- All bottom plates to internal framed walls to be fixed to concrete slab with M12 Trubolts @ 800mm c/s max
- All bottom plates to have a minimum of two fixings per plate
- All top plates to be fixed to all studs in accordance with Table 8.18 NZS3604:2011, Fixing Type B (2/90x3.15 end nails + 2 wire dogs)
- All timber lintels to top storey to be fixed in accordance with Fig. 8.12 NZS3604:2011 for concrete slab and with strap to lintel / stud connection
- All trimmer studs to lintels to be in accordance with Fig. 8.15 and Table 8.5 of NZS3604:2011
- All trusses to be fixed to top plates in accordance with Table 10.14 Fixing Type E (2/90x3.15 skew nails + 2 wire dogs)
- All putlogs to be fixed to trusses in accordance with Table 10.10 NZS3604:2011 fixing Type T (1/10g self drilling screw, 80mm long)
- All other timber frame construction to comply strictly in accordance with NZS3604:2011
- All timber framed external walls to be wrapped with James Hardie 6mm RAB Board.
- All timber topplates to internal non-loadbearing walls to be shot fixed to underside of floor system at 800mm c/s
- All wet areas to have approved non-slip flooring tiles, walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications
- All showers to be wet floor tiled showers, Provide shower floor falls to floor waste gully.

Refer to Engineers Drawings & Specifications for slab & foundation details, sizing, location & lintel sizes.

WALL LEGEND

- New 90x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- New 140x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
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- Interconnected Smoke Detection System - go to NZS4514:2009. Refer fire report
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board (Location TBC)

WET AREAS

- Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications.
- Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapel Mapegum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4 & 5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
- Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
- All joinery units including vanities to be sealed around perimeter to floor.

FLOOR FINISHES

- Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuites, Laundry's & Kitchen areas
- Selected timber strip flooring overlay on backing
- Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdure Quickbuild Deck Frame and Support System

All other areas, including stair, to be selected carpet

PRELIMINARY
FOR APPROVAL
20/02/2018 9:44:41 AM



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

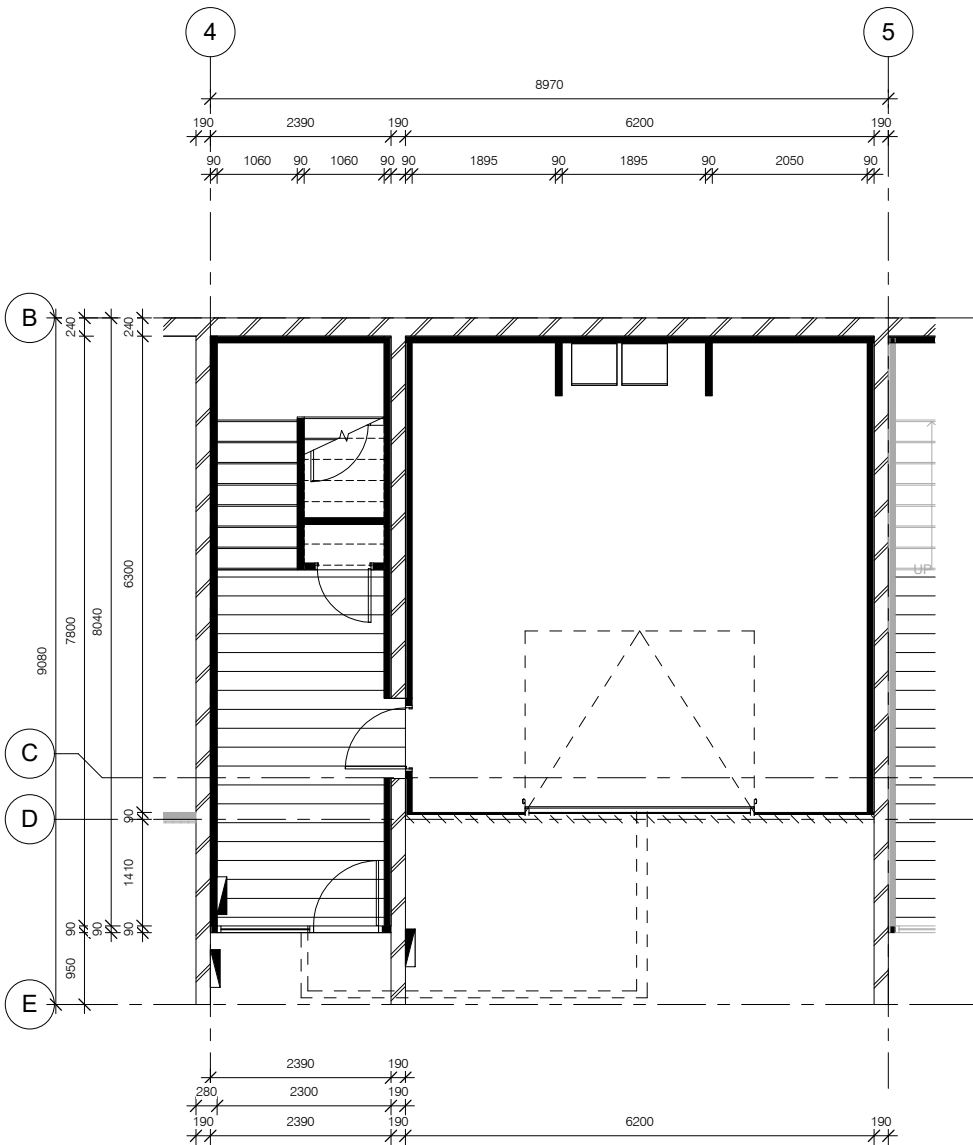
Contract: **THE TIERS VILLAS - Block B**
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

AT Scales: 1 : 50 Date: 02/19/18

Sheet Title: **Unit 6 - Typical Plans**

Contract: **17030** Sheet: **A1-062**
CAD File Name: Or
Revision: FOR APPROVAL **A1**





Unit 7 Ground Floor Plan

1 : 50
GENERAL NOTES

1. Stud spacings to all exterior framed walls to be 400mm, unless noted otherwise
2. Stud spacings to all interior non-loadbearing walls to be 600mm unless noted otherwise
3. All bottom plates to exterior wall framing to be fixed to concrete slab with M12 galvanised anchor bolts @ 800mm c/s max. Bolts to be complete with 50x50x3mm washers
4. All bottom plates to internal framed walls to be fixed to concrete slab with M12 Trubolts @ 800mm c/s max
5. All bottom plates to have a minimum of two fixings per plate
6. All top plates to be fixed to all studs in accordance with Table 8.18 NZS3604:2011. Fixing Type B (2/90x3.15 end nails + 2 wire dogs)
7. All timber lintels to top storey to be fixed in accordance with Fig. 8.12 NZS3604:2011 for concrete slab and with strap to lintel / stud connection
8. All trimmer studs to lintels to be in accordance with Fig. 8.15 and Table 8.5 of NZS3604:2011
9. All trusses to be fixed to top plates in accordance with Table 10.14 NZS3604:2011 Fixing Type E (2/90x3.15 skew nails + 2 wire dogs)
10. All putins to be fixed to trusses in accordance with Table 10.10 NZS3604:2011 Fixing Type T (1/10g self drilling screw, 80mm long)
11. All other timber frame construction to comply strictly in accordance with NZS3604:2011.
12. All timber framed external walls to be wrapped with James Hardie 6mm RAB Board.
13. All timber topplates to internal non-loadbearing walls to be shot fixed to underside of floor system at 800mm c/s
14. All wet areas to have approved non-slip flooring tiles, walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications
15. All showers to be wet floor tiled showers. Provide shower floor falls to floor waste gully.

Refer to Engineers Drawings & Specifications for slab & foundation details, sizing, location & lintel sizes.

WALL LEGEND

- New 90x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- New 140x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- 20 Series Concrete block Ardex Shelterseal 5000HD tanking system to exterior 70x45mm H3.1 timber battens over Thermakraft Covertex 403 building wrap 70mm Expat Platinum Board insulation 10mm Gib Standard to interior
- Interconnected Smoke Detection System - go to NZS4514:2009. Refer fire report
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board (Location TBC)

WET AREAS

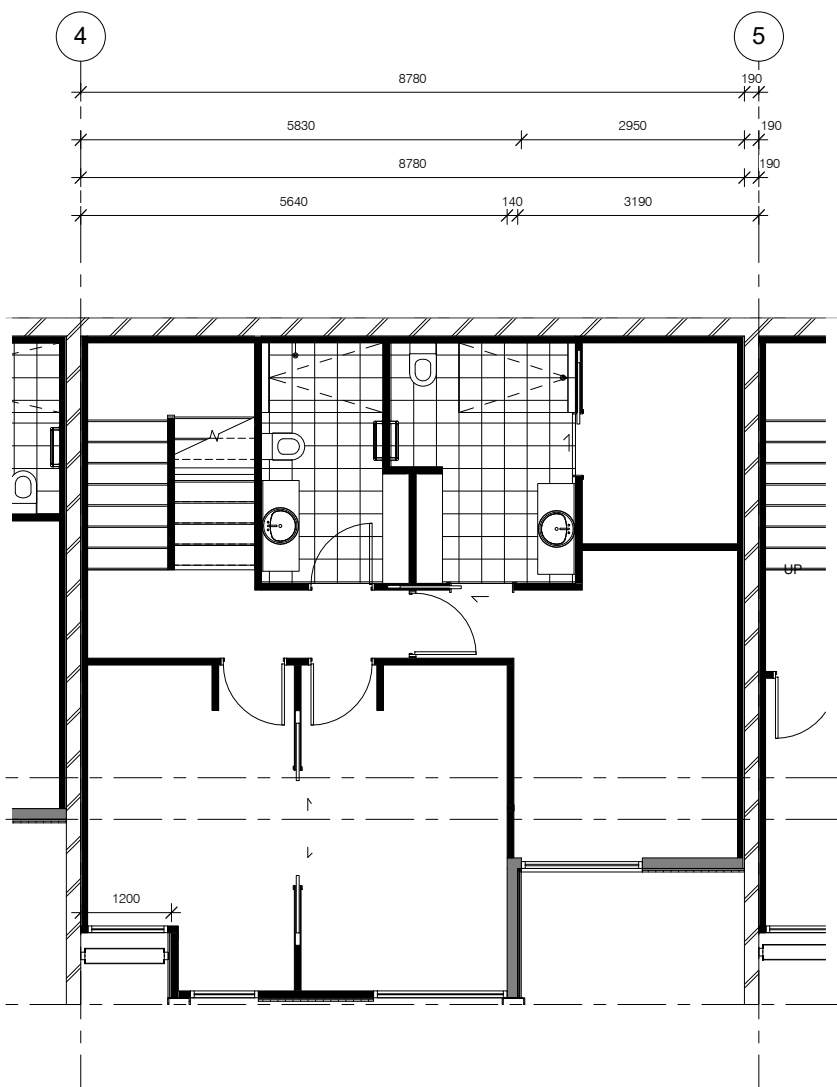
1. Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications.
2. Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapei Mapeugum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4 & 5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
3. Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
4. All joinery units including vanities to be sealed around perimeter to floor.

FLOOR FINISHES

- Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuites, Laundry's & Kitchen areas
- Selected timber strip flooring overlay on backing
- Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdure Quickbuild Deck Frame and Support System
- All other areas, including stair, to be selected carpet

Unit 7 First Floor Plan

1 : 50



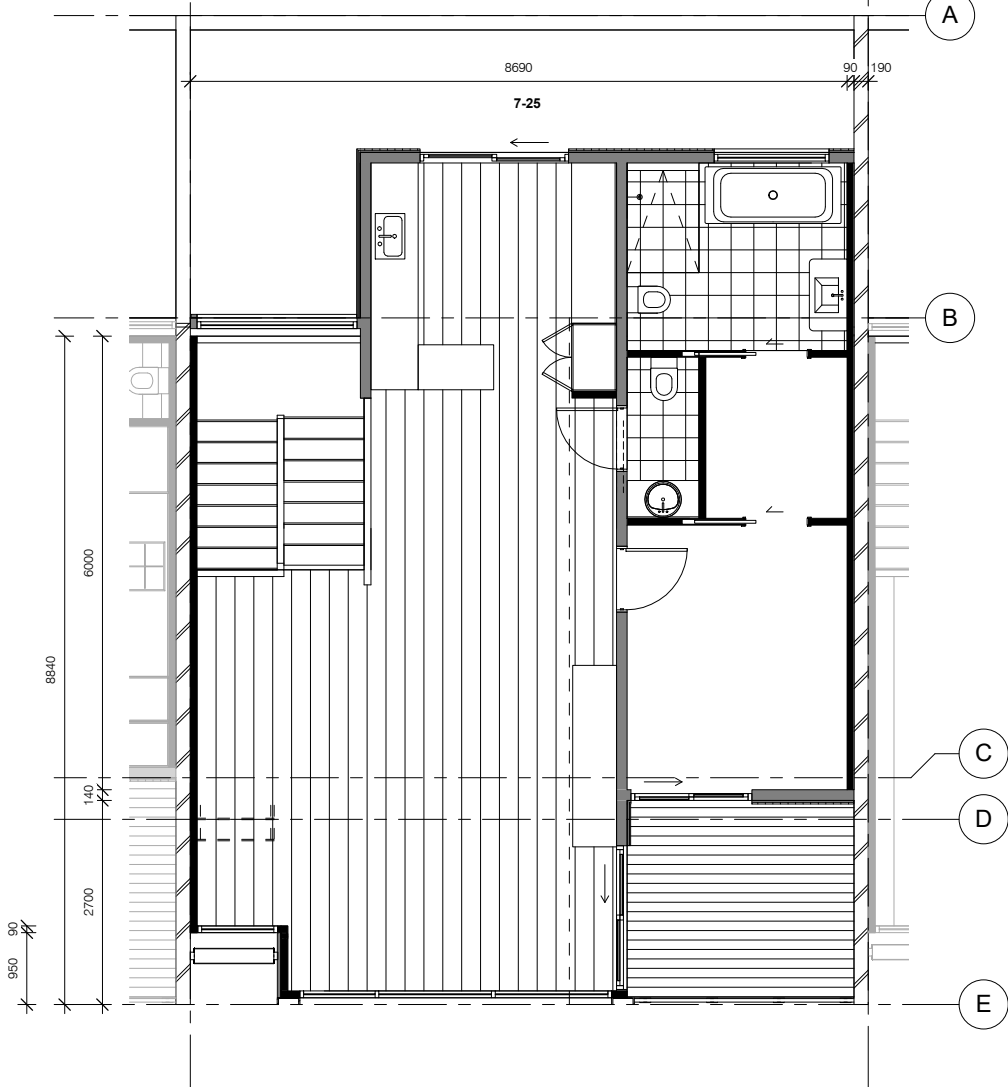
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018

Unit 7 Second Floor Plan

1 : 50



LOWER LEVEL
MID LEVEL
UPPER LEVEL
DECK
PATIO
TOTAL

58m²
61m²
61m²
9m²
34m²
223m²

Unit 7 Room Names

7-01	Entry	11 m²
7-02	Double Garage	36 m²
7-03	Laundry	1 m²
7-04	Coat	1 m²
7-05	Stair - Ground	3 m²
7-06	Store	1 m²
7-07	Master Bedroom 1	13 m²
7-08	Ensuite	7 m²
7-09	Walk-in-Wardrobe	5 m²
7-10	Bed 3 / Media	12 m²
7-11	Bedroom 4	11 m²
7-12	Passage	4 m²
7-13	Bathroom	6 m²
7-14	Deck	5 m²
7-15	Stair - First	7 m²
7-16	Master Bedroom 2	10 m²
7-17	Walk-in-Wardrobe	4 m²
7-18	Ensuite	7 m²
7-19	Living	25 m²
7-20	Dining	12 m²
7-21	Kitchen	10 m²
7-22	WC	2 m²
7-23	Deck	8 m²
7-24	Stair - Second	7 m²
7-25	Patio	14 m²
7-26	Spa	5 m²
		226 m²

PRELIMINARY
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20/02/2018 9:44:42 AM



Date	Revision Description	No.

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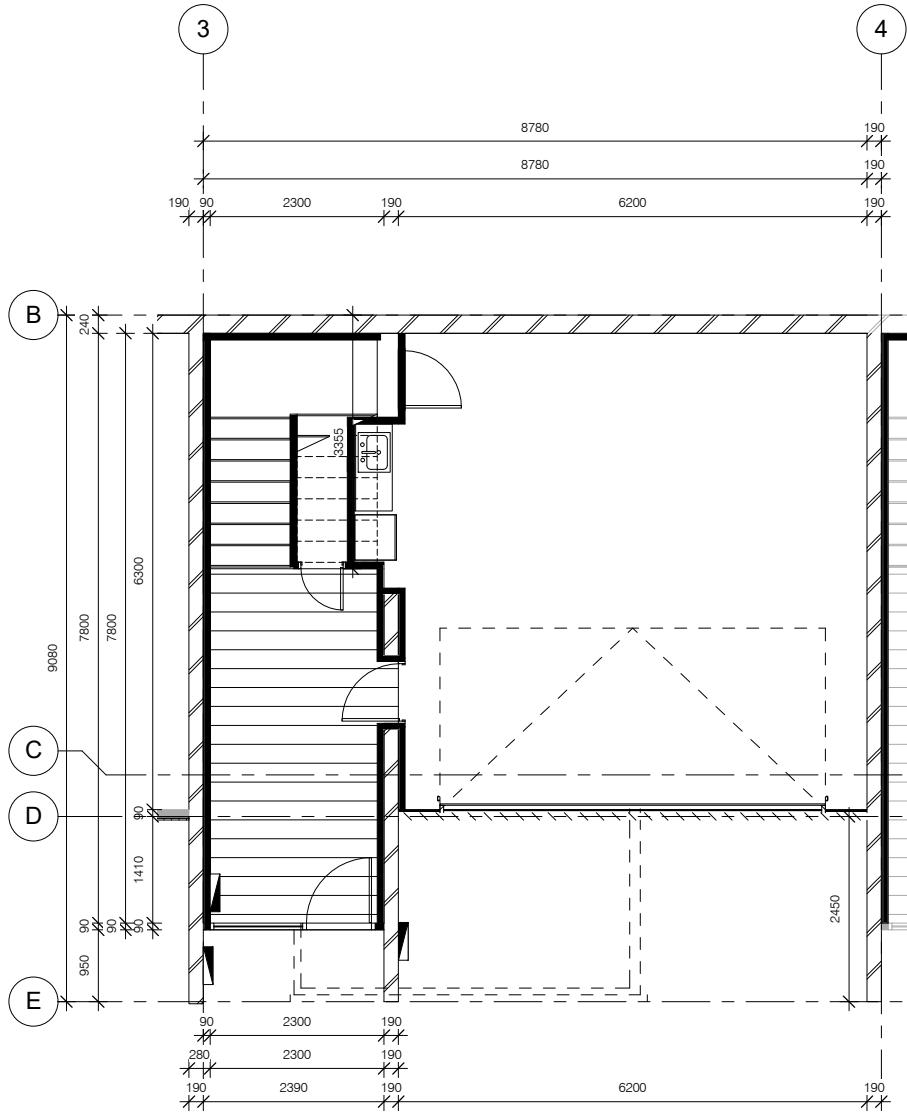
Contract:
THE TIERS VILLAS - Block B
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

AT Scales: 1 : 50 Date: 02/20/17

Sheet Title: Unit 7 - Typical Plans

Contract: 17030 Sheet: A1-071
CAD File Name: Or
Revision: FOR APPROVAL A1





Unit 8 Ground Floor Plan

1 : 50

GENERAL NOTES

1. Stud spacings to all exterior framed walls to be 400mm, unless noted otherwise
2. Stud spacings to all interior non-loadbearing walls to be 600mm unless noted otherwise
3. All bottom plates to exterior wall framing to be fixed to concrete slab with M12 galvanised anchor bolts @ 800mm c/s max. Bolts to be complete with 50x50x3mm washers
4. All bottom plates to internal framed walls to be fixed to concrete slab with M12 Trubolts @ 800mm c/s max
5. All bottom plates to have a minimum of two fixings per plate
6. All top plates to be fixed to all studs in accordance with Table 8.18 NZS3604:2011, Fixing Type B (2/90x3.15 end nails + 2 wire dogs)
7. All timber lintels to top storey to be fixed in accordance with Fig. 8.12 NZS3604:2011 for concrete slab and with strap to lintel / stud connection
8. All trimmer studs to lintels to be in accordance with Fig. 8.15 and Table 8.5 of NZS3604:2011
9. All trusses to be fixed to top plates in accordance with Table 10.14 Fixing Type E (2/90x3.15 skew nails + 2 wire dogs)
10. All putins to be fixed to trusses in accordance with Table 10.10 NZS3604:2011 fixing Type T (1/10g self drilling screw, 80mm long)
11. All other timber frame construction to comply strictly in accordance with NZS3604:2011
12. All timber framed external walls to be wrapped with James Hardie 6mm RAB Board.
13. All timber topplates to internal non-loadbearing walls to be be shot fixed to underside of floor system at 800mm c/s
14. All wet areas to have approved non-slip flooring tiles, walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications
15. All showers to be wet floor tiled showers, Provide shower floor falls to floor waste gully.

Refer to Engineers Drawings & Specifications for slab & foundation details, sizing, location & lintel sizes.

WALL LEGEND

- New 90x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- New 140x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- 20 Series Concrete block Ardex Shelterseal 5000HD tanking system to exterior 70x45mm H3.1 timber battens over Thermakraft Covertex 403 building wrap 70mm Expol Platinum Board insulation 10mm Gib Standard to interior
- Interconnected Smoke Detection System - go to NZS4514:2009. Refer fire report
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board (Location TBC)

WET AREAS

1. Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications.
2. Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapel Mapegum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4 & 5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
3. Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
4. All joinery units including vanities to be sealed around perimeter to floor.

Unit 8 First Floor Plan

1 : 50

FLOOR FINISHES

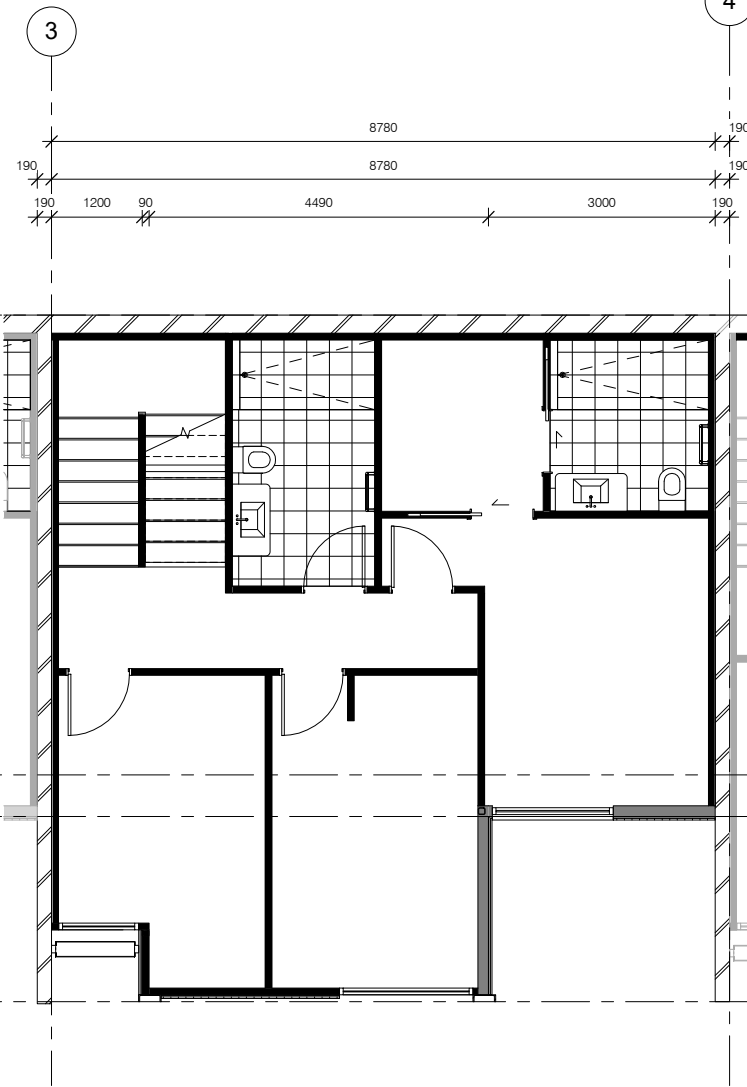
- Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuites, Laundry's & Kitchen areas
- Selected timber strip flooring overlay on backing
- Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdure Quickbuild Deck Frame and Support System

All other areas, including stair, to be selected carpet

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



Unit 8 Second Floor Plan

1 : 50

LOWER LEVEL
MID LEVEL
UPPER LEVEL
DECK
PATIO
TOTAL

Unit 8 Room Names

8-01	Room	11 m²
8-02	Stair - Ground	3 m²
8-03	Store	3 m²
8-04	Laundry	1 m²
8-05	Double Garage	38 m²
8-06	Master Bedroom	12 m²
8-07	Walk-in-Wardrobe	5 m²
8-08	Ensuite	5 m²
8-09	Bedroom 2	11 m²
8-10	Bedroom 3	10 m²
8-11	Passage	6 m²
8-12	Passage	6 m²
8-13	Void	7 m²
8-14	Stair - First	7 m²
8-15	Dining	15 m²
8-16	WC	2 m²
8-17	Kitchen	13 m²
8-18	Living	26 m²
8-19	Deck	8 m²
8-20	Room	7 m²
8-21	Patio	34 m²
		231 m²

PRELIMINARY
FOR APPROVAL
20/02/2018 9:44:44 AM



Date	Revision Description	No.
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Contract: THE TIERS VILLAS - Block B
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

AT Scales: 1 : 50 Date: 04/05/17

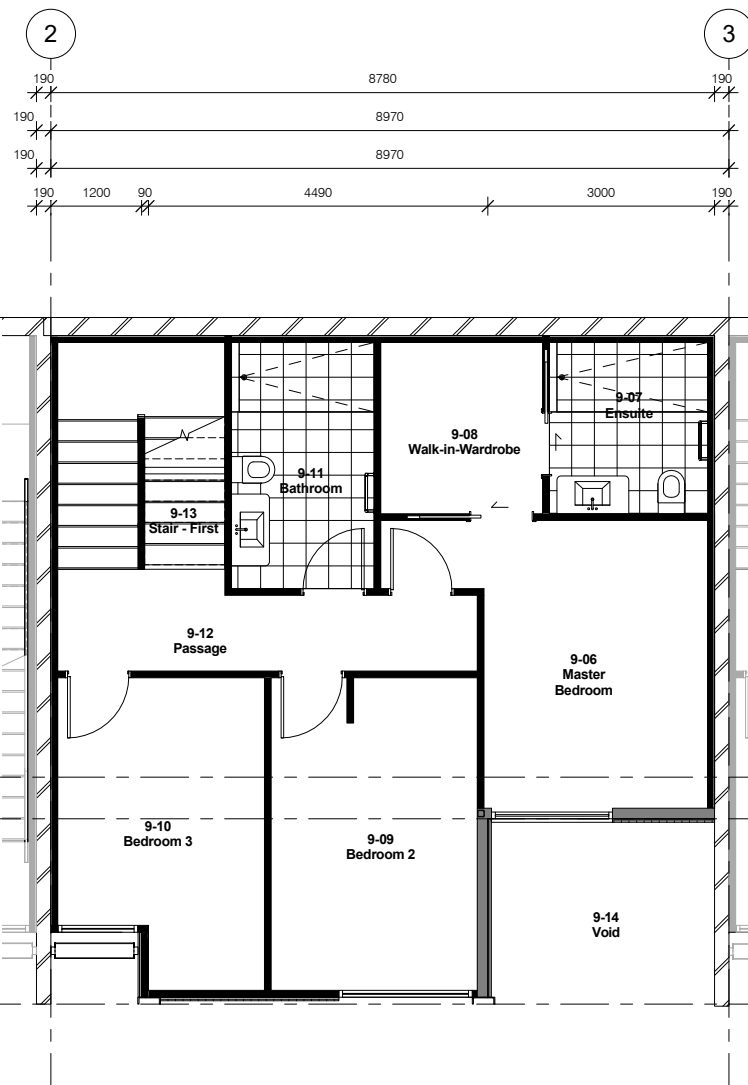
Sheet Title: Unit 8 - Typical Plans

Contract: 17030 Sheet: A1-081

CAD File Name: Or

Revision: FOR APPROVAL A1









Unit 9 First Floor Plan

1 : 50

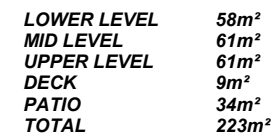
FLOOR FINISHES

1. Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villoboard fixed to manufacturers specifications.
2. Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapei Mapesum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4 & 5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
3. Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
4. All joinery units including vanities to be sealed around perimeter to floor.

- | | |
|---|---|
|  | Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuites, Laundry's & Kitchen areas |
|  | Selected timber strip flooring overlay on backing |
|  | Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdura Quickbuild Deck Frame and Support System |
|  | All other areas, including stair, to be selected carpet |

All other areas, including stair, to be selected carpet

Monday, 29 October 2018



9-01	Entry	11 m ²
9-02	Double Garage	38 m ²
9-03	Laundry	1 m ²
9-04	Stair	3 m ²
9-05	Store	2 m ²
9-06	Master Bedroom	12 m ²
9-07	Ensuite	5 m ²
9-08	Walk-in-Wardrobe	5 m ²
9-09	Bedroom 2	11 m ²
9-10	Bedroom 3	10 m ²
9-11	Bathroom	6 m ²
9-12	Passage	6 m ²
9-13	Stair - First	7 m ²
9-14	Void	7 m ²
9-15	Dining	15 m ²
9-16	WC	2 m ²
9-17	Kitchen	13 m ²
9-18	Living	26 m ²
9-19	Deck	8 m ²
9-20	Stair - Second	7 m ²
9-21	Patio	34 m ²
		230 m ²

Phone: (03) 459 4196
Fax: (03) 459 5076
12 Thomas Street
Mosgiel 9024
New Zealand

WJ
CADZOW
& ASSOCIATES
E.O.

Building Design and Draughting Services

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Contract:

THE TIERS VILLAS - Block B
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

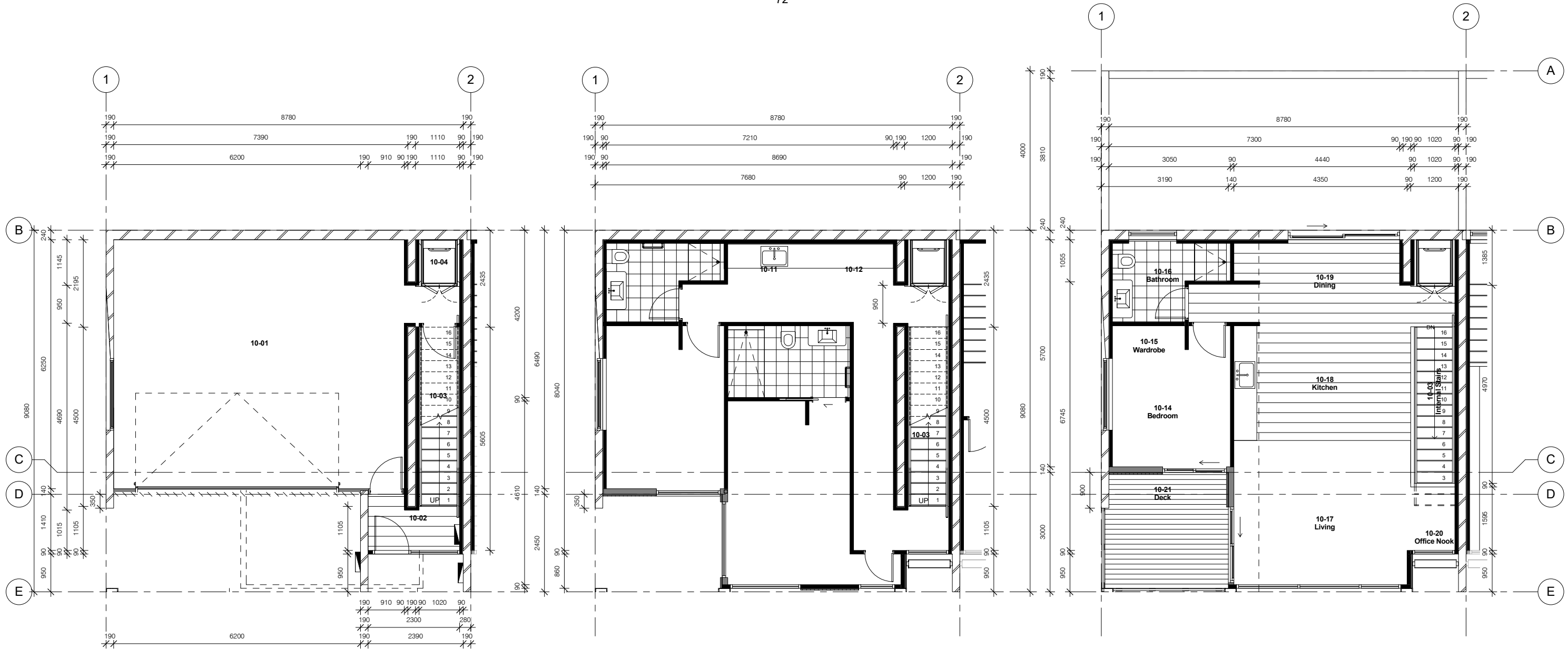
AT Scales:

Date:

Sheet Title :

Unit 9 - Typical Plans

Contract:	Sheet:
17030	A1-091
CAD File Name:	Of
	Revision:
FOR APPROVAL	A1



Unit 10 Ground Floor Plan
1 : 50

Unit 10 First Floor Plan
1 : 50

Unit 10 Second Floor Plan
1 : 50

GENERAL NOTES

- Stud spacings to all exterior framed walls to be 400mm, unless noted otherwise
- Stud spacings to all interior non-loadbearing walls to be 600mm unless noted otherwise
- All bottom plates to exterior wall framing to be fixed to concrete slab with M12 galvanised anchor bolts @ 800mm c/s max. Bolts to be complete with 50x50x3mm washers
- All bottom plates to internal framed walls to be fixed to concrete slab with M12 Trubolts @ 800mm c/s max
- All bottom plates to have a minimum of two fixings per plate
- All top plates to be fixed to all studs in accordance with Table 8.18 NZS3604:2011, Fixing Type B (2/90x3.15 end nails + 2 wire dogs)
- All timber lintels to top storey to be fixed in accordance with Fig. 8.12 NZS3604:2011 for concrete slab and with strap to lintel / stud connection
- All trimmer studs to lintels to be in accordance with Fig. 8.15 and Table 8.5 of NZS3604:2011
- All trusses to be fixed to top plates in accordance with Table 10.14 Fixing Type E (2/90x3.15 skew nails + 2 wire dogs)
- All putins to be fixed to trusses in accordance with Table 10.10 NZS3604:2011 Fixing Type T (1/10g self drilling screw, 80mm long)
- All other timber frame construction to comply strictly in accordance with NZS3604:2011
- All timber framed external walls to be wrapped with James Hardie 6mm RAB Board.
- All timber topplates to internal non-loadbearing walls to be shot fixed to underside of floor system at 800mm c/s
- All wet areas to have approved non-slip flooring tiles, walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications
- All showers to be wet floor tiled showers, Provide shower floor falls to floor waste gully.

Refer to Engineers Drawings & Specifications for slab & foundation details, sizing, location & lintel sizes.

WALL LEGEND

- New 90x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- New 140x45mm H1.2 SG8 framing Studs @ 400mm c/s max. 10mm Gib Standard to interior
- 20 Series Concrete block Ardex Shelterseal 5000HD tanking system to exterior 70x45mm H3.1 timber battens over Thermakraft Covertex 403 building wrap 70mm Expol Platinum Board insulation 10mm Gib Standard to interior
- Interconnected Smoke Detection System - go to NZS4514:2009. Refer fire report
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board (Location TBC)

WET AREAS

- Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villaboard fixed to manufacturers specifications.
- Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapei Mapeugum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4 & 5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
- Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
- All joinery units including vanities to be sealed around perimeter to floor.

FLOOR FINISHES

- Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuites, Laundry's & Kitchen areas
- Selected timber strip flooring overlay on backing
- Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdure Quickbuild Deck Frame and Support System
- All other areas, including stair, to be selected carpet

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018

LOWER LEVEL 58m²
MID LEVEL 61m²
UPPER LEVEL 61m²
DECK 9m²
PATIO 34m²
TOTAL 223m²

Unit 10 Room Names

10-01	Double Garage	47 m²
10-02	Entry	3 m²
10-03	Internal Stairs	4 m²
10-04	Lift	1 m²
10-05	Master Bedroom	14 m²
10-06	Wardrobe	1 m²
10-07	Ensuite	6 m²
10-08	Bedroom 2	11 m²
10-09	Wardrobe	1 m²
10-10	Bathroom	5 m²
10-11	Laundry	2 m²
10-12	Storage	2 m²
10-13	Passage	14 m²
10-14	Bedroom	9 m²
10-15	Wardrobe	1 m²
10-16	Bathroom	5 m²
10-17	Living	16 m²
10-18	Kitchen	14 m²
10-19	Dining	10 m²
10-20	Office Nook	2 m²
10-21	Deck	8 m²
10-22	Patio	35 m²

PRELIMINARY
FOR APPROVAL
20/02/2018 9:44:47 AM



Date	Revision Description	No.

Do Not Scale From These Drawings.
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Contract: THE TIERS VILLAS - Block B
For: ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

AT Scales: 1 : 50 Date: 07/07/16

Unit 10 - Typical Plans

Contract: 17030 Sheet: A1-101
CAD File Name: Or
Revision: FOR APPROVAL A1

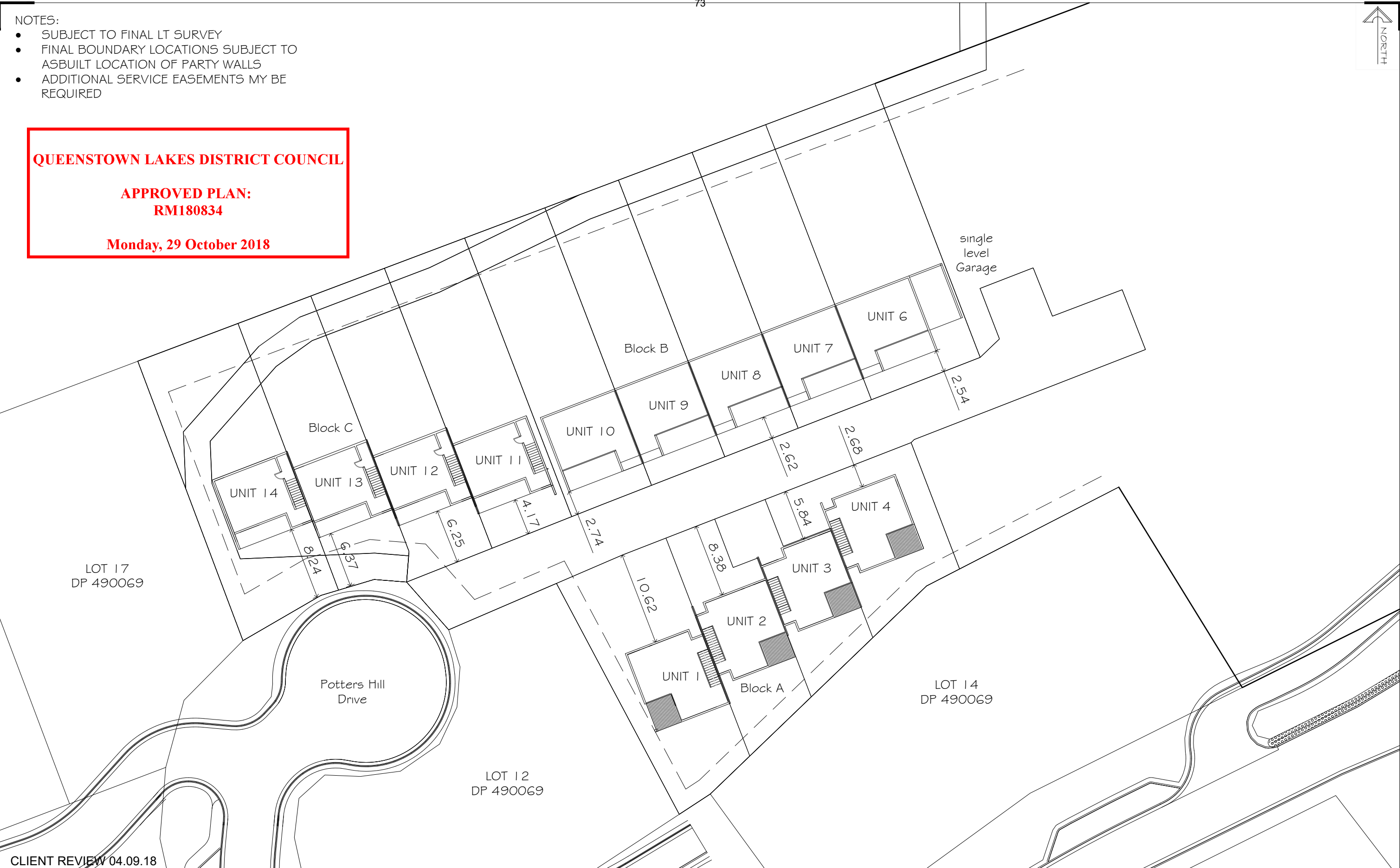
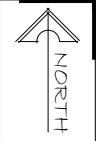


- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

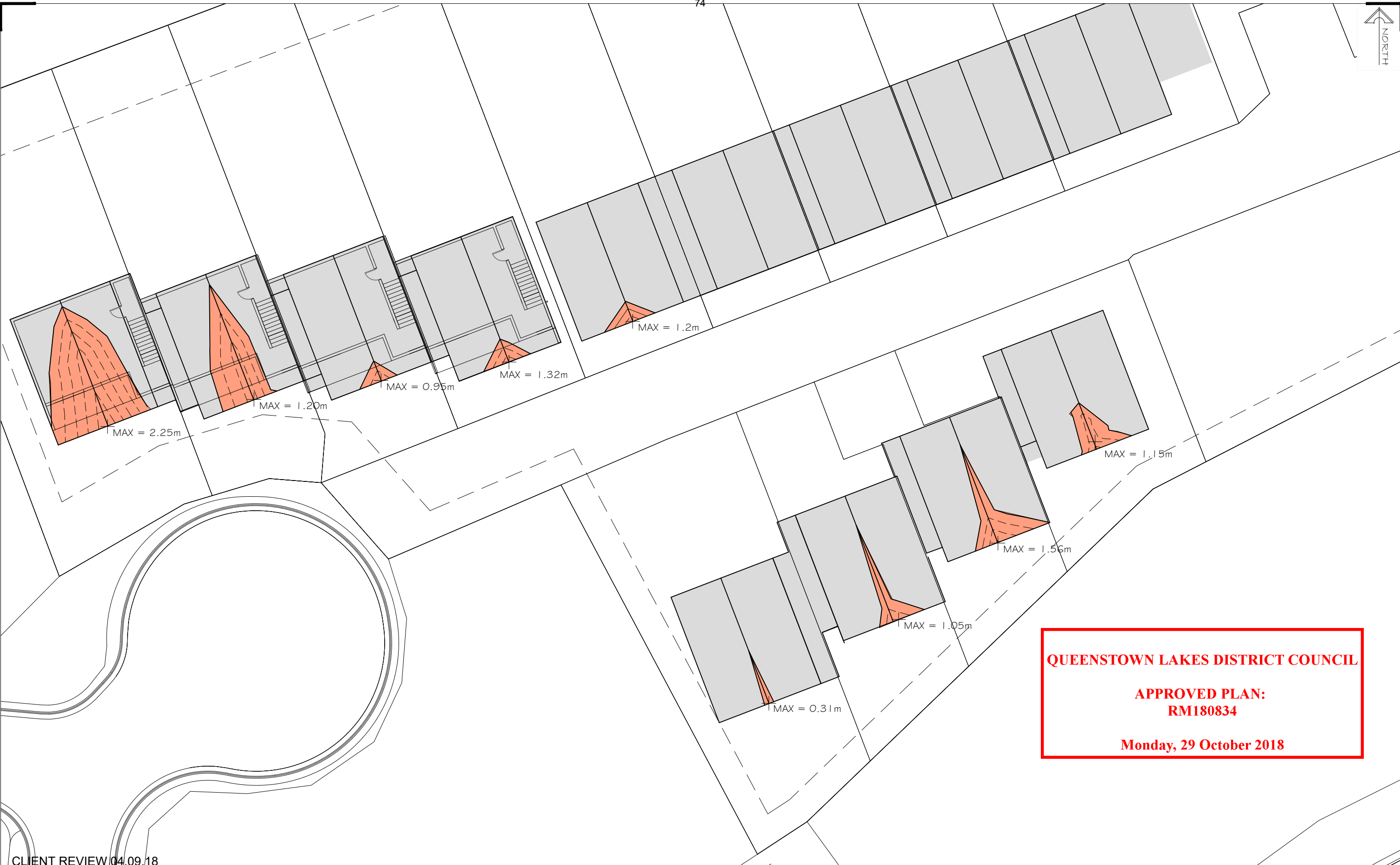
Monday, 29 October 2018



CLIENT REVIEW 04.09.18

 <div>Clark Fortune McDonald & Associates</div> <div>Licensed Cadastral Surveyors - Land Development - Planning Consultants</div> <div>309 Lower Shotover Road, P.O.Box 553 Queenstown</div> <div>Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz</div> <div>Shop 2, Otago House, 475 Moray Place, P.O. Box 5960</div> <div>Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz</div>	Shotover Design Limited trading as			Rev.	Date	Revision Details	By	<div>PROPOSED UNITS ON LOT 10 DP 490069</div>										Client	Surveyed	Signed	Date	Job No.	Drawing No.	
	A	26.09.16	Adjust unit sizes	RB											ALPHA PROPERTIES LTD	-		-	12377	08				
	B	26.09.16	Add carparks	RB												Drawn	Signed	Date	Scale	Sheet 001				
	C	17.04.17	Add Extra units	RB												RWB			1:200 @ A1					
	D	11.10.17	Update Block B location	RB															1:400 @ A3					
	E	22.05.18	Update Unit 6 & remove 5	RB												Designed	Signed	Date	Datum & Level	Rev.				
	F	04.09.18	Update boundaries	RB												-		-	Mt Nic 2000 & MSL	F				
										Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.														

S:\JOBS\12300\12377\acad\12377_08_The Tiers villas_Proposed units_REV6.dwg Plotted: 19.09.2018




QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018

CLIENT REVIEW 04.09.18



Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

PROPOSED UNITS ON LOT 10 DP 490069

HEIGHT INFRINGEMENTS

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
		-		-	12377	08
		Drawn	Signed	Date	Scale	Sheet 002
		RWB			1:125 @ A1	
		Designed	Signed	Date	Datum & Level	Rev.
		-		-	Mt Nic 2000 & MSL	E

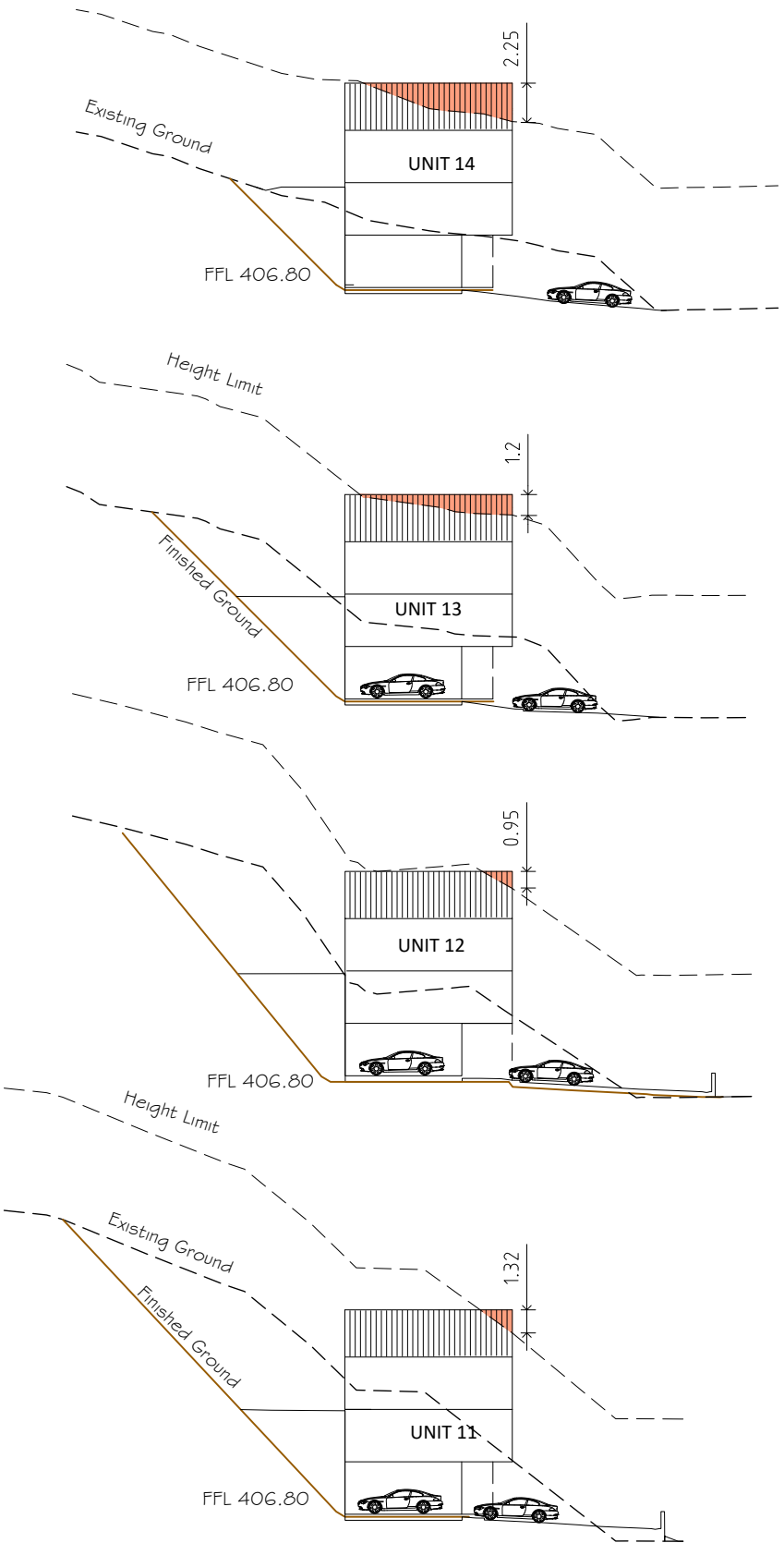
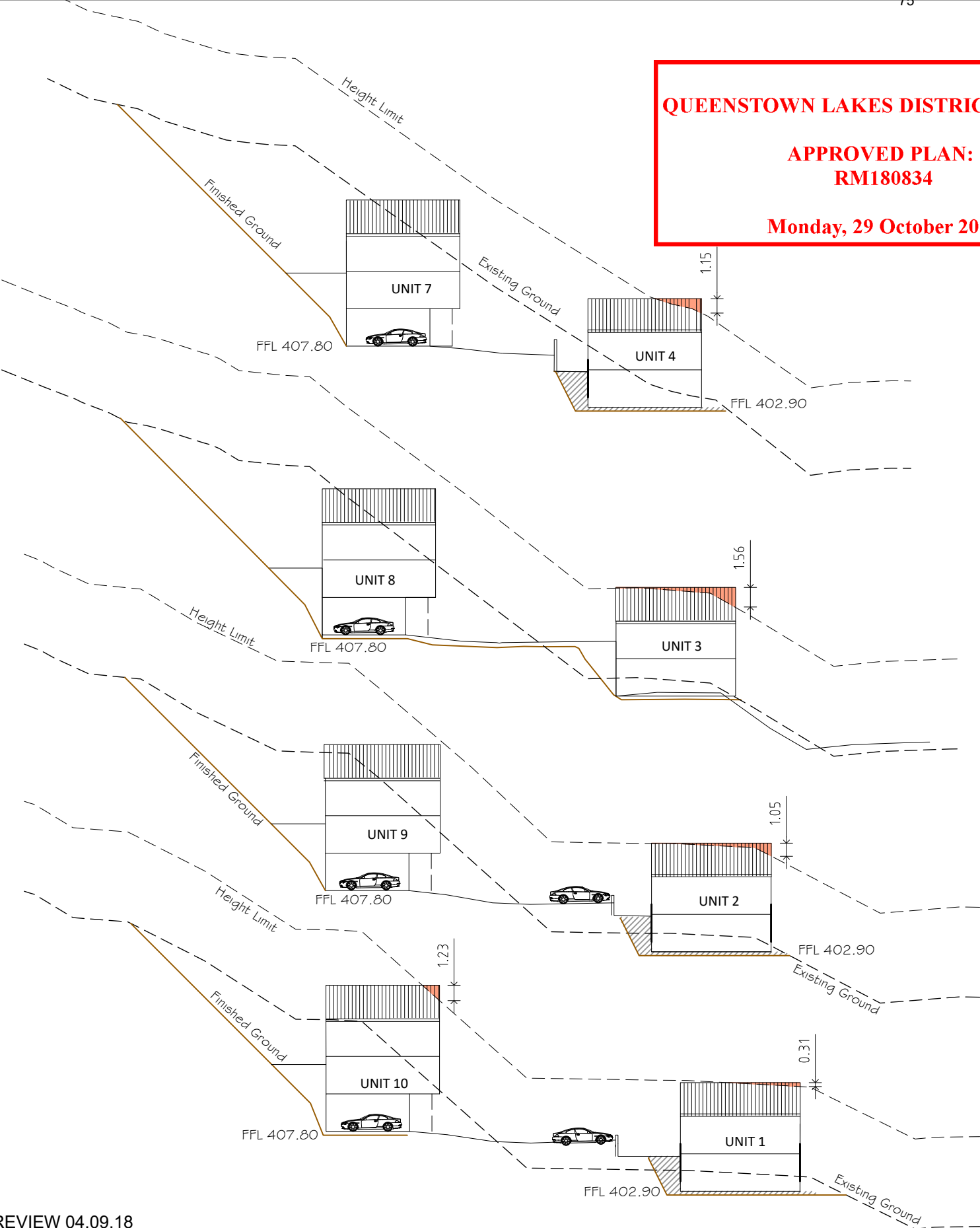
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S:\JOBS\12300\12377\acad\12377_08_The Tiers villas_Proposed units_REV.G.dwg Plotted: 19.09.2018


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



CLIENT REVIEW 04.09.18



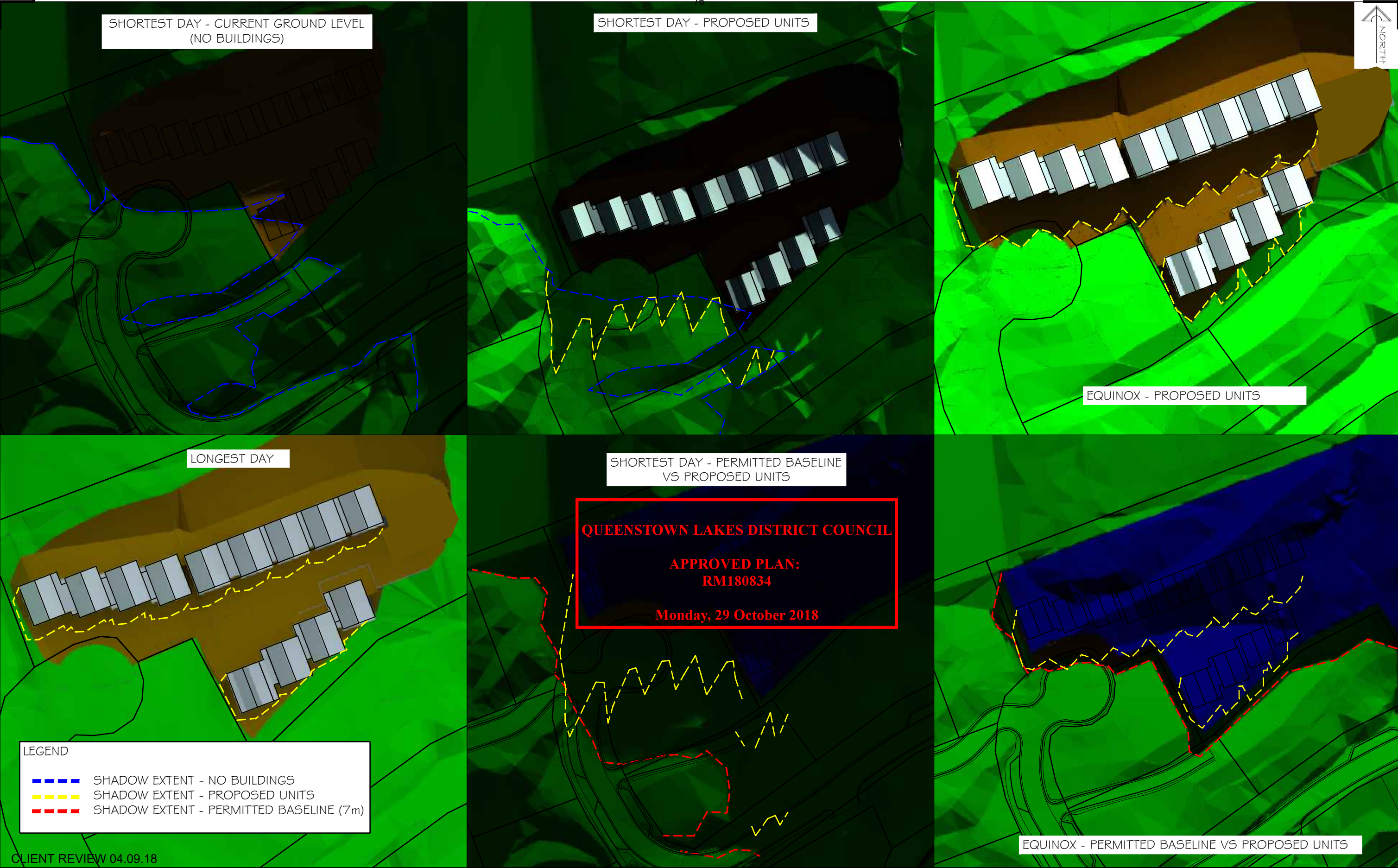
Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors • Land Development • Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
C	17.04.17	Add Extra units	RB
D	11.10.17	Shift Block B back & adjust levels	RB
E	22.05.18	Update Unit 6 & remove 5	RB

PROPOSED UNOTS ON LOT 10 DP 490069
SECTION VIEWS

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	Signed	-	12377	08
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	RWB	Signed	Date	Datum & Level	Rev.
	Designed	Signed	Date	Mt Nic 2000 & MSL	E

S:\JOBS\12300\12377\acad\12377_08_The Tiers villas_Proposed units_REVG.dwg Plotted: 19.09.2018



CLIENT REVIEW 04.09.18



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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
C	17.04.17	Add Extra units	RB
D	11.10.17	Adjust Block B unit locations	RB
E	22.05.18	Update Unit 6 & remove 5	RB

PROPOSED UNITS ON LOT 10 DP 490069
SHADING DIAGRAMS

Client	ALPHA PROPERTIES LTD	Surveyed	-	Signed	-	Date	-	Job No.	12377	Drawing No.	08
		Drawn	-	Signed	-	Date	-	Scale	1:500 @ A1 1:1000 @ A3	Sheet	004
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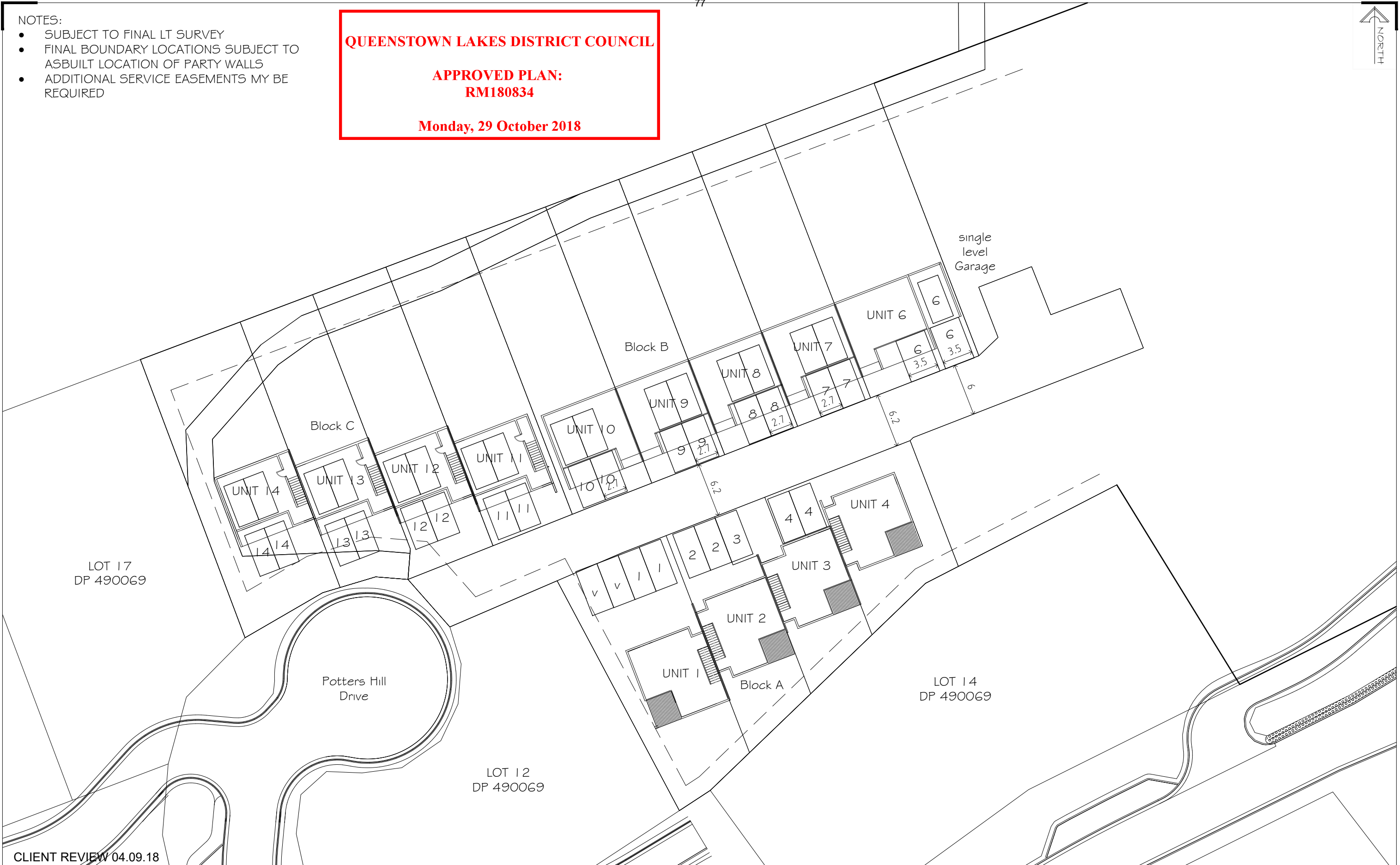
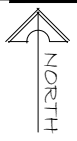
S:\JOBS\12300\12377\acad\12377_08_The Tiers villas_Proposed units_REVG.dwg Plotted: 19.09.2018

- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



CLIENT REVIEW 04.09.18

 <p>Clark Fortune McDonald & Associates Licensed Cadastral Surveyors - Land Development - Planning Consultants 309 Lower Shotover Road, P.O.Box 553 Queenstown Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz</p> <p>Shop 2, Otago House, 475 Moray Place, P.O. Box 5960 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz</p>	Rev.	Date	Revision Details	By	Client	Surveyed	Signed	Date	Job No.	Drawing No.
	A	26.09.16	Adjust unit sizes	RB	ALPHA PROPERTIES LTD	-	-	-	12377	08
	B	26.09.16	Add carparks	RB						Sheet 006
	C	17.04.17	Add Extra units	RB					Scale	1:200 @ A1
	D	11.10.17	Update Block B location	RB						1:400 @ A3
	E	22.05.18	Update Unit 6 & remove 5	RB					Datum & Level	
	F	04.09.18	Update boundaries	RB						Rev.
	G	18.09.18	Adjust carparks	RB					Mt Nic 2000 & MSL	G

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PROPOSED UNITS ON LOT 10 DP 490069
CARPARKING

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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



FOR CONSENT 04.09.18

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THE TIERS VILLAS LANDSCAPING & OUTDOOR LIVING SPACES

Client		Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD		-	-	-	12377	09 Sheet 001
Notes:		Drawn	Signed	Date	Scale	1:150 @ A1 1:300 @ A3
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		Designed	Signed	Date	-	Mt Nic 2000 & MSL G

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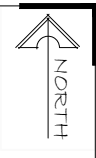
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Rev.	Date	Revision Details	By
E	14.04.17	Revise to add additional lots.	RB
F	12.10.17	Update unit locations	RB
H	22.05.18	Adjust Lot 6 bdy & combine Lot 100 & 5	RB
I	20.08.18	Adjust Lot 5 boundaries to include access	RB
J	13.09.18	Shift road into stage 2	RB

ALL STAGES
LOTS 1 - 14 & 200 BEING A SUBDIVISION OF
LOT 10 DP 490069

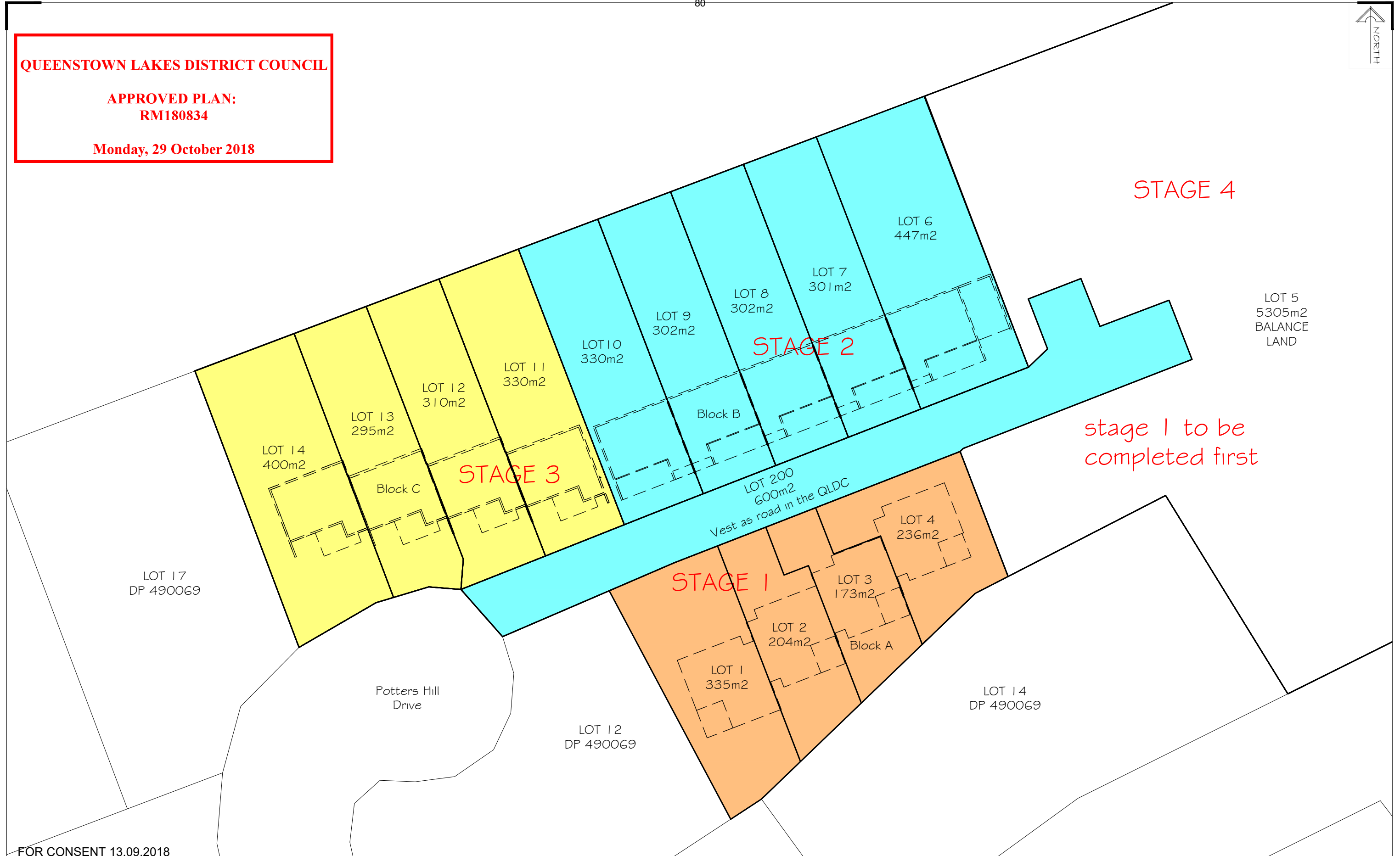
Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	07 Sheet 001
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	RWB				
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



FOR CONSENT 13.09.2018

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J	13.09.18	Shift road into stage 2	RB

**LOTS 1 - 14 & 200 BEING A SUBDIVISION OF
LOT 10 DP 490069
STAGING**

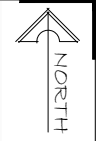
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		Drawn	Signed	Date	Scale	Sheet 002
		RWB	-	-	1:200 @ A1	
		Designed	Signed	Date	Datum & Level	Rev.
		-	-	-	Mt Nic 2000 & MSL	J

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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018



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Rev.	Date	Revision Details	By
E	14.04.17	Revise to add additional lots.	RB
F	12.10.17	Update unit locations	RB
H	22.05.18	Adjust Lot 6 bdy & combine Lot 100 & 5	RB
I	20.08.18	Adjust Lot 5 boundaries to include access	RB
J	13.09.18	Shift road into stage 2	RB

STAGE 1
LOTS 1 - 5 & 100 BEING A SUBDIVISION OF
LOT 10 DP 490069

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	07
				Sheet 003	
	Drawn	Signed	Date	Scale	1:200 @ A1
	RWB	-	-	1:400 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	J

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Shotover Design Limited trading as		Rev.	Date	Revision Details	By	Client	Surveyed	Signed	Date	Job No.	Drawing No.
Clark Fortune McDonald & Associates		E	14.04.17	Revise to add additional lots	RB	ALPHA PROPERTIES LTD	-	-	-	12377	07
Licensed Cadastral Surveyors - Land Development - Planning Consultants		F	12.10.17	Update unit locations	RB						Sheet 004
309 Lower Shotover Road, P.O.Box 553 Queenstown		H	22.05.18	Adjust Lot 6 bdy & combine Lot 100 & 5	RB						
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz		I	20.08.18	Adjust Lot 5 boundaries to include access	RB		Drawn	Signed	Date	Scale	1:100 @ A1
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960		J	13.09.18	Shift road into stage 2	RB		RWB		01.01.14		1:200 @ A3
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz							Designed	Signed	Date	Datum & Level	Rev.
										Mt Nic 2000 & MSL	J

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Party Wall easement - Location
to be confirmed by survey

APPROVED PLAN:
RM180834

Monday, 29 October 2018

LOT 5
5305m2
BALANCE LAND

	PROPOSED MEMORANDUM OF CASEMENTS		A stages
PURPOSE	SHOWN	SERVIANT TEAEMENT	DOMINANT TEAEMENT
Right to Park	A	Lot 1 Hereon	Lot 2 & 14 Hereon
	D	Lot 1 Hereon	Lot 2 & 5 Hereon
	E	Lot 2 Hereon	Lot 3 & 5 Hereon
	F	Lot 3 Hereon	Lot 4 & 5 Hereon
	G	Lot 4 Hereon	Lot 5 Hereon
	SF	Lot 7 Hereon	Lot 6 Hereon
	SE	Lot 8 Hereon	Lot 7 & 6 Hereon
	SD	Lot 9 Hereon	Lot 6 & 8 Hereon
	SC	Lot 10 Hereon	Lot 6 & 9 Hereon
	SB	Lot 10 Hereon	Lot 6 & 9 & 11 & 14 Hereon
Right to drain stormwater	SA, AD	Lot 10 & 8 & 12 & 14 Hereon	Lot 6 & 9 & 11 & 14 Hereon
	SH	Lot 11 Hereon	Lots 12 & 14 Hereon
	SI	Lot 12 Hereon	Lot 13 & 14 Hereon
	SJ	Lot 13 Hereon	Lot 14 Hereon
	D	Lot 1 Hereon	Lot 2 & 5 Hereon
	E	Lot 2 Hereon	Lot 3 & 5 Hereon
	F	Lot 3 Hereon	Lot 4 & 5 Hereon
	G	Lot 4 Hereon	Lot 5 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon
Right to convey water	C	Lot 4 Hereon	Lot 3 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon
Right to convey electricity	C	Lot 4 Hereon	Lot 3 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon
Right to convey telecommunications & computer media	C	Lot 4 Hereon	Lot 3 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon
Right to convey gas	C	Lot 4 Hereon	Lot 3 Hereon
	C	Lot 4 Hereon	Lot 3 Hereon

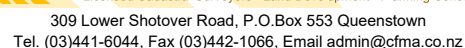
PROPOSED MEMORANDUM OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to drain stormwater	O	Lot 11 Hereon	QLDC
	L, M	Lot 12 Hereon	
	K, N	Lot 13 Hereon	
Right to convey Electricity	AA, AB, K	Lot 13 Hereon	AROURA ENERGY LTD
	AC, M	Lot 12 Hereon	
	AD	Lot 11 Hereon	
	AE	Lot 10 Hereon	
	AF, AG	Lot 9 Hereon	
	AH	Lot 8 Hereon	
	AI	Lot 7 Hereon	
	AJ	Lot 6 Hereon	

STAGE I EASEMENT AREAS B & BA TO BE
SURRENDERED AND AREA TO VEST AS ROAD

NOTE - ADDITIONAL SERVICE EASEMENTS MAY BE REQUIRED

FINAL EASEMENT BOUNDARIES ARE SUBJECT TO
LOCATION OF FINAL ASBUILT SERVICES

FOR CONSENT 13.09.2018

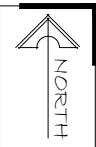


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Rev.	Date	Revision Details	By
E	14.04.17	Revise to add additional lots.	RB
F	12.10.17	Update unit locations	RB
H	22.05.18	Adjust Lot 6 bdy & combine Lot 100 & 5	RB
I	20.08.18	Adjust Lot 5 boundaries to include access	RB
J	13.09.18	Shift road into stage 2	RB

STAGE 2 & 3
LOTS 6 - 14 & 200 BEING A SUBDIVISION OF
LOTS 100 & 5 FROM STAGE 1

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	07 Sheet 005
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	RWB		01.01.14		
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180834

Monday, 29 October 2018

Party Wall easement - Location
to be confirmed by survey

PROPOSED MEMORANDUM OF EASEMENTS - All stages			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right to Park	A	Lot 1 Hereon	Lot 2 14 Hereon
	D	Lot 1 Hereon	Lot 2 5 Hereon
	I	Lot 2 Hereon	Lot 3 5 Hereon
	I	Lot 1 Hereon	Lot 4 & 5 Hereon
	G	Lot 4 Hereon	Lot 5 Hereon
Right to drain stormwater	SI	Lot 7 Hereon	Lot 6 Hereon
	SI	Lot 8 Hereon	Lot 7 & 6 Hereon
	SB	Lot 9 Hereon	Lot 6 8 Hereon
	SC	Lot 10 Hereon	Lot 6 9 Hereon
	SB	Lot 10 Hereon	Lot 6 9 & 11 14 Hereon
Right to drain sewage	SA, AD	Lot 11 Hereon	Lot 6 10 & 12 14 Hereon
	SH	Lot 12 Hereon	Lot 6 11 Hereon
	SI	Lot 12 Hereon	Lot 13 & 14 Hereon
	SI	Lot 11 Hereon	Lot 14 Hereon
	D	Lot 1 Hereon	Lot 2 5 Hereon
Right to convey water	I	Lot 2 Hereon	Lot 3 5 Hereon
	I	Lot 1 Hereon	Lot 4 & 5 Hereon
Right to convey electricity	G	Lot 4 Hereon	Lot 5 Hereon
	G	Lot 4 Hereon	Lot 5 Hereon
Right to convey telecommunications & computer media	C	Lot 4 Hereon	Lot 5 Hereon
	C	Lot 4 Hereon	Lot 5 Hereon
Right to convey gas	C	Lot 4 Hereon	Lot 5 Hereon
	C	Lot 4 Hereon	Lot 5 Hereon


PROPOSED MEMORANDUM OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to drain stormwater	O	Lot 11 Hereon	
	L, M	Lot 12 Hereon	QLDC
	K, N	Lot 13 Hereon	
Right to convey electricity	AA, AH, K	Lot 11 Hereon	
	AC, M	Lot 12 Hereon	
	AD	Lot 11 Hereon	
	AE	Lot 10 Hereon	AROURA ENERGY LTD
	AI, AG	Lot 9 Hereon	
	AH	Lot 8 Hereon	
	AI	Lot 7 Hereon	
	AI	Lot 6 Hereon	

NOTE - ADDITIONAL SERVICE EASEMENTS MAY BE REQUIRED

FINAL EASEMENT BOUNDARIES ARE SUBJECT TO LOCATION OF FINAL ASBUILT SERVICES

FOR CONSENT 13.09.2018





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STAGE 2 & 3
LOTS 6 - 14 & 200 BEING A SUBDIVISION OF
LOTS 100 & 5 FROM STAGE 1

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
					12377	07
		Drawn	Signed	Date	Scale	Sheet
		RWB		01.01.14	1:100 @ A1	006
		Designed	Signed	Date	Datum & Level	Rev.
					Mt Nic 2000 & MSL	J

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DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

NOTIFICATION UNDER s95 AND DETERMINATION UNDER s104

RESOURCE MANAGEMENT ACT 1991

Applicant:	Alpha Properties NZ Limited
RM reference:	RM160181
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for a land use consent to undertake earthworks on Lot 10 of approved subdivision RM050520 as amended by resource consent decisions RM050520.01 and RM160038. It is proposed to carry out earthworks involving a 7850m ³ , over an area of 2700m ² , with a maximum cut of 9.5m.
Location:	Lot 10 of approved subdivision RM050520, located at the Tiers subdivision, 658a Frankton Road, Queenstown
Legal Description:	Lot 1 Deposited Plan 485139 held in Computer Freehold Register 688943
Zoning:	Low Density Residential
Activity Status:	Discretionary
Decision Date	16 May 2016

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 6.0 of this report. This decision is made by Paula Costello, Senior Planner, on 16 May 2016 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. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application 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. PROPOSAL AND SITE DESCRIPTION

The applicant has provided a detailed description of the site, site history and proposal in Sections 1.1, 1.2 and 1.3 of the report entitled Alpha Properties Ltd, prepared by Nick Geddes of Clark Fortune McDonald and Associates, dated March 2016 and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 3). These descriptions are considered accurate and are adopted for the purpose of this report.

The parent site has an extensive planning history with the following resource consents of relevance:

- Resource consent RM050520 was publically notified and subsequently granted on 20 May 2008, this consent related to the subdivision of the parent site into 17 residential allotments with associated earthworks.
- RM090646 was granted on 7 October 2009 to vary Condition 1 of resource consent RM050520, to include a staging condition to enable the subdivision to proceed in three stages.
- RM050520.125 was granted 21 December 2012 to allow an extension to the lapse date of RM050520 to 20 May 2016 pursuant to section 125 of the RMA
- RM130069 was granted 24 March 2014 for a variation of conditions 1 and 6(g) of RM050520, and the additional of new conditions 1A and 4(q). Condition 14 was also varied.
- RM050520.01 was granted on 12 September 2014 to vary conditions 1, 13 and 14 of resource consent RM050520 to amend the subdivision design, reference to easements and staging.
- Resource consent RM150928 was granted 18 December 2015 to vary condition 1 of RM050520.01 to make changes to easements and realign boundaries.
- Resource consent RM140714 was granted 12 September 2014 to undertake earthworks to create building platforms for future residential dwellings.
- RM150087 was granted August 2015 for a comprehensive residential development on a lower lot from the site subject to this application, comprising 13 units with associated breaches to maximum height outdoor living spaces and access standards. Consent was also sought to subdivide the lot containing the 13 units into 15 lots.
- Resource consent RM150615 was granted 18 January 2016 to change land use condition 1 and subdivision condition 4 of RM150087 relating to changes to the external appearance, design of the building and changes to the staging condition of the development approved by RM150087.
- Resource consent RM160038 was granted to vary condition 1 of RM050520 as amended by RM150520.01, RM130069 and RM150928, and to change conditions 4a, 4c, 4k and 4m, 5e, 6a, 6c and 6d of resource consent RM050520 as amended by RM050520.01. In addition land use consent was also granted to breach the required minimum site distances for accesses F and P of the subdivision.

The works are proposed on vacant land at the top of the Albatross QT Ltd development. The land is moderate to steep sloping and primarily founded on schist. There are no existing neighbours, however the lot is located uphill and to the west of an established dwelling.

2. ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Low Density Residential and the proposed activity requires resource consent for the following reasons:

- A **restricted discretionary** activity consent, pursuant to Rule 22.3.2.3a as the proposal breaches the standard 22.3.3i in regard to the volume of earthworks exceeding 300m³ per site within any 12 month period, as specified with Table 22.1 for the zone. The total volume proposed equates to 7850m³. The matters in respect of which Council has reserved discretion are listed in 22.3.2.3(b) and include: nature and scale of earthworks, environmental protection measures, remedial works and vegetation, the effects on landscape and visual amenity values, effects on land stability and flooding, the effects on water bodies, the effects on cultural and archaeological sites and noise.
- A **restricted discretionary** activity consent, pursuant to Rule 22.3.2.3a as the proposal breaches the standard 22.3.3ii(b)(i) in regard to the maximum height of cut exceeding 2.4m. The maximum height of cut proposed is 9.5m. The matters in respect of which Council has reserved discretion are listed in 22.3.2.3(b) and include: nature and scale of earthworks, environmental protection measures, remedial works and vegetation, the effects on landscape and visual amenity values, effects on land stability and flooding, the effects on water bodies, the effects on cultural and archaeological sites and noise.

PROPOSED DISTRICT PLAN

Queenstown Lakes District Council notified the Proposed District Plan on 26th August 2015. Under this Plan the site is zoned Low Density Residential and there are no rules relevant to the application that have immediate legal effect.

Overall, the application is considered to be **restricted discretionary** activity.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which the application relates is not a HAIL site, and therefore the NES does not apply.

3. SECTION 95A NOTIFICATION

The applicant has not requested public notification of the application (s95A(2)(b)).

No rule or national environmental standard requires or precludes public notification of the application (s95A(2)(c)).

The consent authority is not deciding to publicly notify the application using its discretion under s95A(1) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(4)).

A consent authority must publicly notify an application if it decides under s95D that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)).

An assessment in this respect follows.

4. ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (s95D)

4.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95D)

- A: *Effects on the owners or occupiers of land on which the activity will occur and on adjacent land (s95D(a)).*
- B: *The activity is a **restricted discretionary** activity, so that adverse effects which do not relate to a matter **discretion** have been disregarded (s95D(c)).*
- 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)
Albatross QT Ltd	Owner of the application site

4.2 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 the following is applicable;

- earthworks up to 300m³ per site, within a 12 month period,
- undertake cuts up to 2.4m in height,
- place fill to a depth of 2m,
- the vertical height of any cut or fill cannot be greater than the distance of the top of the cut or toe of the fill from the site boundary, except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

4.3 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Taking into account sections 4.1 and 4.2 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

The relevant assessment matters are found in Section 22.3.2.3(b) and include nature and scale of earthworks, environmental protection measures, remedial works and vegetation, the effects on landscape and visual amenity values, effects on land stability and flooding, the effects on water bodies, the effects on cultural and archaeological sites and noise. These matters will form basis of the assessment.

A report has been received from Council's Resource Management Engineer, Mr Wardill, who has assessed the activity in terms of the extent of the earthworks, stability, site management and services. The advice of Mr Wardill is accepted and has been incorporated into the following assessment where applicable. Mr Wardill's report is attached as Appendix 2.

An assessment of environmental effects is contained in the applicant's AEE and is adopted for the purposes of this report. In addition to the matters contained in the applicant's AEE the following is also considered relevant. The applicant's AEE is attached as Appendix 3 to this report.

Nature and Scale of Earthworks

It is proposed to carry out extensive earthworks, which have come about in response to preliminary geotechnical investigations by the applicant, to enable a detailed inspection of the subsurface conditions, prior to further development of the lot occurring. The earthworks are a necessary part of the future development of the site.

The works involve 7200m³ of cut, 650m³ of fill, having a combined total of 7850m³, covering an area of 2700m². It is proposed that 6550m³ of this material will be transported from the site.

Cuts are proposed up to 9.5m, and fill up to 1.5m in maximum depth.

The works involve the construction of an access to the excavation area and excavation into the hillside.

The earthworks will not breach external boundaries of the site nor rules relating to the proximity of earthworks in relation to site boundaries.

The finished earthworks will be compatible with the topography of the area and have been accepted by Council's Resource Manager Engineer to be feasible and not result in any stability issues.

The earthworks will be completed over an 8 week period which reduces the duration of adverse effects.

It is noted that the development that has occurred to date, has been subject to conditions of consent using New Zealand Standard NZS4404:2004. Whilst, Council has adopted a later version of the standard, the applicant has volunteered conditions referencing the older standard. Mr Wardill is satisfied that this approach is appropriate and has recommended that the earlier standard be referenced in the recommended conditions, should consent be granted. This advice is accepted.

The proposal satisfies relevant assessment matters 22.4(i) in regard to nature and scale of earthworks.

Overall, subject to the recommended conditions, any adverse effects on the nature and scale of the earthworks will be no more than minor.

Environmental Protection Measures

The nature of the works on site mean that it is likely that some adverse effects could arise with regards to noise, tracking of mud and debris on to the roads, vibration and dust.

A site management plan has been submitted as part of the application, which has been designed to minimise and control dust and sediment run-off. The site management plan also addresses hours of operation, vehicle movements and noise.

It is proposed to transport 6,550m³ of material off the site and onto the State Highway. Adverse effects associated with vehicle generation and transportation off site are not covered in the matters of Council's discretion for this scale of earthworks but are a relevant consideration for bulk earthworks (over 50,000m³). However, Mr Wardill has recommended a condition of consent that a traffic management plan (TMP) is required unless already covered by an existing and current OPUS approved TMP for the site. This advice is accepted.

Mr Wardill has recommended appropriate conditions to ensure that the works are undertaken in accordance with the site management plan and Council standards.

The proposed sediment and erosion techniques and methods to control dust have been assessed as adequate.

Mr Wardill has not raised any concerns with regard to stormwater and overland flows. These matters are further discussed below in regard to the water main located on site and under the heading Effects on Water bodies below.

The proposal satisfies assessment matters 22.4ii in regard to environmental protection matters. If consent is granted, adverse effects can be avoided, remedied or mitigated by the recommended conditions of consent, such that adverse effects will be no more than minor.

Remedial Works and Vegetation

The subject site contains no vegetation or fauna of significance.

All earthwork areas will be re-vegetated with grass or stabilised. An appropriate condition of consent is recommended to ensure that all exposed surfaces are stabilised or revegetated at the completion of the earthworks.

It has been identified that a water main passes through the proposed excavation area and that this will be vested to Council in the near future to service the wider RM050520 development site, including water supply to firefighting hydrants. The applicant proposes to lower the water main prior to starting any excavations to ensure that it is unaffected by the works. Mr Wardill is satisfied that this relocation is feasible and he recommends conditions of consent that the works be completed in consultation with the Council, and as-built records provided on the completion of the works. This advice is accepted.

Effects on Landscape and Visual Amenity Values

The earthworks proposed will alter the natural landform. However, the earthworks overall are considered to be typical of those required to develop the residentially zoned land in this locality given the steep topography. The scale and location of the cut and fill will not adversely affect the visual quality and amenity values of the surrounding sites to a level considered more than minor and will not create an area inconsistent with the character of the surrounding landscape.

The proposal satisfies 22.4iv relating to effects on landscape and visual amenity values.

Subject to conditions of consent, adverse effects on the environment are likely to be less than minor.

Effects on Land Stability and Flooding

There is not likely to be any issues associated with flooding.

Mr Wardill has assessed the effects associated with stability, and has accepted the conclusion reached in the submitted Geotechnical report that the development is technically feasible. Mr Wardill recommends that if consent is granted, appropriate conditions be imposed on the consent to mitigate or avoid any adverse effects.

Mr Wardill recommends batters are provided in compliance with the geotechnical advice and that as no retaining is sought as part of the application, but could form part of any permanent solution and/or future land use application, he recommends an advice note in regard to the need for building consent for any retaining structure over 1.5m height.

The use of rock anchors is described by in the submitted geotechnical report as a feasible solution for unstable rock. Mr Wardill recommends a condition that anchors shall not extend beyond the site boundaries of consented Lot 10 of RM050520 without the necessary easements being established. This advice is accepted.

The proposal satisfies the assessment matter 22.4 v relating to land stability and flooding.

Any adverse effects in regard to stability will therefore be no more than minor.

Effects on Water Bodies

A gully is located near the eastern boundary that provides a flow path for stormwater from uphill areas. Mr Wardill is satisfied that the earthworks will not affect this flow path, and that the consent from the Otago Regional Council is not required for works near this channel. No other water bodies are located on site.

Any adverse effects on water bodies will be no more than minor

Effects on Cultural and Archaeological Sites

There are no known cultural or archaeological sites located on the site or in near proximity.

Noise

Mr Wardill states that the works are not expected to require rock breaking or blasting, however, advises that there are a number of rocky outcrops evident on site and that further assessment may be required as the excavations progress. In regard to adverse effects associated with rock breaking and blasting, Mr Wardill is satisfied that the generous separation distance between the subject lot and the nearest neighbour will avoid or mitigate any adverse effects. However, whilst Mr Wardill is satisfied that vibration effects are unlikely to affect the neighbouring lots and wider environment, the applicant has volunteered a suite of relevant conditions to minimise adverse impacts on surrounding land. Mr Wardill accepts these conditions, and in the event that consent is granted, he recommends that these conditions are included. This advice is accepted. In addition to the above, it is recommended that a condition be imposed to restrict the hours of operation of the earthwork activity. If consent is granted, subject to the recommended condition being imposed, any adverse effects will remain no more than minor.

The applicant has confirmed that the proposal will comply with the construction noise standards. In order to ensure noise complies with the relevant noise standards a condition of consent is recommended in this regard. This will ensure that any adverse effects will remain no more than minor.

4.4 DECISION: EFFECTS ON THE ENVIRONMENT (s95A(2))

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

5.0 EFFECTS ON PERSONS

Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor).

5.1 MANDATORY EXCLUSIONS FROM ASSESSMENT (s95E)

- A: *The activity is a **restricted discretionary** activity, so that adverse effects which do not relate to a matter of **discretion** have been disregarded (s95E(2)(b)).*
- B: *The persons outlined in section 4.1 above have provided their **written approval** and as such these persons are not affected parties (s95E(3)(a)).*

5.2 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 4.2 above

5.3 ASSESSMENT: EFFECTS ON PERSONS

Taking into account sections 5.1 and 5.2 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:

Affected party approval has been obtained from Albatross QT Ltd the owner of the development site and any adverse effects on this party can be disregarded.

Mr Wardill is satisfied that the earthworks are feasible and that no adverse effects on neighbouring sites will occur.

The works are not expected to require rock breaking or blasting, however Mr Wardill has assessed that due to the presence of rocky outcrops that further assessment will be required as the excavation progress. Mr Wardill is satisfied with the separation distance to the nearest neighbour and that vibration effects will be unlikely to affect neighbouring lots. The applicant has volunteered a number of conditions to minimise adverse effects on neighbouring sites, these conditions along with other recommended conditions of consent will if consent is granted ensure that adverse effects remain less than minor. The engineer is satisfied that effects on neighbouring properties will be minimal if earthworks are undertaken in accordance with an approved site management plan. The engineer is satisfied with the volunteered conditions and is of the opinion that they are necessary to ensure that potential effects encountered in excavations of this nature are appropriately mitigated. This advice is accepted.

A condition to ensure that noise limits are not breached has also been imposed.

The engineer does not identify any concerns associated with stability on adjoining sites

In regard to effects on the State Highway roading network, it is considered that although the extent of vehicle movements is substantial, the ultimate residential development of the site will result in significant vehicle movements. Any effects associated with the amount of vehicle movements generated by the proposed earthworks will be temporary and effects on surrounding parties considered less than minor. Mr Wardill has recommended a condition requiring a traffic management plan to ensure that site and traffic management practices are established to avoid effects on the adjacent access and State Highway. Given the existing intersection and the level of traffic anticipated to be generated from the site, any effects on the adjoining State Highway from the earthworks activity will be less than minor.

This recommendation is consistent with the resource consent decision RM140714 granted to Will Taylor Rentals Limited in 2014, which related to earthworks on the parent subdivision site comprising, 7430m³, over an area of 4325m² with cuts up to 5.8m in depth and fill up to 4m in height. In this decision the New Zealand Transport Authority were not deemed to be adversely affected.

Nuisance effects will be temporary, and subject to conditions designed to avoid, remedy and mitigate potential adverse effects so that they will be less than minor.

5.4 DECISION: EFFECTS ON PERSONS (s95B(1))

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

6.0 OVERALL NOTIFICATION DETERMINATION

Given the decisions made above in sections 4.4 and 5.4 the application is to be processed on a non-notified basis.

7.0 S104 ASSESSMENT

7.1 EFFECTS (s104(1)(a))

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

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

OPERATIVE DISTRICT PLAN

Part 22 – Earthworks

Objective 1 and associated policies aim to enable necessary earthworks that avoid adverse effects on communities and the natural environment.

Objective 2 seeks to protect landscape and visual amenity values from adverse effects of earthworks.

Objective 3 seeks to ensure earthworks do not adversely impact on the stability of land, adjoining sites.

Objective 6 seeks to protect cultural heritage, including waahi tapu, waahi taonga, archaeological sites and heritage landscapes from adverse effects of earthworks.

As demonstrated in the assessment set out above, the earthworks associated with the proposed development will avoid adverse effects on communities and the natural environment and ensure visual amenity values are protected.

Appropriate conditions of consent will ensure that the earthworks do not result in adverse impact on adjoining sites or stability of land and that any cultural or archaeological features are protected.

The proposal is therefore considered to be in accordance with the relevant objective and policies contained within Part 22 of the Operative District Plan.

PROPOSED DISTRICT PLAN

QLDC notified the Proposed District Plan on 26 August 2015. Although there are no new objectives and policies relating to specifically to earthworks, the objectives and policies of Part 3, Chapter 7-Low Density Residential Zone, are however, considered relevant. The provisions of this chapter provide for traditional suburban densities and housing forms. In this case, the zone is serviced by public infrastructure and includes land that has already been substantially developed. Objective 7.2.12 seeks to ensure that residential amenity is maintained through pleasant living environments within which adverse effects are minimised. The conditions recommended to be included on this consent, if consent is granted, will ensure that adverse effects will be avoided, remedied or mitigated.

Given the minimal extent to which this plan has been exposed to testing and independent decision-making, minimal weight should be applied to the provisions at this stage. Notwithstanding this the proposal would be in accordance with these objectives and associated policies.

7.4 PART 2 OF THE RMA

For the reasons outlined in the above assessment, the application as proposed is considered to be consistent with the purposes and principals 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 capacities of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

7.5 DECISION ON RESOURCE CONSENT PURSUANT TO SECTION 104 OF THE RMA

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

8.0 OTHER 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 consent to build under the Building Act 2004. A consent under this Act 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 Resource Management Act 1991.

If you have any enquiries please contact the Planning Department on phone (03) 441 0499 or email services@qldc.govt.nz.

Report prepared by



Jane Sinclair
CONSULTANT PLANNER

Decision made by



Paula Costello
SENIOR PLANNER

APPENDIX 1 - Consent Conditions
APPENDIX 2 - Engineering Report
APPENDIX 3 - AEE

APPENDIX 1 - CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - Earthworks plan titled 'Proposed Earthworks on Lot 10 RM050520.01', drawn by Clark Fortune McDonald and Associates, Drawing Number 1, Sheet 002, Alpha Properties Limited, Revision A, dated 9 May 2016 showing the new water main alignment.
 - Cross section plan titled 'Proposed Earthworks on Lot 10 RM050520.01', drawn by Clark Fortune McDonald and Associates, Drawing Number 1, Sheet 002, Alpha Properties Limited, undated.

stamped as approved on 16 May 2016

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

- 2a. 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.
- 2b. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the Resource Management Act 1991 and shall pay to Council an initial fee of \$240. This initial fee has been set under section 36(1) of the Act.
3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

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

- 3a. 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.
4. Prior to commencing works on site, the consent holder shall submit a Traffic Management Plan to undertake works within the State Highway road reserve to the Network Management Consultant at Opus International Consultants of Alexandra for approval, unless the sites are already covered under an existing and current OPUS approved Traffic Management Plan. 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 Engineer at Council prior to works commencing.

5. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following engineering works required:
 - a) Realignment of the 100mm diameter PE water main within the southwest corner of Lot 10 RM050520. This shall include longitudinal sections of the realignment, final ground covers, Schedule 1A Design Certificate and details confirming the service will remain centrally within a 3m wide easement in gross.
 - b) The provision of a Construction Methodology for the water main realignment. The Construction Methodology shall propose consultation and inspection milestones with Council engineering staff and ensure domestic and fire fighting pressures and flows to downstream properties are not compromised.
6. The Council reviewed and accepted works in Condition (5) above shall be completed and Schedule 1B and 1C Completion Certificates issued by the Contractor and the Engineer advised in Condition (3a) prior to starting any other earthworks in the vicinity of the water main.
7. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council and in accordance with the site management plan submitted with the consent application. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
8. 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 1.4 of NZS 4404:2004 who is familiar with the 'Geotechnical report for Resource Consent, Lot 10 (Subdivision of Lot 2 DP 305273), The Tiers Queenstown, February 2016, Geosolve Reference 140412,' and who shall supervise the excavation and filling procedure and retaining wall construction and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

9. The earthworks, batter slopes, retaining and site management shall be undertaken in accordance with the recommendations of the; Geotechnical report for Resource Consent, Lot 10 (Subdivision of Lot 2 DP 305273), The Tiers Queenstown, February 2016, Geosolve Reference 140412.
10. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability. The consent holder shall ensure that construction of the retaining walls is completed as soon as practicable on completion of the excavations. If the cuts will be left unstabilised for more than 8 weeks following excavation, temporary retaining and/or protection measures shall be installed to protect the exposed batter face from the elements and potential erosion or instability until such time as the cut is permanently stabilised.

11. If at any time Council officers, or its elected representatives, receive justifiable complaints about or proof of effects from vibration sourced from the earthworks activities approved by this resource consent, the consent holder at the request of the Council shall cease all earthworks activities and shall engage a suitably qualified professional who shall prepare a report which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and/or buildings beyond this site. Depending on the outcome of this report, a peer review may be required to be undertaken by another suitably qualified professional at the consent holder's expense. This report must take into consideration the standard BS 5228:1992 or a similar internationally accepted standard. Both the report and peer review (if required) shall be submitted to Council for review and certification. The Consent holder shall implement any measures proposed in the report that will mitigate any negative effects of the vibration.
12. The Principal Resource Management Engineer at Council shall be notified and work shall stop immediately if any cracking, movement, structural distress or damage to any existing buildings, structures, underground services, public roads, pathways and/or surrounding land occurs.
13. 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.
14. No earthworks or rock anchors, being temporary or permanent are to breach the boundaries of Lot 10 RM050520.

On Completion of Earthworks

15. All earthworks and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 1.4 of NZS 4404:2004. This shall include the issue of a Completion Report and Schedule 2A certificate on completion to the Principal Engineer for the Council.
16. In the event that the Schedule 2A certificate issued under Condition (15) contains limitations or remedial works required for future building development, then an s108 covenant shall be registered on the relevant Computer Freehold Registers. The s108 covenant condition shall read; "Prior to any construction work (other than work associated with geotechnical investigation), 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."
17. On completion of the earthworks, 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 development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
 - b) All earthworked and/or exposed areas shall be topsoiled and grassed/revegetated or otherwise permanently stabilised.
 - c) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

18. Hours of operation for earthworks, shall be:

- Monday to Friday (inclusive): 8.00am to 6.00pm.
- Saturday 8:00am to 12pm
- 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.

19. The consent holder shall ensure that construction sound shall comply with with NZS 6803:1999.

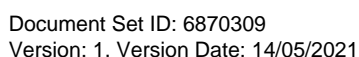
Advice Notes

1. The consent holder is advised that any retaining 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.
2. Prior approval from Council's Three Waters Manager and use of a backflow prevention device will be required to prevent contamination of Council's potable water supply if the Council water supply is to be utilised for dust suppression during earthworks.

APPENDIX 2 - ENGINEERING REPORT

TO: Jane Sinclair
FROM: Michael Wardill
DATE: 29/04/2016

Lot 10 RM050520 as amended by RM160038.
Note consent notice areas PA, PB & PC and also Easement Area L



Application	Reference Documents	Subject application and previous relevant consents. Clark Fortune McDonald & Associates Drawing titled: Proposed Earthworks on Lot 10 RM050520.1 Revision A, dated 9-5-2016.
	Previous Relevant Consents	RM050520 Original underlying subdivision. RM140714 Earthworks to building platforms. RM160038 Variation to RM050520 as amended by RM050520.01
	Date of site visit	5-5-16
SITE DETAILS	Existing Use	Vacant land on uppermost area within the Albatross QT Ltd development.
	Neighbours	The land is moderate to steeply sloping and primarily founded on schist.
	Topography/Aspect	There are currently no existing neighbours however the lot is located uphill and east of similar residential areas with the underlying development area.
	Water Bodies	There are no water bodies identified that will affect, or be affected by, the proposed earthworks.

ENGINEERING			COMMENTS	Condition
EARTHWORKS	Extent	Description	Extensive earthworks are proposed, in response to preliminary geotechnical investigations by Geosolve Limited, to enable a detailed inspection of subsurface conditions prior to completing a detailed design for a future building and building platform.	-
		Cut /Fill Volume (m ³)	7,200m ³ of cut and 650m ³ fill. This results in 6,550m ³ of unbulked material being transported from site.	-
		Total Volume (m ³)	7,850m ³	-
		Area Exposed (m ²)	2,700m ²	-
		Max Height Cut/Fill (m)	Cut up to 9.5m and fill up to 1.5m maximum depth	-
		Prox. to Boundary	There are no earthworks proposed in breach of external boundaries or District Plan rules pertaining to proximity. A condition of consent is recommended for monitoring purposes that no earthworks shall breach site boundaries.	X
		Prox. to Water	A gully is located near the eastern boundary that provides an overland ephemeral flow path for stormwater from uphill areas through the site and into downstream infrastructure. I am satisfied the earthworks shown on Clark Fortune McDonald & Associates (CFMA) drawing 'Proposed Earthworks on Lot 10 RM 050520.01' will not affect this flow path. I am also satisfied that ORC consent is unlikely to be required for works near this normally dry channel.	-
	Stability	Geotech assessment by	Geosolve Limited	-
		Report reference	<i>Geotechnical report for Resource Consent, Lot 10 (Subdivision of Lot 2 DP 305273), The Tiers Queenstown, February 2016, Geosolve Reference 140412.</i> I have read and accept the expert advice that the development is technically feasible subject to conditions therein. Related conditions are recommended in support of the advice.	X
		Rock breaking	The works are not expected to require rock-breaking or	X

		Rock blasting	blasting. However, there are a number of rocky outcrops evident and further assessment will be required as excavations progress. There is generous separation between the subject lot and the nearest neighbour and whilst I am generally satisfied that vibration effects are unlikely to affect neighbouring lots, the applicant has volunteered a suite of relevant conditions to minimise adverse impacts on surrounding land. I recommend including these conditions as volunteered. Council planner may wish to consider work hour restrictions to limit noise effects, also as volunteered.	
		Preconstruction survey	Not required as the adjacent road remains private at this time and at the time of road vesting all damage would be the responsibility of the consent holder.	-
		Retaining	CFMA drawings show batters of 1:1 subject to geotechnical advice. The geotechnical report indicates that earthworks support can be provisionally provided for Schist at batters of 0.25H:1V, pending staged excavations and geotechnical supervision/advice as detailed in their report. I recommend batters are provided in compliance with the geotechnical advice.	X
		Recommendations on cut/batter slopes	No retaining is detailed but could form part of any permanent solution and/or future land use applications. An advice note is recommended regarding the need for building consent for retaining structure over 1.5m height.	X
			The use of rock anchors is described by Geosolve as a feasible solution for unstable rock and a further condition is recommended that anchors shall not extend beyond site boundaries of consented Lot 10 of RM050520 without easements being established.	X
		Fill certification/specific foundation design required	Addressed under Schedule 2a requirement below.	X
		Engineers supervision	Required for Schedule 2a.	X
		Uncertified fill covenant	Not required	-
		Schedule 2a Certificate	A Schedule 2A was provided by the developer for the pending issue of Lot 10 title and this identifies much the anticipated earthworks. A further Schedule 2A is recommended due to the extensive geotechnical requirements in regard to the preparation of the site for future land use and to provide clarity for future lot owners.	X
		Clean fill only	No required	-
	Site Management	Report reference	A Site Management Plan is provided with the application. Appropriate conditions are recommended to ensure that the works are undertaken in accordance with the SMP and Council standards.	X
		Specific sedimentation management	Not required	-
		Specific stormwater management	Not required	-
		Neighbours	I am satisfied that the earthworks are feasible and no adverse effects will result on neighbouring sites.	-
		Traffic management	Required to transport 6,550m ³ of unbulked material off site and over NZTA roading network/Frankton road, unless already covered by an existing and current OPUS approved TMP.	X

		Construction crossing	An appropriate condition is recommended to ensure that a construction crossing is in place prior to works commencing.	X
		Revegetation	An appropriate condition is recommended to ensure all exposed areas are stabilised or re-vegetated at the completion of earthworks.	X
EARTHWORKS	Building over services	Services affected	A 100mm diameter PE water main passes through the proposed excavation area. This service will be vested to Council in the near future and services the wider RM050520 development site, including water supply to firefighting hydrants. The applicant proposes to lower this service prior to starting any excavations to ensure it is unaffected by the works. I am satisfied that this relocation is feasible and I recommend conditions of consent that the works be completed in consultation with the Council and as-built records provided on works completion.	X

It is noted that the development has, to date, been subject to conditions of consent using NZS4404:2004. Whilst a later version of the standard has been adopted by Council, the applicant volunteers conditions referencing the older standard. I am satisfied this approach is appropriate for the purposes of clarity and uniformity in approach to this development.

RECOMMENDED CONDITIONS

It is recommended that the following conditions are included in the consent decision:

General

1. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.

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

2. Prior to commencing works on site, the consent holder shall submit a traffic management plan to undertake works within the State Highway road reserve to the Network Management Consultant at Opus International Consultants of Alexandra for approval, unless the sites are already covered under an existing and current OPUS approved Traffic management Plan. 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 Engineer at Council prior to works commencing.
3. Prior to the commencement of any works on the site the consent holder shall provide to the Principal Resource Management Engineer at Council for review and certification, 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:
 - a) Realignment of the 100mm diameter PE water main within the southwest corner of Lot 10 RM050520. This shall include longitudinal sections of the realignment, final ground covers, Schedule 1A Design Certificate and details confirming the service will remain centrally within a 3m wide easement in gross.
 - b) The provision of a Construction Methodology for the water main realignment. The Construction Methodology shall propose consultation and inspection milestones with Council

engineering staff and ensure domestic and fire fighting pressures and flows to downstream properties are not compromised.

4. The Council reviewed and accepted works in **Condition (3)** above shall be completed and Schedule 1B and 1C Completion Certificates issued by the Contractor and the Engineer advised in **Condition (2)** prior to starting any other earthworks in the vicinity of the water main.
5. The consent holder shall install measures to control and/or mitigate any dust, silt run-off and sedimentation that may occur, in accordance with NZS 4404:2004 and 'A Guide to Earthworks in the Queenstown Lakes District' brochure, prepared by the Queenstown Lakes District Council and in accordance with the site management plan submitted with the consent application. These measures shall be implemented **prior** to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
6. 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 1.4 of NZS 4404:2004 who is familiar with the 'Geotechnical report for Resource Consent, Lot 10 (Subdivision of Lot 2 DP 305273), The Tiers Queenstown, February 2016, Geosolve Reference 140412,' and who shall supervise the excavation and filling procedure and retaining wall construction and ensure compliance with the recommendations of this report. This engineer shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability.

To be monitored throughout earthworks

7. The earthworks, batter slopes, retaining and site management shall be undertaken in accordance with the recommendations of the; *Geotechnical report for Resource Consent, Lot 10 (Subdivision of Lot 2 DP 305273), The Tiers Queenstown, February 2016, Geosolve Reference 140412.*
8. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability. The consent holder shall ensure that construction of the retaining walls is completed as soon as practicable on completion of the excavations. If the cuts will be left unstabilised for more than 8 weeks following excavation, temporary retaining and/or protection measures shall be installed to protect the exposed batter face from the elements and potential erosion or instability until such time as the cut is permanently stabilised.
9. If at any time Council officers, or its elected representatives, receive justifiable complaints about or proof of effects from vibration sourced from the earthworks activities approved by this resource consent, the consent holder at the request of the Council shall cease all earthworks activities and shall engage a suitably qualified professional who shall prepare a report which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and/or buildings beyond this site. Depending on the outcome of this report, a peer review may be required to be undertaken by another suitably qualified professional at the consent holder's expense. This report must take into consideration the standard BS 5228:1992 or a similar internationally accepted standard. Both the report and peer review (if required) shall be submitted to Council for review and certification. The Consent holder shall implement any measures proposed in the report that will mitigate any negative effects of the vibration.
10. The Principal Resource Management Engineer at Council shall be notified and work shall stop immediately if any cracking, movement, structural distress or damage to any existing buildings, structures, underground services, public roads, pathways and/or surrounding land occurs.
11. 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.

12. No earthworks or rock anchors, being temporary or permanent are to breach the boundaries of Lot 10 RM050520.

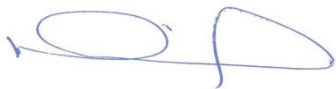
On completion of earthworks

13. All earthworks and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 1.4 of NZS 4404:2004. This shall include the issue of a Completion Report and Schedule 2A certificate on completion to the Principal Engineer for the Council.
14. In the event that the Schedule 2A certificate issued under **Condition (13)** contains limitations or remedial works required for future building development, then an s108 covenant shall be registered on the relevant Computer Freehold Registers. The s108 covenant condition shall read; *"Prior to any construction work (other than work associated with geotechnical investigation), 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."*
15. On completion of the earthworks, 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 development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water reticulation (including private laterals and toby positions).
 - b) All earthworked and/or exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised.
 - c) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Advice Note

1. The consent holder is advised that any retaining 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.
2. Prior approval from Council's Three Waters Manager and use of a backflow prevention device will be required to prevent contamination of Council's potable water supply if the Council water supply is to be utilised for dust suppression during earthworks.

Prepared by:



Michael Wardill
ENGINEER

Reviewed by:



Keri Garrett
**SENIOR RESOURCE
MANAGEMENT ENGINEER**

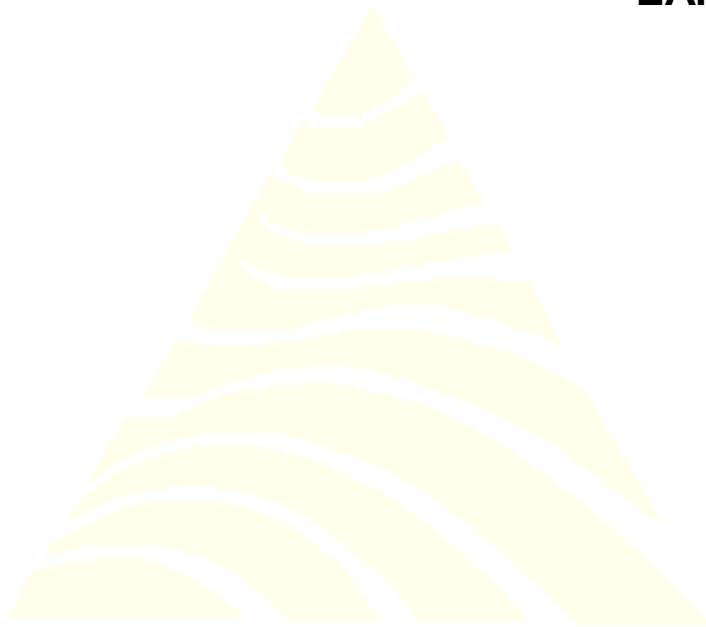
APPENDIX 3 - AEE

ATTACHMENT [A]

Information & Assessment of Environmental Effects

Alpha Properties Ltd

EARTHWORKS



March 2016

Prepared by: Nick Geddes

CLARK FORTUNE MCDONALD & ASSOCIATES
REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS

1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description

The subject site is located on the northern side of Frankton Road (State Highway 6A), between Queenstown and Frankton. The site is legally described as Lot 1 DP 485139, being 2.8081 hectares in area and contained within computer freehold register identifier 688943. A recent search copy of computer freehold register is contained within Attachment [B].

The topography of the site rises up from Frankton Road from 345 to 430 metres above sea level. The terrain consists of moderately to steeply sloping land.

The site affords access from Frankton Road via a right of way easement on the southern boundary.

The site has been felled of wilding Douglas Firs and Sycamore.

There are no structures or buildings on the site. A small stream dissects the north-western corner of the site.

1.2 Site History

RM050520	Approved on 20 May 2008, by Commissioners Mr Trevor Shields and Mr Lyall Cocks. This granted consent to subdivide Lot 2 Deposited Plan 305273 into 17 fee simple residential allotments with associated earthworks.
RM090646	Approved 7 October 2009, by Commissioner Clarke. This granted consent to vary condition 1 of resource consent RM050520, and include an additional staging condition to enable the subdivision to proceed in three stages.
RM050520.125	Approved 21 December 2012, by Commissioner Sinclair. This granted consent to increase lapse date of RM050520 by three years.
RM130069	Granted in part, subject to the imposition of additional conditions to application sought variation of conditions of consent to enable road to vest. 24th March 2014, by Commissioners Taylor and Kelly.
RM050520.01	Granted 12 th September 2014 to change Conditions 1, 13 and 14 of RM050520 to amend the subdivision design, reference to easements and staging.

- RM140714** Granted 12th September 2014 to undertake earthworks to create building platforms for future dwellings.
- RM150087** Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent to undertake a development comprising 13 residential units, incorporating a comprehensive residential development; breach outdoor living space, maximum height and access standards. Consent is also sought to subdivide the site into 15 lots to each contain a residential unit. Approved 3 August RE ISSUE.
- RM150928** Application under section 127 of the Resource Management Act 1991 (RMA) to change Condition 1 of resource consent RM050520.01 to amend various subdivision boundaries and easements. Approved 21 December 2015.
- RM150615** Application under section 127 of the Resource Management Act 1991 (RMA) to change Land Use Condition 1 of Decision A and Subdivision Condition 4 of Decision B of resource consent RM150087 relating to changes to the external appearance, design of the building and changes to the staging condition. Approved 18 January 2016.
- RM160038** ALBATROSS QT LTD - VARIATION TO CONDITION 1 OF RM050520.01 AS AMENDED BY RM150928 & TO VARY CONDITIONS OF RM050520.01 AT FRANKTON ROAD, QUEENSTOWN. Pending.

A copy of the relevant decisions for the above are contained in Attachment [D] to this application.

Summary;

The RM050520 approved the subdivision of Lot 2 DP 305273 into 17 separate fee simple lots and was staged by RM090646. Staging and lot configurations were amended to provide the first stage of the original subdivision in one lot and this stage was completed resulting in Lots 1 & 2 DP 485139. Lot 2 was land contained in Stage 1 of RM050520 and became subject to further development under RM140714, RM150087 and RM150615. Lot 1 was the balance parcel containing the remainder of land subject to subdivision under RM050520.01. A further amendment to boundaries and easements was undertaken under RM150615 while RM160038 seeks amendments to conditions relating to geotechnical considerations within various lots.

1.3 The Proposal

The applicant is currently completing the later stages of development as approved in RM150087 and RM140714.

To continue development under RM050520.01 the applicant has engaged geotechnical experts to investigate ground conditions within the remaining lots subject to RM050520.01. The results from these investigations suggest that a number of conditions of RM050520.01 have been incorrectly worded which has resulted in RM160038 which seeks certain amendments to the subdivision consent. As part of this consent application Lots 10 & 11 RM050520.01 will be amalgamated into one Lot.

Geotechnical investigations within Lots 10 & 11 have confirmed that in order to design a safe and effective platform and building design a volume of earthworks is required to enable a detailed inspection of subsurface conditions.

The required earthworks are detailed on a cut and fill plans contained in Attachment [E] of this application.

Excavation works on Lot 10 & 11 to establish access from the southern boundary of the site to the southern edge of the excavation areas. This is denoted on the plan contained in Attachment [E] where the red meets the green. A cut and fill method will provide sufficient width for contractors to establish the road and enable material to be transported from the site in a safe and efficient manner.

With the access established works can proceed to excavate into the hillside where a majority of works involve cutting and rock breaking in a north eastern direction. Rock breaking cannot continue constantly. It requires a period of breaking followed by a period where the hydraulic excavator loads material onto a truck positioned on the access way.

A total of 7200m³ is required to be cut from the hillside where 650m³ of this material can be filled over the area coloured green on the site plan in Attachment [E]. Works requires 6550m³ of material to be transported from the site. The site affords level access onto Potters Way which descends to Frankton Road.

Due to the sloping nature of the site significant volumes cannot be excavated readily. The slope requires a level of care and precision which results in the incremental amounts which will be loaded onto trucks to exit the site. The trucks will egress the site via the southern access way and onto Frankton Road.

The excavation period is anticipated to be no more than eight weeks.

A number of conditions appear in Attachment [F] which must be considered in addition to the above and as part of the application.

1.4 Statutory Provision

1.4.1 Queenstown Lakes District Council Operative District Plan

7.5.3.4 Discretionary Activities

Any Activity which is not listed as a Non-Complying Activity or Prohibited Activity and which complies with all the Zone Standards but does not comply with one or more of the Site Standards shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

7.5.5.2 Site Standards - Residential Activities and Visitor Accommodation

(xvi) Earthworks

- (a) Earthworks
 - (i) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). The proposed development includes a total volume of 7850m³.
 - (ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period). The proposed development includes a total area of 2700m².
- (b) Height of cut and fill and slope
 - (ii) The maximum height of any cut shall not exceed 2.4 metres. The maximum height of cut will be 9.5 metres.

1.4.2 Proposed Queenstown Lakes District Council District Plan

The subject site is located within the Low Density Zone of the Proposed District Plan and contains no known protected items or areas of significant vegetation. Submissions towards the Proposed District Plan closed on the 23rd of October.

It is considered unnecessary to undertake a weighting exercise. However, it is worthy to note what direction Council policy makers intend for the Proposed Zone. This has been considered further in Part 3.0 of this application.

1.4.3 Plan Change 49

Plan Change 49 – Earthworks is a Council-initiated Plan Change designed to simplify and streamline the earthworks provisions within the District Plan. The Council's decision on submissions on Plan Change 49 (PC49) was notified on 2 July 2014. One appeal remains outstanding in relation to the bulk earthworks within the Rural General Zone.

Under s86B(1) of the RMA the PC49 rules, objectives, and policies now have legal effect in relation to all other zones. Therefore, it is considered necessary to apply for the following:

22.3.3 Site Standards

(i) Volume of Earthworks

The maximum total volume of earthworks (m^3) shall not exceed that specified in Table 22.1 or $300m^3$ for the low density residential zone. The proposed development includes a total volume of $7850m^3$.

(ii) Height of cut and fill and slope

(b) All other zones:

- (i) The maximum height of cut shall not exceed 2.4 metres. The maximum height of cut will be 9.5 metres.

1.4.4 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012.

A comprehensive review of District and Regional Council records has been undertaken and contained in Attachment [G]. There is no record suggesting an activity on the HAIL has taken place on the piece of land which is subject to this application.

1.5 Classes of activities

1.5.1 Queenstown Lakes District Council Operative District Plan

The proposed development relates to earthworks only and does not include any building work. With the exception of rules outlined in part 1.4.1 above, the proposal is consistent with all remaining rules of the Operative District Plan.

1.5.2 Queenstown Lakes District Proposed District Plan

The Proposed Low Density Residential Zone contains Objectives, Policies and Development Controls which are considered to be more permissive than the Operative District Plan. The Proposed District Plan does not seek to introduce any Objective, Policy or Development Control which precludes the current application.

1.5.3 Plan Change 49

The proposed development relates to earthworks only and does not include any building work. With the exception of rules outlined in part 1.4.3 above, the proposal is consistent with all remaining rules contained within Plan Change 49.

1.5.4 Computer Freehold Register

A number of relevant instruments are registered on the title for the subject property:

Land Covenant 10097957.3, requires all buildings to be new and signed off by Albatross QT Ltd, building design and materials must authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Encumbrance 10154387.2, relates to the management of the company The Tiers Management Limited in its duties to monitor and maintain roading, stormwater disposal, pedestrian access and water supply.

Copies of the above are contained in Attachment [B] to this application.

Summary; Written approval has been obtained from Albatross QT Ltd which is contained in Attachment [H] to this application.

Overall, the application is a **restricted discretionary** activity.

2.0 ASSESSMENT OF THE ACTIVITY'S EFFECTS ON THE ENVIRONMENT

2.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

It is considered that the proposal will not result in any significant adverse effect on the environment and the location proposed is considered appropriate.

2.2 An assessment of the actual or potential effect on the environment of the activity:

2.2.1(a) Permitted Baseline

Section 104 of the Resource Management Act 1991 provides that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. A number of activities are permitted on the site and therefore form part of the permitted baseline for the site: Residential buildings are a permitted activity in the Low Density Residential Zone and could be accompanied with 100m³ of earthworks over 200m².

2.2.1(b) Existing Environment

RM050520.01 listed in Part 1.2 must be considered as part the existing environment. This consent has established the road to the subject site which required a considerable amount of earthworks on the site.

RM140714 listed in Part 1.2 must be considered as part the existing environment. This consent established the roading and building platforms associated with 15 residential units split over 5 blocks within Stage 1 of RM050520.01.

2.2.2 Any physical effect on the locality, including any landscape and visual effects

As detailed in part 1.3 above the proposal does not include the construction of any buildings.

Any physical effects on the locality are limited to the exposed rock faces which will result from the level of cut into the existing hillside. While the exposed rock may need some form of treatment to ensure there is no localised rock fall it is not anticipated that the exposed faces will be able to support any ground cover. However, as pictured in Attachment [I] Lots 10 and 11 RM050520.01 do not contain any ground cover and the area intended to be excavated already appear as exposed rock surfaces.

The appearance of the exposed rock resulting from the proposed excavations is not considered to compromise the appearance of the landscape across the subject sites or within the surrounding area.

The site and surrounding area is within the Low Density Residential Zone which anticipates a domestic level of development across each site which includes up to 40% contained in built form. The scale and location of the proposed cut and fill is required to confirm the design of a safe and effective building platform on a steeply sloping site.

The proposed works will not compromise any ridgeline or visually prominent area.

Given the above, any adverse effects from the proposal upon the landscape or visual amenity of the site or surrounding area are considered to be de minimis.

2.2.3 Any effect on those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects:

As detailed in Part 1.3 above the proposal includes the removal of 6550m³ of rock and material from the subject site. Access and Egress from the site is via a formed and sealed access road which intersects with Frankton Road. The volume is less than previous consent RM140714 which exported material through the intersection at Frankton Road.

A condition appears in Attachment [F] which restricts works within normal working hours along with the reinstatement of any damage to road surfaces and removal of any material that may be deposited onto any road surface.

Works to excavate material will occur over a period of eight weeks in total.

Given the above, any effect from the proposal upon those in the neighbourhood and, where relevant, the wider community, including any social, economic, or cultural effects will be less than minor.

2.2.4 Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:

No significant ecosystems have been identified on the site.

2.2.5 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:

The proposal does not include any building works requiring infrastructure or generating a demand on the surrounding road network. Given the nature of the proposal it is considered that there will be no effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations.

2.2.6 Any discharge of contaminants into the environment, including any unreasonable emission of noise, and options for the treatment and disposal of contaminants:

The proposal does not include the discharge of contaminants.

2.2.7 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations:

A site specific geotechnical assessment was under taken by Geosolve as part of RM140632 and a geotechnical assessment was undertaken by Tonkin and Taylor as part of the underlying subdivision consent. Both assessments are contained in Attachment [J] to this application. A further investigation was undertaken with reference to the current application which is contained in Attachment [J]. The later assessment recommends the current excavation in order to create a safe and efficient building platform to promote residential development in a residential zone.

The proposed activity does not include the use of hazardous substances or installations.

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

Refer to Part 2.2.7 above.

2.4 If the activity includes the discharge of any contaminant, a description of—
 (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
 (ii) any possible alternative methods of discharge, including discharge into any other receiving environment:

Refer to Part 2.2.6 above.

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

Actual and potential adverse effects of the proposal have been considered in Part 2.2 and Part 4.0 of this application. A suite of conditions have been offered in Attachment [F] which are considered to effectively mitigate actual and potential effects to an acceptable level.

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

No persons are considered affected by the activity.

2.7 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

No monitoring above or beyond standard consent conditions is considered necessary.

2.8 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

The proposed activity will not have any adverse effect on the exercise of a protected customary right.

3.0 DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT

3.1 Operative District Plan: District Wide Objectives and Policies

3.1.1 Natural Environment

Objective 1 - Nature Conservation Values:

- The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.
- Improved opportunity for linkages between the habitat communities.
- The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.
- The protection of outstanding natural features and natural landscapes.
- The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.
- The protection of the habitat of trout and salmon.

Policies relevant to the above Objective being 1.1 – 1.20 have been considered. Due to the site not containing any significant indigenous ecosystems, plants, animals or extensive areas of natural character a majority of these policies are not considered relevant.

Objective 2: Air Quality

- Maintenance and improvement of air quality.

Policies:

- 2.1 *To ensure that land uses in both rural and urban areas are undertaken in a way which does not cause noxious, dangerous, offensive or objectionable emissions to air.*

The proposal will not result in any noxious, dangerous, offensive or objectionable emissions to air.

3.2 Landscape and Visual Amenity

Objective:

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

1. Future Development

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

The proposal is considered to be consistent with Policies 1(a) to 1(c) above for the following reasons:

- The subject site is zoned residential and not considered to be within an area where the visual amenity values are vulnerable to degradation.

6. Urban Development

- (a) To avoid new urban development in the outstanding natural landscapes of Wakatipu basin.
- (b) To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.
- (c) To avoid remedy and mitigate the adverse effects of urban subdivision and development where it does occur in the other outstanding natural landscapes of the district by:
 - maintaining the open character of those outstanding natural landscapes which are open at the date this plan becomes operative;
 - ensuring that the subdivision and development does not sprawl along roads.
- (d) To avoid remedy and mitigate the adverse effects of urban subdivision and development in visual amenity landscapes by avoiding sprawling subdivision and development along roads.

The proposal is considered to be consistent with Policies 6(a) to 6(d) above for the following reasons:

- The subject site is not within an outstanding natural landscape or visual amenity landscape.

Policies 2 – 5 & 7 – 17 have been assessed and are not considered to be relevant to the proposal.

3.3 Tangata Whenua

3.4 Open Space and Recreation

- 3.5 Energy**
- 3.6 Surface of Lakes and Rivers**
- 3.7 Solid and Hazardous Waste Management**

Objectives and Policies listed above have been considered and deemed not to be relevant due to the location of the subject site and/or nature of the proposed development.

3.8 Natural Hazards

These have been discussed in Part 2.2.7 above and further within Part 4.0 below.

- 3.9 Urban Growth**
- 3.10 Affordable and Community Housing**
- 3.11 Earthworks**
- 3.12 Monitoring, Review and Enforcement**

Objectives and Policies listed above have been considered and deemed not to be relevant due to the location of the subject site and/or nature of the proposed development.

3.13 District Wide Residential Objectives and Policies

Objective 1 - Availability of Land

Sufficient land to provide for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.

Policies:

- 1.1 To zone sufficient land to satisfy both anticipated residential and visitor accommodation demand.*
- 1.2 To enable new residential and visitor accommodation areas in the District.*
- 1.3 To promote compact residential and visitor accommodation development.*
- 1.4 To enable residential and visitor accommodation growth in areas which have primary regard to the protection and enhancement of the landscape amenity.*
- 1.5 To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.*
- 1.6 To promote, where reasonable, a separation of visitor accommodation development from areas better suited for the preservation, expansion or creation of residential neighbourhoods.*

The proposal is considered to be consistent with 1.1 – 1.6 above for the following reasons:

- The subject site is within existing residentially zoned land. While the current application does not include any residential building it is necessary to undertake the works to enable a comprehensive residential building design due to geotechnical constraints on the site.
- The subject site is zoned residential and not considered to be within an area where the visual amenity values are vulnerable to degradation.
- The proposal does not promote any distinction between urban and rural areas but it is not considered to compromise any distinction.
- The proposal does not include any visitor accommodation.

Objective 2 - Residential Form

A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.

Policies:

- 2.1 *To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.*
- 2.2 *To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.*
- 2.3 *To provide for rural living activity in identified localities.*
- 2.4 *In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.*
- 2.5 *To encourage and provide for high density development in appropriately located areas close to the urban centres and adjacent to transport routes.*

The proposal is considered to be consistent with 2.1 – 2.5 above for the following reasons:

- The subject site is within existing residentially zoned land and is not considered to represent urban expansion.
- The proposal does not include rural living or a new residential area
- The proposal is for earthworks only and has no impact upon density within the zone.
- The proposal is considered to represent a careful use of the topography by facilitating a comprehensive residential building design upon a site which has a steep topographical incline.

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for community needs.

Policies:

- 3.1 *To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.*

Residential cohesion is limited by the existing topography and lack of residential construction in the area. The protection and enhancement of 'sense of community and well being' through residential neighbours is not understood.

- 3.2 *To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown residential zones, small townships and Rural Living areas.*

The proposal is for earthworks only and has no impact upon density within the zone.

- 3.3 *To provide for and encourage high density residential development within the high density residential zones.*

The subject site is not within a high density residential zone.

- 3.4 *To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.*

The subject site is zoned residential and does not constitute a landscape value which is considered significant. There is not a sufficient level of residential building in the immediate area to establish a level of coherent urban character.

- 3.5 *To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.*

The proposed earthworks are related to residential development. Earthworks is a activity which is generally anticipated in the residential zone and is not considered to represent an operation which is non-residential in nature. Attachment [F] contains a suite of conditions which includes a condition limiting the hours of operation.

- 3.6 *To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.*
- 3.7 *To ensure residential developments are not unduly shaded by structures on surrounding properties.*

The current application does not include any residential building works.

- 3.8 *To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.*

Discussed in Policy 3.5 above.

- 3.9 *To encourage on-site parking in association with development and to allow shared off-site parking in close proximity to development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*

The current application does not include any residential building works. As such, there is no demand for on-site parking as intended in Policy 3.9 above. Traffic effects have been discussed in Part 2.2.2 above and 4.1 below. Any adverse effects are considered to be less than minor.

- 3.10 *To provide for and encourage new and imaginative residential development forms within the major new residential areas.*

'New and imaginative residential development forms' is not understood.

- 3.11 *To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments.*

The subject site is not considered to be within a critical listening environment.

- 3.12 *To ensure the single dwelling character and accompanying amenity values of the Low Density Residential Zone are not compromised through subdivision that results in an increase in the density of the zone that is not anticipated.*

The proposal is for earthworks only and has no impact upon density within the zone.

- 3.13 *To require an urban design review to ensure that new developments satisfy the principles of good design.*

An urban design review is not required.

- 3.14 *To distinguish areas with low density character where that character should be retained from areas of change located close to urban centres or adjacent to transport routes where higher density development should be encouraged.*

These areas are distinguished by zones.

Objective 4 - Non-Residential Activities

The proposal does not include any non-residential activities.

3.2 Plan Change 49: Earthworks

Queenstown Lakes District Plan as Proposed By Plan Change 49 (Earthworks) Plan Change 49 – Earthworks is a Council-initiated Plan Change designed to simplify and streamline the earthworks provisions within the District Plan. The Council's decision on submissions on Plan Change 49 (PC49) was notified on 2 July 2014. Under s86B(1) of the RMA the PC49 rules, objectives, and policies now have legal effect. Therefore it is considered necessary to assess the relevant objectives and policies of PC49 in relation to the proposal.

Objective 1 and associated policies aim to enable necessary earthworks that avoid adverse effects on communities and the natural environment.

Objective 2 seeks to protect landscape and visual amenity values from adverse effects of earthworks.

Objective 3 seeks to ensure earthworks do not adversely impact on the stability of land, adjoining sites.

Objective 6 seeks to protect cultural heritage, including waahi tapu, waahi taonga, archaeological sites and heritage landscapes from adverse effects of earthworks.

As demonstrated in the assessment set out in Section 2.2.1, 2.2.2 and 4.1 below, the earthworks associated with the proposed development will avoid adverse effects on communities and the natural environment and ensure visual amenity values are protected.

Appropriate conditions of consent will ensure that the earthworks do not result in adverse impact on adjoining sites or stability of land and that any cultural or archaeological features are protected.

The proposal is therefore considered to be in accordance with the relevant objective and policies proposed by PC49.

3.3 Proposed Queenstown Lakes District Council District Plan

Relevant Objectives and Policies of the Proposed District Plan are contained within Attachment [K] to this application. Submissions towards the Proposed District Plan closed on the 23rd of October and it is considered unnecessary to undertake a weighting exercise. While assessment cannot be made under the Proposed District Plan consideration of the Proposed District Plan can be made with a view to the direction Council policy makers intend for the Proposed Zone.

It is considered that the Proposed District Plan is more permissive in relation to the current proposal than the Operative District Plan.

4.0 DISTRICT PLAN: RULES AND ASSESSMENT CRITERIA

4.1 Operative District Plan: Earthworks (Rule 7.7.2 xxxi)

- (a) *Environmental Protection Measures*
- (i) *Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.*

During earthworks a temporary fence structure will be erected around the southern edges of the worksites on Lot 10 and 11 RM050520.01. At the foot of each fence bales of hay will stretch along the edge of the worksite ensuring all sediment remains on the subject site.

- (ii) *Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.*

The subject sites have no defined overland flow paths and Lot 10-11 has no existing stormwater provision. As such, earthworks proposed will not adversely affect stormwater or overland flows.

- (iii) *Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.*

Mitigation measures and a number of conditions of consent have been provided to ensure that any adverse effects from the proposed development will be less than minor. A reduction in the construction timeframes results in an increase in construction intensity which does not automatically suggest a reduction in adverse effects.

Lot 10-11 rock breaking and excavation will be completed within a eight week period which is considered to be temporary in nature and any adverse effects will be less than minor.

- (iv) *Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.*

An assessment of potential geotechnical constraints was undertaken at the time of the original subdivision consent (RM050520) by Tonkin Taylor Ltd which set the parameters for building design within the subdivision. Further, a detailed inspection of the site has been undertaken by Geosolve Ltd which is contained in Attachment [J].

The Geosolve Ltd report confirms that specific building design will be dependent on the nature of rock at the depth of the excavation depicted on the earthworks plan contained in Attachment [E] and a number of recommendations are contained in this report:

- Pilot cuts should be made in advance of the bulk excavation. Such pilot cuts should be supervised; controlled and logged by a geotechnical specialist and comprise small “slots” which due to their size, location, and depth will not pose a significant instability risk to adjacent sites. Observations made in the pilot cuts should be used to confirm any rock support requirements and the excavation construction sequence prior to proceeding with the bulk excavation.
- The bulk excavation should be completed in a staged manner and advanced in several small steps and bays. The depth and size of the excavation should increase with each stage of excavation. Based on previous local experience, Geosolve recommends that all batters in schist be initially formed at 0.25H:1.0V or flatter.
- Each new section of exposed cut face should be inspected by an engineering geologist or geotechnical engineer to confirm the ground conditions and verify any requirement for additional support measures or modification to the excavation sequence.
- Preliminary assessment indicates that if unstable areas are identified the most appropriate solution is likely to comprise over excavation (removal) of the affected areas, and/or the installation of temporary rock anchors and/or rock bolts.
- The construction program and budget should make appropriate allowance for the completion of a staged excavation sequence and the installation of additional stabilisation measures.

(vi) *Whether appropriate measures to control dust emissions are proposed.*

Water is available on the subject site and it is anticipated that K-line sprinklers can be set up to suppress dust emission if conditions become conducive for the uplifting of air borne particulates from the works area.

The neighbouring property to the west contains a residential dwelling some 122 metres from the proposed works site. A mature stand of Douglas Fir stand between the proposed excavation area and the residence on Lot 2 DP 20473. Given the distance from the works area and the trees it is considered that any adverse effects from the proposal in terms of dust upon Lot 2 DP 20473 will be de minimis.

The nearest neighbouring property to the east is 250m from the excavation area and is situated at a lower elevation. Given the direction of predominant winds, distance from the excavation area coupled with the application of water any adverse effects from the proposal in terms of dust upon the properties located at Lot 2 DP 22929.

Properties to the immediate west and south do not have any residential units upon them and no one currently resides on these sites.

Properties located further to the south below the access road are situated some 128m from the works area at a lower elevation. Given the direction of predominant winds, distance from the

excavation area coupled with the application of water any adverse effects from the proposal in terms of dust upon the properties located on Lot 100 DP 490067 will be de minimis.

Given the above, any adverse effects from the proposed works in terms of dust upon the surrounding properties will be de minimis.

- (vii) *Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.*

Previous geotechnical investigations undertaken towards the approval of subdivision consent RM050520 did not encounter any groundwater on either Lot 10-11. As such, it is unlikely any works will encounter groundwater.

(b) *Effects on landscape and visual amenity values*

- (i) *Whether the scale and location of any cut and fill will adversely affect:*
 - a. *the visual quality and amenity values of the landscape;*
 - b. *the natural landform of any ridgeline or visually prominent areas;*
 - c. *the visual amenity values of surrounding sites*
- (ii) *Whether the earthworks will take into account the sensitivity of the landscape.*
- (iii) *The potential for cumulative effects on the natural form of existing landscapes.*
- (iv) *The proposed rehabilitation of the site.*

Effects on landscape and visual amenity values have been considered in Part 2.2.1 of this application where any adverse effects were determined to be de minimis.

(c) *Effects on adjacent sites:*

- (i) *Whether the earthworks will adversely affect the stability of neighbouring sites.*
- (ii) *Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.*
- (iii) *Whether cut, fill and retaining are done in accordance with engineering standards.*

The proposed earthworks will determine geological conditions within the subject site which will enable the development of safe and effective building platforms for future development. The findings will enable the design of safe and effective building platforms on properties which immediately adjoin the subject site.

All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards. A condition appears in the suite of conditions contained in Attachment [F] to this application.

(d) *General amenity values*

- (i) *Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.*
- (ii) *Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.*
- (iii) *Whether natural ground levels will be altered.*
- (iv) *The extent to which the transportation of soil to or from the site will generate any negative effects on the safety or efficiency of the road network.*

The loading of earth shall be confined to the subject site. The applicant will 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 applicant shall take immediate action to clean the roads. A number of conditions appear in the suite of conditions contained in Attachment [F] to this application.

It is noted that the access road is not yet public and access up this road is restricted without authorisation as the area is considered to be a works site under Health and Safety Regulations.

Dust, noise and vibration effects have been discussed in Part 2.2.2 above where any adverse effects from the proposal in terms of dust upon the surrounding properties will be de minimis.

The proposed works will alter natural ground levels to establish the building platform. This is anticipated in the Low Density Residential Zone.

- (e) Impacts on sites of cultural heritage value:
 - (i) *Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.*
 - (ii) *Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.*

The subject site is not recognised as a site of any cultural heritage value. However, should any sub-surface archaeological evidence be unearthed during works, work will cease in the immediate area of remains and the Historic Places Trust will be contacted.

4.2 Plan Change 49: Part 22.4

Criteria listed (i) to (vii) have been considered and for the reasons set out in Part 4.1 above the proposal is considered to be consistent with these criteria. Criteria listed (viii) to (ix) are not considered relevant.

5.0 RESOURCE MANAGEMENT ACT 1991: PART 2

The proposal aligns with the Objectives and Policies of the Low Density Residential Zone. Future development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy, and mitigate adverse effects of activities on the environment.

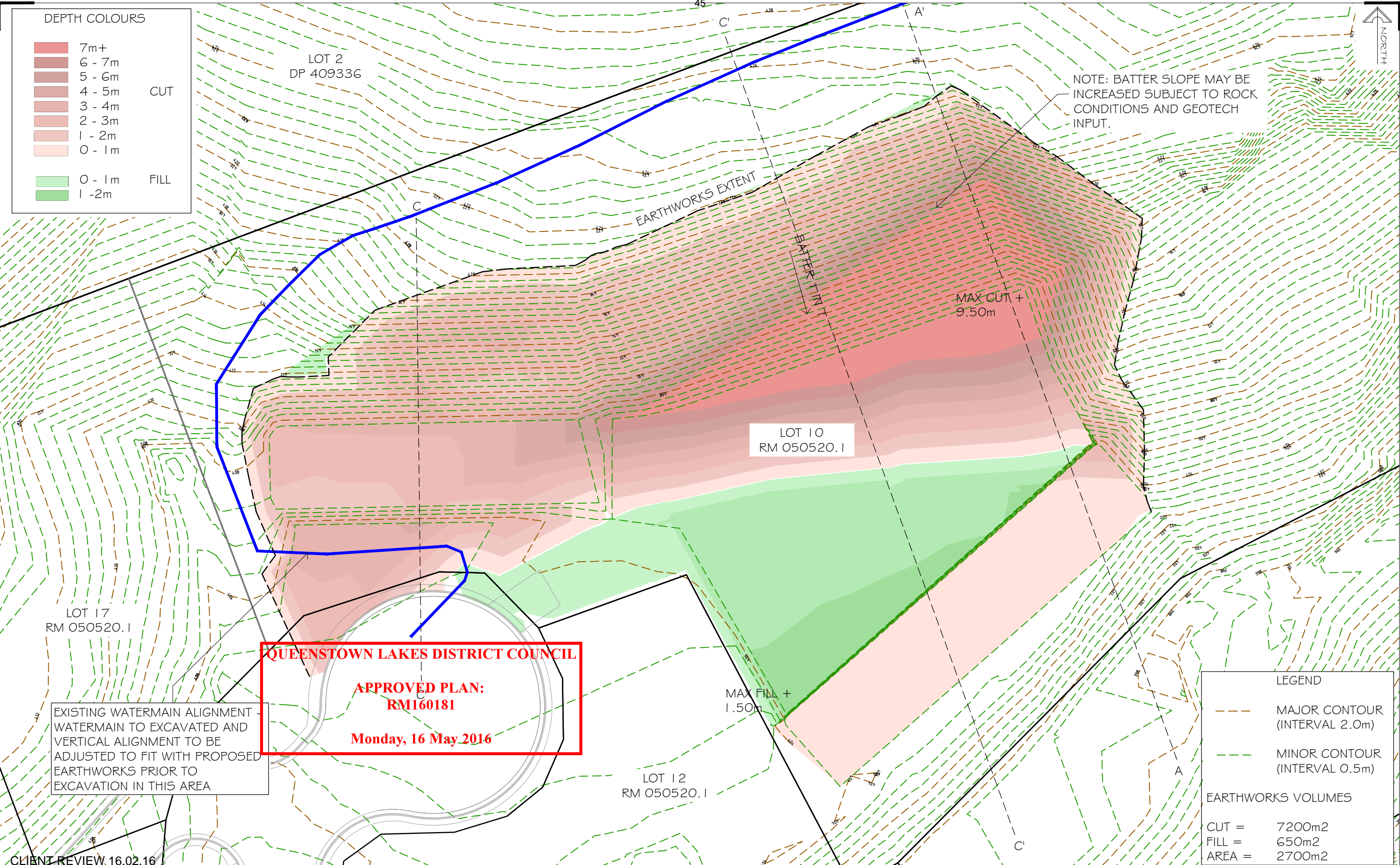
Overall, the proposal is in keeping with the purpose and principles of the RMA.


Prepared by **Nick Geddes**

CLARK FORTUNE MCDONALD & ASSOCIATES

01st March 2016







Clark Fortune McDonald & Associates
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Rev.	Date	Revision Details	By
A	09/05/16	Add new watermain alignment	RB

**PROPOSED EARTHWORKS ON
LOT 10 RM 050520.1**

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	01
	Drawn	Signed	Date	Scale	1:150 @ A1 1:300 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	A

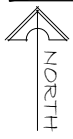
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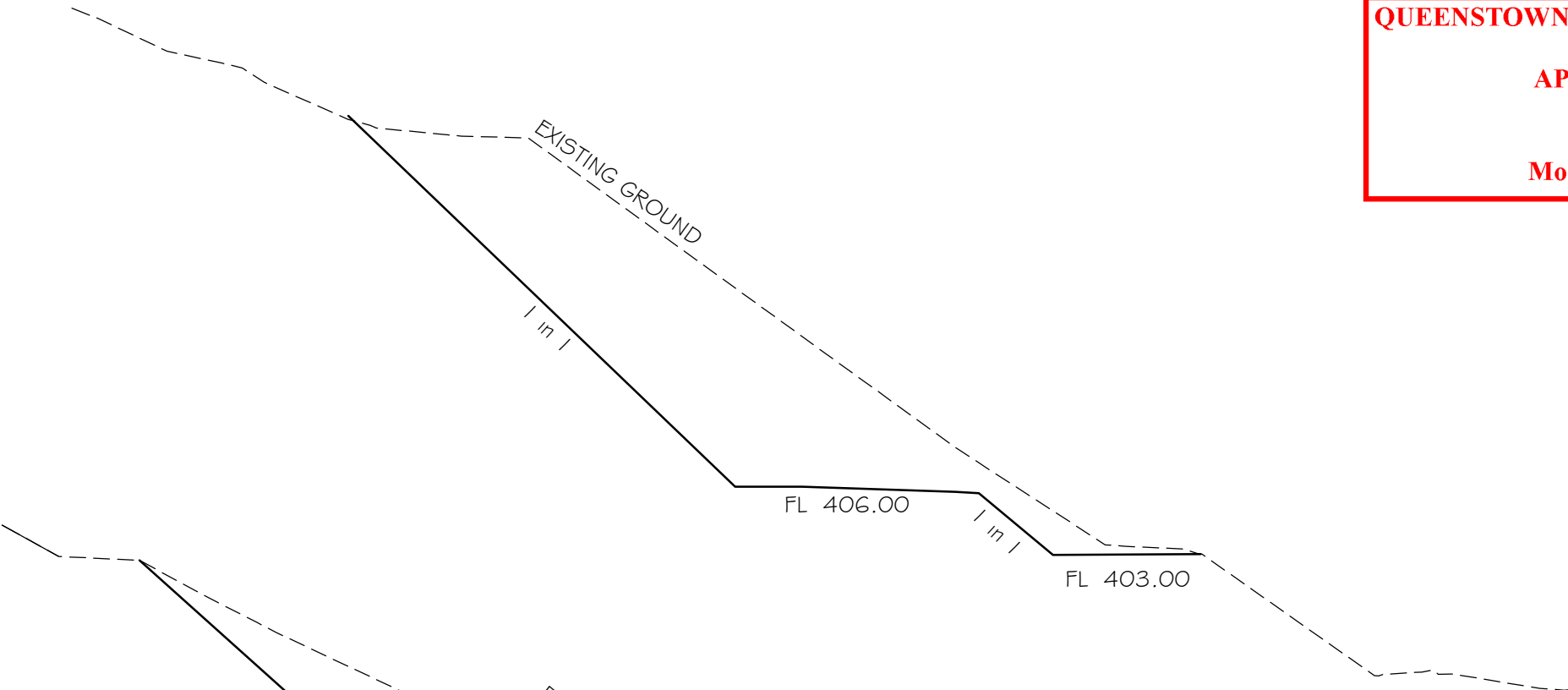
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM160181

Monday, 16 May 2016



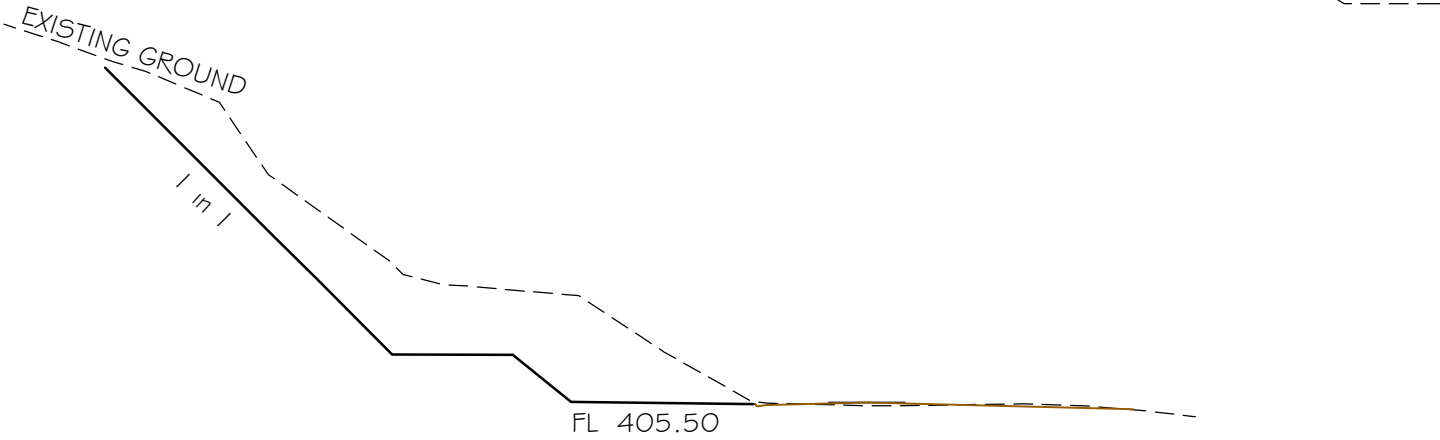
SECTION A - A



SECTION B - B



SECTION C - C



CLIENT REVIEW 16.02.16

 <div>Clark Fortune McDonald & Associates</div> <div>Licensed Cadastral Surveyors - Land Development - Planning Consultants</div> <div>309 Lower Shotover Road, P.O.Box 553 Queenstown</div> <div>Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz</div> <div>Shop 2, Otago House, 475 Moray Place, P.O. Box 5960</div> <div>Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz</div>	Shotover Design Limited trading as				Rev.	Date	Revision Details	By	PROPOSED EARTHWORKS ON LOT 10 RM 050520.1						Client	Surveyed	Signed	Date	Job No.	Drawing No.	
	-	-	-	-	ALPHA PROPERTIES LTD	-	-	-							12377	01					
					Drawn	Signed	Date	Scale							1:150 @ A1	Sheet 002					
					RWB			1:300 @ A3													
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DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104
RESOURCE MANAGEMENT ACT 1991

Applicant:	Alpha Properties NZ Limited
RM reference:	RM180674
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) to construct 10 residential units; and Application under Section 220 of the RMA to undertake a 10 lot subdivision
Location:	Lot 5 Deposited Plan 528817, Woods Lane, Queenstown
Legal Description:	Lot 5 Deposited Plan 528817 held in Record of Title 855649
Operative District Plan Zoning:	Low Density Residential
Proposed District Plan (Stage 1 Decisions Version) Zoning:	Lower Density Suburban Residential
Proposed District Plan (Stage 2) Zoning:	N/A
Activity Status:	Non-Complying
Date	24 May 2019

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the 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 Alex Dunn, Senior Planner, on 23 May 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. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Alex Dunn, Senior Planner as delegate for the Council.

1. PROPOSAL AND SITE DESCRIPTION

Consent is sought for the construction and subdivision of 10 residential units at Woods Lane, Queenstown.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section 1 of the report entitled '*Assessment of Effects on the Environment*', prepared by Nick Geddes of Clarke Fortune McDonald & Associates, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report.

Figure 1 below provides an aerial image of the subject site and surrounding area:



Figure 1 – Subject Site and Surrounds

2. ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Low Density Residential and the proposed activity requires resource consent for the following reasons:

Land use

- A **restricted discretionary** activity under Rule 22.3.2.3 with regards the proposed breaches to the site standards. The proposal will be in breach of the following site standards:

- Site Standard 22.3.3 i as earthworks associated with the development will amount to 7540m³ and will therefore exceed the 300m³ maximum.
- Site Standard 22.3.3.ii as the maximum cut will measure 10.5m in height will exceed the 2.4m maximum.

Council's discretion is restricted to these matters.

Subdivision

- A **controlled activity** resource consent pursuant to Rule 15.2.3.2 [b] for any subdivision or development in any zone which complies with all of the site and zone standards. Council's matter of control is listed with each controlled activity:
 - Rule 15.2.7.1 (subdivision design);
 - Rule 15.2.8.1 (property access);
 - Rule 15.2.9.2 (esplanade provision);
 - Rule 15.2.10.1 (natural and other hazards);
 - Rule 15.2.11.1 (water supply);
 - Rule 15.2.12.1 (storm water disposal);
 - Rule 15.2.13.1 (sewerage treatment and disposal);
 - Rule 15.2.14.1 (trade waste disposal);
 - Rule 15.2.15.1 (energy supply and telecommunications);
 - Rule 15.2.16.1 (open space and recreation);
 - Rule 15.2.17.1 (vegetation and landscaping);
 - Rule 15.2.18.1 (easements);
 - Rule 15.2.21.1 (earthworks).

DECISIONS VERSION (STAGE 1) OF THE PROPOSED DISTRICT PLAN (2018)

Council notified its 'decisions on submission' version of the Proposed District Plan on 7 May 2018. The subject site is zoned Lower Density Suburban Residential and all appeals related to the Rules for this zone have been resolved and are treated as operative pursuant to s86F (with the exception of Rule 7.6.1 – which is not of relevance to this application). The proposed activity requires resource consent for the following reasons:

Land Use

- A **restricted discretionary** activity pursuant to Rule 7.4.7 for the proposed density of proposed Lots 103 (355m²), Lot 105 (410m²), Lot 106 (350m²), Lot 107 (320m²), Lot 109 (408m²) and Lot 110 (425m²) being less than 450m² but great than 300m² in area Council's discretion being restricted to:
 - a) how the design advances housing diversity and promotes sustainability either through construction methods, design or function;
 - b) privacy for occupants of the subject site and neighbouring sites;
 - c) in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016;
 - d) street activation;
 - e) building dominance;
 - f) parking and access layout: safety, efficiency and impacts on onstreet parking and neighbours;
 - g) design and integration of landscaping;
 - h) where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:
 - i) the nature and degree of risk the hazard(s) pose to people and property:
 - the nature and degree of risk the hazard(s) pose to people and property;
 - whether the proposal will alter the risk to any site; and
 - the extent to which such risk can be avoided or sufficiently mitigated.

- A **discretionary** activity pursuant to Rule 7.5.8.2 for infringement of the minimum 2m building setback. Proposed Unit 1 will be located 1.9m from the west boundary.
- A **non complying** activity whereby the permeable surface coverage will be less than the permitted 30%. This technical infringement given the rock substrate.
- A **non-complying** activity pursuant to Rule 7.5.2.2 for buildings exceed the 7m maximum height. Unit 2 will exceed by 2.25m, Unit 9 will exceed by 2.77m and Unit 10 by 4.2m
- A **non-complying** activity pursuant to Rule 7.5.11 for exceeding the 300m² maximum site density. Lot 101 (measuring 235m²), Lot 106 (280m²) and Lot 107 (265m²) will all infringe that density.

Subdivision

- A **restricted discretionary** activity resource consent pursuant to Rule 27.5.7 for all urban subdivision activities with Council's discretion being restricted to:
 - a) Subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions;
 - b) Internal roading design and provision, relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions;
 - c) Property access and roading;
 - d) Esplanade provision;
 - e) The adequacy of on site measures to address the risk of natural hazards on land within the subdivision;
 - f) Fire fighting water supply;
 - g) Water supply;
 - h) Stormwater design and disposal;
 - i) Sewage treatment and disposal;
 - j) Energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks;
 - k) Open space and recreation;
 - l) Ecological and natural values;
 - m) Historic heritage;
 - n) Easements.
- A **non-complying** activity pursuant to Rule 27.5.19 for breaching the 450m² minimum standard stipulated in Rule 27.6.1. Lot 101 (measuring 235m²), Lot 105 (400m²), Lot 106 (280m²) and Lot 107 (265m²) will all infringe that density.

PROPOSED DISTRICT PLAN (STAGE 2)

Council notified its 'decisions on submission' version of the PDP (Stage 2) on 21 March 2019. The site is zoned Lower Density Suburban Residential and resource consent is required for the following reasons:

- A **restricted discretionary** consent pursuant to Rule 25.4.2 for earthworks exceeding 300m³ in the Lower Density Suburban Residential zone. The proposed earthworks will total 7540m³. Council's discretion is restricted to the matters detailed at part 25.7 of the PDP.
- A **restricted discretionary** consent pursuant to Rule 25.5.15 as the maximum height of cut will measure 10.5m and will therefore exceed the 2.4m maximum. Council's discretion is restricted to the matters detailed at part 25.7 of the PDP.
- A **restricted discretionary** activity pursuant to Rule 29.5.3 as the manoeuvring area for Unit 8 has a radius of less than the minimum 6.3m required. Council's discretion is restricted to the size and layout of parking spaces and associated manoeuvring areas.

As the application was lodged prior to 21 March 2019, the activity status continues to be processed, considered, and decided as an application for the type of activity that it was for, or was treated as being for, at the time the application was first lodged. Overall, the application is considered to be a **non-complying** activity.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

3. SECTION 95A NOTIFICATION

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 in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The application does not include 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 for a non-complying residential activity and therefore does not meet the public notification preclusion criteria set out by s95A(5)(b)(i-iv).

An assessment in accordance with Step 3 is therefore required.

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 under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.1 below:

3.3.1 Assessment of Effects On The Environment (S95D)

3.3.2 Exclusions From Assessment (s95D)

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) (the permitted baseline, refer section 3.3.3 below).
- D:** Trade competition and the effects of trade competition (s95D(d)).
- E:** 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)
New Zealand Transport Agency	Road Controlling Authority for Frankton Road (SH6a)



Figure 2 – Subject Site in relation to State Highway 6a

3.3.3 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, the amount of earthworks required are substantial and are required to allow the residential units to be established. Therefore, the permitted baseline as it relates to earthworks is not considered to be relevant to this proposal. Likewise with subdivision, no fee simple subdivision is a permitted activity and the permitted baseline is of little relevance as it relates to the subdivision component of the application

Overall, there is no permitted baseline considered of relevance with regard to this application...

3.3.4 Assessment: Effects On The Environment

Taking into account sections 3.1.1 and 3.1.2 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor.

The relevant assessment matters are found in Sections 7 (*Residential Areas*) and 22 (*Earthworks*) of the ODP and Chapters 7 (*Lower Density Suburban Residential*), 25 (*Earthworks*) 27 (*Subdivision*) and 29 (*Transport*) of the PDP and have been considered in the assessment below.

The Assessment of Effects provided at Section 6 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted for the purposes of this report with additional assessment below.

Visual Amenity and Neighbourhood Character

This development is an additional stage to that already completed and developed along Woods Lane. The proposed units will be a design, colour and construction that is commensurate with the other units that have been constructed as part of previous stages in this development. The lots will be very similar in terms of orientation, size and dimension.

This section of Queenstown Hill slopes up steeply from Frankton Road and there are a number of residential developments along the Hill. To the rear of the site is an undeveloped section of the Hill. When the proposed lots are developed they will be backdropped by Queenstown Hill and will not protrude above it. All the sites located between the subject site and Frankton Road are developed and the site will be blocked by those other developments from the majority of the vantage points along the Road and other roads in the immediately surrounding area. The site will be visible from Lake Wakatipu but at a considerable distance and from that distance the infringements of yard, height and density will not be readily apparent.

The proposed earthworks will amount to 7540m³ with a maximum cut height of 10.5m. While both are large that is due to the steep slope of much of the site and the necessity of a large cut to create level building platforms. That cut will be similar to other completed parts of this site that have a similar relief. Following the completion of the development the extent of the cut will only be perceivable from either within the site or along parts of Woods Lane Road. The units will screen the cut from other public viewing areas.

For the aforementioned reasons it is considered any adverse effect on visual amenity and neighbourhood character from both the building and the earthworks will be less than minor under both the ODP and PDP.

On-site amenity

The outdoor living for the proposed units will be small. However, given the steeply sloping nature of the sites they are more akin to second storey units that have a lower area requirement. The decks are all readily accessible off the main living area of the units and will be a sufficient size.

For these reasons it is considered any adverse effect with regard on-site amenity will be less than minor.

Earthworks and stability

With regard the earthworks the application was assessed by Resource Management Engineer, Cam Jones. Mr Jones noted the following:

- The proposed cuts breach the site standard however, provided the earthworks are undertaken in accordance with the recommendations in the GeoSolve report, Mr Jones is satisfied that they will not result in any ground instability beyond the lot boundary.
- All earthworks shall be undertaken under the supervision of a suitably qualified person, in accordance with the recommendations made in the submitted reports.
- There may be areas where a drop off exists adjacent to the proposed access way and parking spaces. To address that, Mr Jones recommends the detailed design of any required vehicular barriers be provided to Council for Engineering Acceptance prior to the commencement of works.
- The GeoSolve report states that the use of shotcrete and rock anchors is a likely solution for unstable rock. Mr Jones recommends that the detailed design of these systems be provided to Council for Engineering Acceptance prior to the commencement of works, and that the anchors shall not extend beyond the site boundaries of consented Lot 5 RM180834.

- The GeoSolve report provides recommendations regarding temporary and permanent batter slopes. Mr Jones recommends that all batter slopes be formed in accordance with these recommendations.
- The QLDC Hazard Register Maps show the site falls within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being “Nil to Low”. Based on this hazard category, Mr Jones is satisfied that the proposed buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient.

The assessment and recommendations of Mr Jones are adopted.

In addition to the comments made by Mr Jones there will also be a requirement to have erosion and sediment controls installed prior to starting works on the site and maintained for the entire duration of the works. That will ensure there will be no erosion or sedimentation from the site and there will be no impact on the nearby Lake Wakatipu or another other waterbodies.

The works will be undertaken expediently and the time that earth is exposed will be limited. Given the stability of the site this will also be governed under the engineering supervision required by Mr Jones.

Following the completion of the development there will be no exposed earth visible from off-site. The large cut will be screened from off-site by the buildings on the site. Other earthworked areas will be built upon, paved or planted.

There are no known cultural, heritage or archaeological sites on or within the near vicinity of the site. Were the works to unearth any of the above the site will be subject to the accidental discovery protocol.

Given the nature of the earthworks there is the potential for noise. No rock blasting is required; however, some rock breaking is required. However, construction noise standards will be required to be complied with. Therefore it is considered any noise generated on the site will not be out of the ordinary for these site development works and any adverse effect will be less than minor.

It is noted that Consent Notice Instrument 10449745.29 which contains conditions pertaining to geotechnical matters will be complied with.

For the aforementioned reasons it is considered any adverse effect from the earthworks will be less than minor.

Servicing

With regard the servicing the application was also assessed by Mr Jones who noted the following:

- Connections to power, telecommunications, and Council reticulated water, wastewater and stormwater to the lot boundary were approved as part of the underlying subdivision.
- A 125mm diameter water main was approved to the lot boundary as part of the works for the underlying subdivision. Mr Jones is satisfied that this will be adequate to service the development, and recommends that the design of the individual connections to each unit be provided to Council for approval prior to the commencement of works.
- A fire hydrant was approved approx. 2.5m from the western lot boundary as part of the underlying subdivision. Approval was also provided from Fire & Emergency NZ for the formation of the access to the development approved under RM160718. Mr Jones is satisfied that this will satisfy all requirements for firefighting for this development.
- A 150mm diameter sewer line was approved to the lot boundary as part of the works for the underlying subdivision. Mr Jones is satisfied that connecting the development to Council's wastewater reticulation is feasible, and recommends that the design of connections to each unit be provided prior to the commencement of works.
- A 300mm diameter stormwater line was approved to the lot boundary as part of the underlying subdivision and Mr Jones is satisfied that this will be adequate for the development.
- The applicant has provided letters from Chorus and Aurora stating that connections to the telecommunications and power networks are feasible.

The assessment and recommendations of Mr Jones are adopted and it is considered any adverse effect from servicing will be less than minor.

Access

Mr Jones has assessed the access arrangements for the proposal and noted:

- While the legal width of the existing road (approximately 6m) does not comply with QLDC Code of Practice requirements, as there is no parking within the movement and as no new services will need to be laid in the future, Mr Jones is satisfied that the formation will be adequate, and has been accepted by Council's Infrastructure engineers.
- The applicant has provided tracking curves for an 8m rigid truck to turn within the turning head. Mr Jones notes that this has an overhang of approximately 1.7m, and towards the northern end the final contours increase approximately 300-400mm above the level of the access (presumably in addition to a kerb). As no detailed design has been submitted for Engineering Acceptance, Mr Jones is satisfied that these details can be rectified as part of that process. Given that the turning head is required to ensure the access to the site is of an adequate standard, Mr Jones recommends that all works associated with RM160718, RM170614 & RM180834 be complete prior to issuing any titles for the current proposal.
- The tracking curves provided with the application show some clear space where refuse and recycling bins can be located while awaiting collection, but it is unclear whether this is adequate for the number of bins which will be required for 10 units. Mr Jones recommends that these details be provided prior to the commencement of works. It is noted that bins will be stored within the residential units (garages) of each property.
- Within the proposed development, access is via an extension of the road which will be vested (Lot 1000), to be legally secured by a series of reciprocal right of way easements. The formation continues with a 6.0m width, and Mr Jones is satisfied it complies with QLDC Code of Practice requirements. A second turning area has been provided beyond Unit 8. Tracking curves for a 90th percentile vehicle have been provided, though it appears that these curves have a radius of less than the 6.3m required by the District Plan. Given there is some space clear of the tracking curves, and any required changes would be minor, Mr Jones is satisfied that this can be adequately addressed by the detailed design review.
- Mr Jones has recommended that full details of the access design be provided to Council for Engineering Acceptance prior to the commencement of works.
- Mr Jones is satisfied that the vehicle crossing complies with Council requirements for surfacing, sight distance and break over angles. The only non-compliance is the crossing's length. As this was assessed as an intersection under RM160718 and formed as such, Mr Jones is satisfied that this is appropriate.
- Mr Jones is satisfied that all parking spaces and manoeuvring will be acceptable from an engineering perspective.

In addition to the above, it is noted that there is no provision for off-site parking (being parking within the street). There is car parking within the garages that will cater for the occupants of the units. The nearest off-site parking is in Potters Hill Drive and, should that parking be required to meet the needs of visitors then it is only a short walk from the proposed units. It is noted that parking within the shared right of way is not acceptable.

The assessment and recommendations of Mr Jones are adopted and it is considered any adverse traffic effect and effect from the access will be less than minor.

3.3.5 Decision: Effects On The Environment (S95A(2))

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:

Boundary activity / Prescribed activity

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

The effects of the proposal on owners of allotments with infringed boundaries are assessed in section 4.3.1 below and will be less than minor.

Any other activity

If not a boundary activity or prescribed activity, 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 (see the assessment below in section 4.3.3).

4.3.1 Assessment Of Effects On Persons (s95E)

Effects That May Be Disregarded

4.3.2 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 3.3.2 above and is not considered relevant.

4.3.3 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:

Name	Address
New Zealand Transport Agency	Road Controlling Authority for that section of Frankton Road (SH6a)

4.3.4 Assessment: Effects on Persons



Figure 3 – Subject site and adjacent sites

Taking into account the exclusions in section 95E(2) and (3) and 3.3.2 (Permitted Baseline) 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:

Owners and Occupiers of 678 Frankton Road (to the east and south of the subject site)

There is an existing unit on this site but it is screened from the subject site by considerable vegetation on both sites. The unit on this site is located at a lower elevation than that on the subject site but is orientated toward Lake Wakatipu rather than toward the subject site.

Several of the units (Units 7, 9 and 10) will infringe the maximum height however, they are all located well away from the boundary with this site. Other units, will be backdropped by Queenstown Hill and there is unlikely to be any change to the shading effect on this site.

The proposed earthworks will be large but following completion of the works the extent of the cut will be screened by the units on the site.

Woods Lane is located well away from this site and the increase in traffic movement will not be perceivable.

Mr Jones has assessed the earthworks and geotechnical components of the application and is satisfied that there will be no instability to adjacent sites.

Therefore any adverse effects from land stability will be less than minor.

The hours that development works can take place on the site will be restricted to Monday to Saturday and not Sunday or public holidays. This is typical for residential development. Therefore any adverse noise effect will be less than minor.

For the aforementioned reasons it is considered any adverse effect to the owners / occupiers at 678 Frankton Road will be less than minor and written approval was not required.

Owners and Occupiers of 449 Tucker Beach Road bounds the site to the north)

This is a very large vacant site that is currently undeveloped near the subject site. It is heavily vegetated and steeply sloping. Were it to be developed in the future, it is elevated well above the level of the subject site and the proposed development would not block any views or dominate.

For these reasons any adverse effect on the owners / occupiers of this site will be less than minor and written approval was not required.

Owners and Occupiers of Lot 14 DP 490069, Potters Hill Drive (to the southwest of the site)

This site is currently vacant. Proposed Unit 9 will be the closest unit to this site and will have a building height infringement on the west side of the unit. That unit will be located approximately 4.3m from the boundary with the property at Lot 14 and will be sufficiently far that it would not dominate any future development on Lot 14.

When viewed from Lot 14 the units on the subject site will be back dropped by Queenstown Hill and any shading would not be exacerbated by the unit.

Furthermore, were Lot 14 to be developed in the future it is most likely that it would be oriented toward Lake Wakatipu rather than toward the subject site. Given that orientation coupled with the separation distance and the backdrop of Queenstown Hill there any shading, privacy or dominance effect will be less than minor.

Mr Jones has assessed the earthworks and geotechnical components of the application and is satisfied that there will be no instability to adjacent sites.

Therefore any adverse effects from land stability will be less than minor.

The hours that development works can take place on the site will be restricted to Monday to Saturday and not Sunday or public holidays. This is typical for residential development. Therefore any adverse noise effect will be less than minor.

For the aforementioned reasons it is considered any adverse effect to the property at Lot 14 DP 490069 would be less than minor and written approval was not required.

Additional properties are considered to be sufficiently far removed from the subject site and proposed development that any adverse effect would be less than minor and written approvals were not required.

4.3.4 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))

6.2.1 OPERATIVE DISTRICT PLAN

The relevant operative objectives and policies are contained within Parts 4, 7, 15 and 22 of the District Plan. These were assessed in Section 3 of the Applicant's AEE. That assessment is considered thorough and complete and is adopted for the purposes of this report. For these reasons it is considered the proposal with the relevant objectives and policies of the Operative District Plan.

6.2.2 PROPOSED DISTRICT PLAN

Proposed District Plan (Stage 1 – Decisions Version 2018)

The relevant Objectives and Policies are located in Chapter 7 (Lower Density Residential) and Chapter 27 (Subdivision and Development) and include:

Residential

Objective 7.2.1 and Policies 7.2.1.1 to 7.2.1.4 that seek that Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.

Objective 7.2.3 and Policies 7.2.3.1 to 7.2.3.3 that encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.

Objective 7.2.6 and Policies 7.2.6.1 to 7.2.6.3 that seek that development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.

Subdivision

Objective 27.2.1 and Policies 27.2.1.3, 27.2.1.4, 27.2.1.5 and 27.2.1.7 that seek subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Objective 27.2.2 and Policies 27.2.2.1, 27.2.2.4, 27.2.2.6 that seek that subdivision design achieves benefits for the subdivider, future residents and the community.

The proposal will provide a number of residential units and while several will be higher than provided for in this zone they will be appropriately designed and located so that they can establish without dominating or shading adjacent sites. The sites will continue to be backdropped by Queenstown Hill and when viewed from public places such as Frankton Road and Lake Wakatipu, the units will not protrude above the ridgeline of the Hill.

The units will be a design and construction commensurate with other units on adjacent sites and in the surrounding area.

The proposal has been assessed by Council's Resource Management Engineer, Cam Jones. Mr Jones assessment is contained in Appendix 3 and paraphrased in Section 3 of this report and Mr Jones is supportive of the proposed development provided the servicing is undertaken in an appropriate manner.

The sites are all an acceptable size and shape and the access, parking and manoeuvring can all be constructed to an acceptable level.

For these reasons it is considered the proposal is consistent and not contrary to the relevant objectives and policies of the Proposed District Plan.

Proposed District Plan (Stage 2 – Decisions Version 2019)

Council notified its decision version Stage 2 of the PDP on 21 March 2019 and under Stage 2 and the following are the relevant objectives and policies.

Objective 25.2.1 and Policies 25.2.1.1 to 25.2.1.11 that seek that earthworks are undertaken in a manner that minimises adverse effects on the environment, protects people and communities, and maintains landscape and visual amenity values.

This subject site is a steeply sloping, large site. The earthworks, while large, are essential to create the building platforms, parking, access and manoeuvring areas. They will be undertaken under geotechnical supervision and when completed will not be dissimilar to the earthworks that have already been undertaken on the site. The proposal has been assessed by Council's Resource Management Engineer, Mr Cam Jones. Mr Jones supports the works subject to following an approved methodology. Following the completion of the development the cut will be to the rear of the units and will not be readily visible.

For these reasons it is considered the proposed earthworks will be consistent with the relevant Objective and Policies of the PDP.

Objective 29.2.2 and Policies 29.2.2.1, 29.2.2.5, 29.2.2.6 and 29.2.2.11 the seek that parking, loading, access, and onsite manoeuvring that are consistent with the character, scale, intensity, and location of the zone and contributes toward:

- a. providing a safe and efficient transport network;*
- b. compact urban growth;*
- c. economic development;*
- d. facilitating an increase in walking and cycling and the use of public transport; and*
- e. achieving the level of residential amenity and quality of urban design anticipated in the zone.*

The traffic and parking aspects of the application have been assessed by Mr Jones. Mr Jones supported the application subject to a number of recommendations, such as adhering to Council's Code of Practice.

The assessment and recommendations of Mr Jones are adopted and it is considered the proposal is consistent with the relevant Transport Objectives and Policies of the PDP.

Weighting between Operative District Plan and Proposed District Plan (Stage 1)(s.104(b)(vi))

In this case the conclusions reached in the assessment of effects and objectives and policies under the ODP are the same as the conclusions reached under the PDP and as such no weighting assessment is required.

6.3 PARTICULAR RESTRICTIONS FOR NON-COMPLYING ACTIVITIES (s104(D))

With respect to the assessment above, the first threshold test for a non-complying activity required under Section 104D has been met in that the application is not considered to create any actual or potential adverse effects which are more than minor in extent.

With respect to the second threshold test under Section 104D it is concluded that the application can pass through the second gateway test given that the proposal is not considered contrary to the relevant policies and objectives of the District Plan or the Proposed District Plan.

On this basis discretion exists to grant consent for this non-complying activity.

6.4 OTHER MATTERS – SUBDIVISION (s106)

A consent authority may refuse to grant a subdivision consent, or may grant a subdivision consent subject to conditions, if it considers that the land is or is likely to be subject to, or is likely to accelerate material damage from natural hazards, or where sufficient provision for legal and physical access to each allotment has not been made. In this case, there are no such matters that would require refusing the subdivision.

6.5 PART 2 OF THE RMA

In this instance, the purpose of the RMA is to ensure that amenity values will not be adversely affected by the development. The applicant's AEE and the assessment in Sections 3 and 4 of this report have identified that the actual and potential effects the proposal will not result in detrimental effects to the residential amenity values of the receiving environment or traffic safety on Potters Hill Drive or the State

Highway. The proposal will also allow for the landowners to provide for their economic and social wellbeing. For the reasons outlined throughout this assessment including the avoidance of adverse effects on the environment it is considered the proposal meets Part 2 of the RMA.

6.6 DECISION A: ON LAND USE CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** to Alpha Properties NZ Limited to undertaken earthworks, erect ten residential units and undertake a 10 lot subdivision subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

6.6 DECISION B: ON SUBDIVISION CONSENT PURSUANT TO SECTION 104 OF THE RMA

Consent is **granted** subject to the conditions outlined in *Appendix 2* of this decision report imposed pursuant to Section 220 of the RMA.

7.0 OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to application under the RMA for certification pursuant to section 224(c).

Please contact the Council if you require a Development Contribution Estimate.

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.

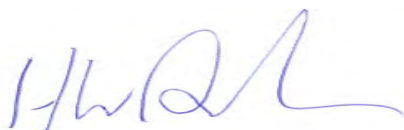
The Council will contact you in due course to arrange the required monitoring. It is suggested that you contact the Council if you intend to delay implementation of this consent or if all conditions have been met.

This resource consent is not a consent to build under the Building Act 2004. A consent under this Act 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 Resource Management Act 1991.

If you have any enquiries please contact Hamish Anderson on phone 021 707 740 or email Hamish.anderson@qldc.govt.nz.

Report prepared by



Hamish Anderson
CONSULTANT SENIOR PLANNER

Decision made by



Alex Dunn
SENIOR PLANNER

APPENDIX 1 – Consent Conditions
APPENDIX 2 – Applicant's AEE
APPENDIX 3 – Engineering Assessment

APPENDIX 1 – CONSENT CONDITIONS

DECISION A – LANDUSE

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Proposed Units on Lot 5 RM170614: Drawing F001, Sheet 001: Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'Proposed Units on Lot 5 RM170614: Height Limit Infringements: Drawing F001, Sheet 002 Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'Proposed Units on Lot 5 RM170614: Section Views: Drawing F001, Sheet 003: Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'Proposed Units on Lot 5 RM170614: Height Limit Infringements: Drawing F001, Sheet 004 Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'Proposed Units on Lot 5 RM170614: Height Limit Infringements: Drawing F001, Sheet 005 Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'Proposed Units on Lot 5 RM170614: Shading Analysis: Drawing F001, Sheet 006 Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'The Tiers Woods Proposed Earthworks on Lots 5 & 100 RM170614: Drawing No. F003 Sheet 001 Rev C', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'The Tiers Woods Proposed Earthworks on Lots 5 & 100 RM170614: Drawing No. F003 Sheet 002', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'The Tiers Woods Proposed Earthworks on Lots 5 & 100 RM170614: Drawing No. F003 Sheet 003', prepared by Clark Fortune McDonald and Associates and dated 29/03/2019
 - 'The Tiers Woods Landscape Plan: Drawing 09: Rev F', prepared by Clark Fortune McDonald and Associates and dated 08/01/2017

stamped as approved on 23 May 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.
4. All engineering works, including the construction of retaining walls, 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 May 2018 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>

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

5. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.

6. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
7. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (4), to detail the following requirements:
 - a) The provision of a water supply to Units 1 - 10 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Units 1 - 10 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for any two units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within Units 1 - 10 to the Council reticulated stormwater disposal system. This shall include an inspection chamber/rodding eye at the junction of the laterals for the any units. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot.
 - d) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. This shall include:
 - (i) Parking stalls to be in general accordance with the Clark Fortune McDonald plan submitted with the application ('Proposed Units on Lot 5 RM 170614', Rev C, dated 29.03.19) and in accordance with Council's standards.
 - (ii) Parking shall be clearly and permanently marked out. No parking marking shall be installed in the turning heads.
 - (iii) Car parks which are associated with a particular unit shall be clearly signposted.
 - (iv) Visitor parking areas shall be clearly signposted.
 - (v) Wheel stops shall be installed where appropriate.
 - (vi) Provision shall be made for stormwater disposal.
 - (vii) Tracking curves prepared by a suitably qualified traffic engineer shall be provided demonstrating that the final design allows for a 90th percentile vehicle to undertake a three-point turn in the turning area adjacent to Unit 8.
 - e) The provision of road lighting in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. 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.

- f) The formation of the access way to all units, in accordance with Council's standards. This shall include:
 - (i) Surface treatment to clearly delineate where the public road ends and the private road begins.
 - (ii) Provision shall be made for stormwater disposal from the carriageway.
 - (iii) Provision shall be made for rubbish bin storage and collection at the end of the public road serving the development. This shall include tracking curves prepared by a suitably qualified traffic engineer, demonstrating that a medium rigid truck can undertake a 3-point turn in the turning head without striking any of the bins.
 - g) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to occupation of any unit.
 - h) The consent holder shall provide a geotechnical report prepared by a suitably qualified person addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site and neighbouring lots is maintained. This shall include details of the appropriate methodology for completing the south-facing cuts due to the presence of adverse rock features, and confirmation that rock anchors do not extend beyond the site boundaries of consented Lot 5 RM180834. All required retaining structures shall be completely contained within the lot boundaries.
 - i) The provision of Design Certificates for all engineering works associated with this 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.
8. 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 to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
 9. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (7h) and who shall supervise the earthworks procedure and retaining wall construction, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.
 10. At least 5 working days prior to commencing work on site the consent holder shall advise the Manager of Resource Management Engineering at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Conditions (5 - 9) shall be demonstrated.

To be monitored throughout earthworks

11. The earthworks, batter slopes and retaining shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (7h).
12. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
13. 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.
14. The loading and stockpiling of earth and other materials shall be confined to the subject site. Specifically Woods Lane or the communal right-of-way access shall not be used for the loading/unloading or storage of material.
15. At the completion of works each day Woods Lane and the access way shall be left in a condition trafficable by small vehicles.
16. In the absence of an approved traffic management plan that authorises otherwise, contractors' equipment shall not be permanently located within any portion of Woods Lane.
17. In the absence of an approved traffic management plan that authorises otherwise, any temporary obstructions in Woods Lane shall be removed within 5 minutes of being reasonably requested to allow safe passage of pedestrians or vehicles over the road.
18. No earthworks, temporary or permanent, are to breach the boundaries of the site.
19. The Manager of Resource Management Engineering at Council shall be notified and work shall stop immediately if any cracking, movement, structural distress or damage to any existing buildings, structures, underground services, public roads, pathways and/or surrounding land occurs.
20. If at any time Council officers, or its elected representatives, receive justifiable complaints about or proof of effects from vibration sourced from the earthworks activities approved by this resource consent, the consent holder at the request of the Council shall cease all earthworks activities and shall engage a suitably qualified professional who shall prepare a report which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and/or buildings beyond this site. Depending on the outcome of this report, a peer review may be required to be undertaken by another suitably qualified professional at the consent holder's expense. This report must take into consideration the standard BS 5228:1992 or a similar internationally accepted standard. Both the report and peer review (if required) shall be submitted to Council for review and acceptance. The Consent holder shall implement any measures proposed in the report that will mitigate any negative effects of the vibration.

Accidental Discovery Protocol

21. If the consent holder:
 - a) does not have an archaeological authority from Heritage New Zealand Pouhere Taonga and 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.

Noise

- 22. The consent holder shall ensure that activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in the adjoining Residential zone:

- day time (0800 – 2000 hrs) 50 dBA L₁₀
- night time (2000 – 0800 hrs) 40 dBA L₁₀ and L_{max} 70dBA

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991 and shall take into account special audible characteristics.

To be completed prior to occupation of any unit

- 23. Prior to occupation of any unit, 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 development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (7) above.
 - c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 101-110 as per condition (7a) above, and evidence of supply shall be provided to Council's Subdivision Inspector.
 - d) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (5) for all engineering works completed in relation to or in association with this 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.
 - e) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.

- f) The consent holder shall provide to the Manager of Resource Management Engineering at Council a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.2 and demonstrates to Council that the building platforms are suitable for building development. In the event that the conditions within the building platforms are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Manager of Resource Management Engineering at Council.
 - g) 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.
 - h) 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.
 - i) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
 - j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
24. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a Covenant in Gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.
- [Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].*

Advice Note:

1. The consent holder is advised to undertake a pre-construction condition survey, including photographs, to record the existing condition of all neighbouring buildings, landscaping and roads that lie within 10m of the proposed works. The extent of the pre-construction survey is related to the site and its surrounds and the associated potential risks. The existing condition of roading, landscaping and structures needs to be documented by way of photos, focusing on any damage that is already apparent. Items such as minor cracking in plaster will be very difficult to identify, and in these cases other methods would need to be employed to determine if they were formed as a result of the consented works. The survey will never cover everything but it aims to provide a record that can be reviewed in the event of a complaint or issue being raised.

2. 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.
3. 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.

DECISION B – SUBDIVISION:

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - 'Lots 101-111, 200 & 1000 Being a Proposed Subdivision of Lot 5 RM170614: Drawing No. F002 Sheet 001', prepared by Clark Fortune, McDonald & Associates and dated 29/03/2019
 - 'Lots 101-111, 200 & 1000 Being a Proposed Subdivision of Lot 5 RM170614: Drawing No. F002 Sheet 002', prepared by Clark Fortune, McDonald & Associates and dated 29/03/2019

stamped as approved on 23 May 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.

Staging

3. This subdivision may be staged. For the purposes of issuing approvals under Sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:

Stage 1: Lots 105 – 108.

Stage 2: Lots 103, 104, 109 & 110.

Stage 3: Lots 101 & 102

The stages set out above may be progressed in any order and combined in any order, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under Sections 223 and 224(c) of the Resource Management Act 1991. Any balance lots created shall either be serviced to Council's standards or held together in one title with a serviced lot.

4. All engineering works, including the construction of retaining walls, 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 May 2018 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>

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

5. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.

6. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
7. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) The provision of a water supply to Lots 101-110 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Lots 101-110 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for any two units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within Lots 101-110 to the Council reticulated stormwater disposal system. This shall include an inspection chamber/rodding eye at the junction of the laterals for the any units. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot.
 - d) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. This shall include:
 - (i) Parking stalls to be in general accordance with the Clark Fortune McDonald plan submitted with the application ('Proposed Units on Lot 5 RM 170614', Rev C, dated 29.03.19) and in accordance with Council's standards.
 - (ii) Parking shall be clearly and permanently marked out. No parking marking shall be installed in the turning heads.
 - (iii) Car parks which are associated with a particular unit shall be clearly signposted.
 - (iv) Visitor parking areas shall be clearly signposted.
 - (v) Wheel stops shall be installed where appropriate.
 - (vi) Provision shall be made for stormwater disposal.
 - (vii) Tracking curves prepared by a suitably qualified traffic engineer shall be provided demonstrating that the final design allows for a 90th percentile vehicle to undertake a three-point turn in the turning area adjacent to Lot 8.
 - e) The provision of road lighting in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. 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.

- j) The formation of the access way within right of way easements A - F, in accordance with Council's standards. This shall include:
 - (i) Surface treatment to clearly delineate where the public road ends and the private road begins.
 - (ii) Provision shall be made for stormwater disposal from the carriageway.
 - (iii) Provision shall be made for rubbish bin storage and collection at the end of the public road serving the development. This shall include tracking curves prepared by a suitably qualified traffic engineer, demonstrating that a medium rigid truck can undertake a 3-point turn in the turning head without striking any of the bins.
 - k) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to 224c certification.
 - l) The consent holder shall provide a geotechnical report prepared by a suitably qualified person addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site and neighbouring lots is maintained. This shall include details of the appropriate methodology for completing the south-facing cuts due to the presence of adverse rock features, and confirmation that rock anchors do not extend beyond the site boundaries of consented Lot 5 RM180834. All required retaining structures shall be completely contained within the lot boundaries.
 - m) The provision of Design Certificates for all engineering works associated with this subdivision 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.
8. 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 to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
 9. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (4h) and who shall supervise the earthworks procedure and retaining wall construction, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.
 10. At least 5 working days prior to commencing work on site the consent holder shall advise the Manager of Resource Management Engineering at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Conditions (2 - 6) shall be demonstrated.

To be monitored throughout earthworks

11. The earthworks, batter slopes and retaining shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (4h).
12. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
13. 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.
14. The loading and stockpiling of earth and other materials shall be confined to the subject site. Specifically Woods Lane or the communal right-of-way access shall not be used for the loading/unloading or storage of material.
15. At the completion of works each day Woods Lane and the access way shall be left in a condition trafficable by small vehicles.
16. In the absence of an approved traffic management plan that authorises otherwise, contractors' equipment shall not be permanently located within any portion of Woods Lane.
17. In the absence of an approved traffic management plan that authorises otherwise, any temporary obstructions in Woods Lane shall be removed within 5 minutes of being reasonably requested to allow safe passage of pedestrians or vehicles over the road.
18. No earthworks, temporary or permanent, are to breach the boundaries of the site.

To be completed before Council approval of the Survey Plan

19. 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. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council prior to Engineering Acceptance.

Amalgamation Condition

20. The following shall be registered with Land Information New Zealand (CSN XXXXX):
 - *"That Lot 111 hereon and Lot 6 RM180834 (DP to be confirmed) be held in the same Record of Title"*

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

21. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) Lot 200 of RM180834 (road lot) shall be vested with Council.
Note: This includes Lot 1000 as shown on the plans approved by way of this consent. I.e, Lot 1000 forms part of Lot 200 RM180834 (the turning head must be formed and vested with the rest of the road)

- b) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this subdivision at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
- c) The completion and implementation of all works detailed in Condition (7) above.
- d) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 101-110 as per condition (7a) above, and evidence of supply shall be provided to Council's Subdivision Inspector.
- 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 (7) for all engineering works completed in relation to or in association with this subdivision (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) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
- i) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure associated with the subdivision.
The legal documents that are used to set up or that are used to engage the management company are to 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.
- j) All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision. The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes limitations or remedial works against any lot(s) the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.
- k) 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.

- l) 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.
- m) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise 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) All buildings shall be constructed to a point where they are fully measurable (i.e walls and roofs have been put on)

Ongoing Conditions/Consent Notices

22. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.
- a) In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition (21i) contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
 - b) The owners of Lots 103 – 110 are required to be part of the management entity as required by Condition (21i) of RM180674. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading and service infrastructure.
 - c) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
 - d) At the time of any future development of Lot 200, all necessary services and access shall be provided in accordance with Council's standards and connection policy as they apply at the time. For the purposes of this condition the term "necessary services and access" includes wastewater disposal, water supply, stormwater disposal, telecommunications supply, electricity supply, and formed legal access. The costs of providing services and access shall be borne by the owner of the lot for the time being and they shall also pay to the Queenstown Lakes District Council any applicable Development Contributions.
23. In the event that the Engineering Acceptance issued under Condition (7) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the *relevant* Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.
- [Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].*

Advice Note:

1. This application does not include the turning head as depicted on some of the plans. This turning head is to be formed and vested as part of RM180834 (which is required to be completed prior to S224c issuing for this consent).
2. There is repetition of some conditions in the land use consent and the subdivision consent. When a condition is satisfied in one it will be noted as having been satisfied in the other.
3. The consent holder is advised to undertake a pre-construction condition survey, including photographs, to record the existing condition of all neighbouring buildings, landscaping and roads that lie within 10m of the proposed works. The extent of the pre-construction survey is related to the site and its surrounds and the associated potential risks. The existing condition of roading, landscaping and structures needs to be documented by way of photos, focusing on any damage that is already apparent. Items such as minor cracking in plaster will be very difficult to identify, and in these cases other methods would need to be employed to determine if they were formed as a result of the consented works. The survey will never cover everything but it aims to provide a record that can be reviewed in the event of a complaint or issue being raised.
4. 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.
5. 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.

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 – APPLICANT’S AEE

ATTACHMENT [A]

Assessment of Effects on the Environment

Alpha Properties Ltd

COMPREHENSIVE DEVELOPMENT

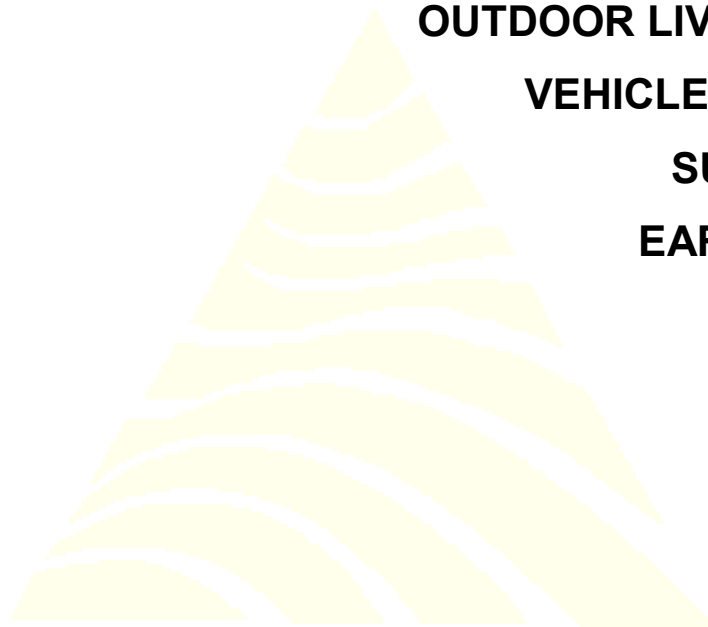
HEIGHT

OUTDOOR LIVING SPACE

VEHICLE CROSSING

SUBDIVISION

EARTHWORKS



November 2018

Prepared by: Nick Geddes

CLARK FORTUNE MCDONALD & ASSOCIATES
REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS



1.0 A DETAILED DESCRIPTION OF THE PROPOSAL:

1.1 Site Description

The subject site is located on the northern side of Frankton Road (State Highway 6A), between Queenstown and Frankton. The site is legally described as Lot 10 DP 490069, being 0.9886 hectares in area and contained within computer freehold register identifier 706713. A recent search of computer freehold register is contained within Attachment [B].



Figure 1: QLDC GIS

The topography of the site rises up from the southern boundary to the northern and has been recently felled of wilding Douglas Firs and Sycamore.

An internal access Potters Hill Drive has been constructed in accordance with the original subdivision consent RM050520.01. This Road provides access to the subject site via a formed intersection with Frankton Road.

A location plan is contained in Attachment [C] to this application.

1.3 Site History

RM050520

Approved on 20 May 2008, by Commissioners Mr Trevor Shields and Mr Lyall Cocks. This granted consent to subdivide Lot 2 Deposited Plan



305273 into 17 fee simple residential allotments with associated earthworks.

- RM160181** Application to carry out earthworks on Lots 10 and 11 of approved subdivision RM050520 as amended by RM050520.01 involving 7200m³ of earthworks at Frankton Road, Frankton.
- RM160718** Application to construct a comprehensive residential development with 12 residential units that will breach maximum height and outdoor living space, including subdivision of the site into 12 allotments, each to contain a residential unit. Consent is also sought to breach transportation standards. Approved 24th January 2017.
- RM170614** Application under Section 88 of the Resource Management Act 1991 (RMA) to add two residential units and a residential flat to this existing comprehensive residential development and subdivision; AND Application under Section 127 of the RMA to vary Condition 1 of consent RM160181 to provide for additional earthworks and to vary Conditions 6a, 6b, 6g (landuse) and Conditions 1, 4, 7a, 7b and 7g (subdivision) of RM160718 to include the two additional units in the previous development and subdivision plans. Approved 15th November 2017.
- RM180834** Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent for a road boundary infringement via the vesting of a road to replace an approved right of way. And Application under Section 127 of the RMA to vary Land Use Conditions 1, 3, 6, 7, 8 and 9 and Subdivision Conditions 1, 3, 4 and 7 - 10 of RM170614 to vary the approved plans.

A full copy of the relevant decisions listed above are contained in Attachment [D] to this application.

Summary;

RM050520 approved the subdivision of Lot 2 DP 305273 into 17 separate fee simple lots where Lot 10 was completed in the later stages of this subdivision. RM160181 approved earthworks to construct 12 residential units on Lot 10 which was later redesigned to accommodate 14 units and approved under RM170614.

RM180834 approved amendments to the plan set for the residential units approved under RM170614 where one unit was removed from the RM170614 approved scheme plan to facilitate future development contained in the current application. Importantly, RM180834 approved amendments to allow the road access to the subject site to be vested to QLDC upon the completion of Stage 2 of The Tiers development.

1.4 The Proposal



The applicant is currently in the process of constructing development approved under RM170614 and RM180834 referred to as "The Tiers". Only 12 units were initially intended for The Tiers development based upon the expected geological conditions. Subsequent to excavation on the site it was identified that ground conditions are more favourable than initial expectations and another two units were added.

The ground conditions over the subject site (Lot 5 RM180834) were initially not anticipated as being particularly well suited for building development. However, in the course of the excavation and investigations completed on The Tiers it has been identified that the subject site can accommodate a level of building development which is the subject of the current application.

Development on the subject site Lot 5 RM180834 is referred to as "The Woods".

Stage 1 of The Tiers subdivision has been completed and titles have issued. However, in order for the current application to be entertained the following condition is offered and appears in the set of conditions contained in Attachment [E]:

"Prior to certification pursuant to Section 224 (c) of the Act, the consent holder shall provide a copy of the computer freehold register of Lot 5 to be created by subdivision consent RM170614".

The design of the proposed apartments on are detailed on the plans contained in Attachment [F] which constitutes three typologies. Each unit is contained on a fee simple allotment as depicted on the proposed scheme plan contained in Attachment [G]. Table 1 below provides a summary:

	Unit	Lot	Size	Typology	Stage
Block 1	1	101	235m ²	1	3
	2	102	520m ²	2	
Block 2	3	103	460m ²	2	2
	4	104	460m ²	1	
Block 3	5	105	400m ²	1	1
	6	106	280m ²	2	
	7	107	265m ²	2	
	8	108	580m ²	1	
Block 4	9	109	595m ²	3	2
	10	110	630m ²	3	
Balance	-	200	1060m ²	-	1

Table 1: Lots / Units



The current application requires assessment as a landuse and subdivision which has been set out as Part A (landuse) and Part B (subdivision):

Part A: Landuse

1.4.1 Earthworks

The required earthworks are detailed on a cut and fill plans contained in Attachment [H] of this application.

Access to the excavation area has been established by previous works under RM170614 and RM160181 where there is sufficient width to provide contractors with a road and enable material to be transported from the site in a safe and efficient manner.

Proposed works excavate into the hillside where a majority of works involve cutting and rock breaking in a north-eastern direction. Rock breaking cannot continue constantly. It requires a period of breaking followed by a period where the hydraulic excavator loads material onto a truck positioned on the access way.

A total of 7400m³ is required to be cut from the hillside where 140m³ of this material can be used as fill and the remaining 7260m³ of material will be transported from the site. The site affords level access onto Potters Way which descends to Frankton Road.

Due to the sloping nature of the site significant volumes cannot be excavated readily. The slope requires a level of care and precision which results in the incremental amounts which will be loaded onto trucks to exit the site. The trucks will egress the site via the southern access way and onto Frankton Road.

The excavation period is anticipated to be no more than twelve weeks.

A number of conditions appear in Attachment [E] which must be considered in addition to the above and as part of the application.

1.4.2 Buildings

The proposal includes ten units which are split into three building typologies as depicted on the plans contained in Attachment [F]:

1. Provides three bedrooms and three bathrooms on the ground floor while the first floor contains the kitchen, living and a single internal garage.
2. Provides two bedrooms and two bathrooms on the ground floor while the first floor contains the kitchen, living and a single internal garage.



3. Provides two bedrooms and two bathrooms on the ground floor while the first floor contains the kitchen, living and a bedroom.

Selected materials have been chosen as they appear recessive and incongruous with the site and surrounding area. These materials have been carried over each of the apartment blocks approved under RM170614 in order to continue this recessive appearance. Materials include:

- Selected double glazed aluminium joinery;
- Glass Balustrade;
- Stone veneer;
- Vertical Shiplap Cedar Weatherboards;
- Charcoal 20 series concrete block wall;

Due to the existing topography and the requirement to establish a formed and level building platform the proposed height of Unit 2 stands at 9.25m, Unit 9 at 9.77m and Unit 10 at 11.2m. These maximum heights are depicted on the plans, cross sections and shading analysis contained in Attachment [F].

1.4.3 Outdoor Living Areas

The existing topography is depicted on the contour information contained on the earthworks plan which demonstrates the level of earthworks required to provide level building platforms. The proposed earthworks have been extended to provide level and useable space around the proposed buildings where possible but this is limited by the ability to retain the cut required over the northern portion of the site.

A mixture of outdoor living areas provided for each unit are set out on the plan contained in Attachment [F]. These areas are dependent on the existing topography and the ability to provide readily accessible level and useable spaces.

1.4.4 Access and Parking

As discussed in part 1.3 above, RM180834 approved amendments to allow the road access to the subject site to be vested to QLDC upon the completion of Stage 2 of The Tiers development. In accordance with the condition volunteered in paragraph 4, part 1.4 above the subject site can be considered to afford public access to the boundary of the subject site.

All proposed car parking spaces have been designed in accordance with the minimum dimensions within the District Plan and sufficient manoeuvring to facilitate all parking spaces has been provided and depicted on the plan contained in Attachment [F] to this application.

The proposal results in ten allotments (units) being served by one vehicle crossing onto the public road. With this number of residential dwelling units, no further consideration of vesting land to Council as a public roading asset is considered to be required.



Part B: Subdivision

1.4.5 Subdivision / Staging

Part 15.2.6.3 of the District Plan stipulates:

"No minimum allotment size shall apply in the Low and High Density Residential Zones and the Shotover Country Special Zone where each allotment to be created, and the original allotment, all contain at least one residential unit".

Should consent be granted: Part A of this consent application would authorise building works. Upon completion of external cladding (roofing) the applicant (consent holder) will only then contemplate undertaking steps towards the completion of subdivision certification. Pursuant to part 15.2.6.3 of the District Plan there is no minimum allotment size applicable but in order to ensure this sequence of works the following condition is volunteered:

"With the exception of Lot 200, prior to certification pursuant to Section 224 (c) of the Act, the construction of one dwelling on-each lot shall be created. The residential units are to be completed to a stage where they are fully measurable (ie, the walls, floors and roof shall be constructed)".

An exception for Lot 200 can be provided due to the size of this allotment being in excess of the minimum standard for subdivision in the Low Density Residential Zone.

The timing of subdivision follows the construction of the residential units within each stage, where Stage 1 includes Block 4 and the balance allotment, Stage 2 includes Blocks 2 and 3 while Stage 3 includes Block 1.

1.4.6 Services

The completion of the RM170614 subdivision, Lot 5 will be fully serviced with water, power, telecom and effluent disposal. The extension of these services to the proposed allotments is discussed within a services memorandum which is contained in Attachment [G].

1.5 Statutory Provisions

1.5.1 Queenstown Lakes District Council Operative District Plan

The subject sites are located within the Low Density Residential Zone of the District Plan. The site contains no known protected items or areas of significant vegetation.

Part A: Landuse



7.5.3.4 Discretionary Activities

The following shall be Discretionary Activities provided they are not listed as a Prohibited or Non-Complying Activity and they comply with all the relevant Zone Standards:

(v) Comprehensive Residential Developments located in the Low Density Residential Zone.

Comprehensive Residential Development by definition means a comprehensively planned and designed collection of two or more Residential units where:

- (a) the building and subdivision consents are submitted concurrently
- (b) the net area for a residential unit is less than 450m²
- (c) the net area of the site containing all residential units is 2000m² or larger.

The current application includes both landuse and subdivision, while building consents for the proposed units are currently being finalised for lodgement. The range in lot sizes is detailed in Table

1. The subject site is 4790m² prior to the proposed subdivision.

(viii) Outdoor Living Space

- (a) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the Low Density Residential Zone shall be:

36m² contained in one area with a minimum dimension of 4.5m at the ground floor level and 8m² contained in one area with a minimum dimension of 2m at any above ground floor level.

7.5.3.5 Non-Complying Activities

Any activity which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone** standards, shall be a **Non-Complying Activity**.

7.5.5.3 Zone Standards - Residential Activities and Visitor Accommodation

(v) Building Height

- (b) Sloping sites where the ground slope is greater than 6 degrees (i.e greater than 1 in 9.5)

The maximum height for buildings shall be 7.0m.

In relation to the above, the following breaches are identified:

- a. A vertical non-compliance of 2.25m on Unit 2 which extends 3m horizontally north/south and 9m east/west;



- b. A vertical non-compliance of 2.77m on Unit 9 which extends 5m horizontally north/south and 9m east/west;
- c. A vertical non-compliance of 4.2m on Unit 10 which extends 4m horizontally north/south and 9m east/west;

22.3.3 Site Standards

(i) Volume of Earthworks

The maximum total volume of earthworks (m³) shall not exceed that specified in Table 22.1 or 300m³ for the low density residential zone. The proposed development includes a total volume of 7540m³.

(ii) Height of cut and fill and slope

(b) All other zones:

- (i) The maximum height of cut shall not exceed 2.4 metres. The maximum height of cut will be 10.5 metres.

Part B: Subdivision

15.2.3.4 Non-complying Activities

Any subdivision which does not comply with any one or more of the Zone Subdivision Standards shall be a Non-Complying Subdivision Activity.

Pursuant to Part 15.2.6.3 no lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each zone where the minimum for Low Density Residential Zone is 600m². Lot 200 complies with this Zone Standard.

The relevant assessment criteria specified for the above are discussed in detail in Part 4.0 of this application.

1.5.2 Proposed Queenstown Lakes District Council District Plan

The subject site is located within the Lower Density Residential Zone of the Proposed District Plan and contains no known protected items or areas of significant vegetation. The proposed development requires consent under the following:

Part A: Landuse

Pursuant to Rule 7.5.2.2 any breach of the 7m maximum height for buildings on sloping sites outside of Arrowtown is a non-complying activity. The following breaches to this Rule are identified:



- a. A vertical non-compliance of 2.25m on Unit 2 which extends 3m horizontally north/south and 9m east/west;
- b. A vertical non-compliance of 2.77m on Unit 9 which extends 5m horizontally north/south and 9m east/west;
- c. A vertical non-compliance of 4.2m on Unit 10 which extends 4m horizontally north/south and 9m east/west;

Pursuant to Rule 7.5.11 any breach of the maximum site density of one residential unit or dwelling per 300m² is a non-complying activity. The following breaches to this Rule are identified:

- a. Lot 101 comprises of 235m² and contains one residential unit which equates to a breach of 65m² above the maximum of 300m².
- b. Lot 106 comprises of 280m² and contains one residential unit which equates to a breach of 20m² above the maximum of 300m².
- c. Lot 107 comprises of 265m² and contains one residential unit which equates to a breach of 35m² above the maximum of 300m².

Part B: Subdivision

Rule 27.6.1 stipulates a minimum allotment size for the Lower Density Suburban Zone is 450m². Pursuant to Rule 27.5.19 any breach of Rule 27.6.1 in this Zone is a non-complying activity. The following breaches to this Rule are identified:

- a. Lot 101 comprises of 235m² which equates to a shortfall of 215m² below the minimum of 450m².
- b. Lot 105 comprises of 400m² which equates to a shortfall of 50m² below the minimum of 450m².
- c. Lot 106 comprises of 280m² which equates to a shortfall of 170m² below the minimum of 450m².
- d. Lot 107 comprises of 265m² which equates to a shortfall of 185m² below the minimum of 450m².

Overall, the current application is a non-complying activity under the Proposed District Plan. Relevant Chapters of the Proposed District Plan are contained within Attachment [L] to this application and have been assessed in Parts 5 and 6 of the same.

1.5.3 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

Detailed site reviews have been undertaken and no records have been found that would suggest an activity on the HAIL has been carried out in the past. Details of the NES assessment is included as Attachment [I] to this application.

1.6 Classes of Activities



A number of instruments are registered on the titles for the subject property:

Land Covenant 10097957.3 & 10154387.10, require all buildings to be new and signed off by Albatross QT Ltd, building design and materials must authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Encumbrance 10154387.2, relates to the management of the company The Tiers Management Limited in its duties to monitor and maintain roading, stormwater disposal, pedestrian access and water supply.

Land Covenant 10449745.28, requires all buildings to be new and signed off by Albatross QT Ltd, building design and materials must authorized by Albatross QT Ltd and not deviated from without further permission from Albatross QT Ltd, restrictions on landscaping, restrictions on fencing, timing of building works, surfacing of driveways, restrictions on clotheslines, letterboxes and liability of damage to roading, keeping of animals, restriction on further subdivision, non-objection clauses, restrictions on signage, must permit access by Albatross QT Ltd, consequences of breach of covenant, arbitration and conflict resolution.

Consent Notice 10097957.4, requires the construction of a vehicle crossing to Council standard and payment of additional head works fees where applicable. This consent notice includes conditions (c) and (d) which are subject to this consent application.

Consent Notice 10449745.29, relates to vehicle crossings, geotechnical constraints, payment of additional head works fees where applicable, water pressure and the responsibilities of a management company. This consent notice has been amended as set out in instrument **10497110.3** which removes conditions (7) and (8) in relation to water pressure and the responsibilities of a management company respectively.

An assessment of potential geotechnical constraints has been undertaken by Geosolve Ltd and their report is contained in Attachment [K]. This report includes a number of recommendations which are set out in part 2.2.7 of this application. Based upon the conclusions of the geotechnical report (subject to conditions) the requirements of consent notice 10449745.29 is considered to be fulfilled.

Consent Notice 10154387.11, requires lot owners to locate rubbish and recycling bins within their lots on certain days.

Land Covenant 10449745.28, relates to buildings, use of land, no further subdivision, insurance, consequences of breach and conflict.



Copies of the above are contained in Attachment [B] to this application.

Affected Party Approval from Albatross QT is contained in Attachment [J] to this application.

Overall, with Parts 1.5 and 1.6 fully considered the current application is a **non-complying** activity.

2.0 AN ASSESSMENT OF THE ACTUAL OR POTENTIAL EFFECT ON THE ENVIRONMENT OF THE PROPOSED ACTIVITY:

2.1 It is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

It is considered that the proposal will not result in any significant adverse effect on the environment and the location proposed is considered appropriate.

2.2 An assessment of actual or potential effects on the environment of the proposed activity:

2.2.1 Permitted Baseline

Section 104 of the Resource Management Act 1991 provides that a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect. A number of activities are permitted on the site and therefore form part of the permitted baseline for the site:

- Residential buildings are a permitted activity in the Low Density Residential Zone up to a maximum height of 7m above ground level.
- Earthworks up to 100m³ of over an area of 200m².
- 40% of the net site area or 1916m² of building coverage is anticipated on the subject site.
- 1 residential unit per 450m² is anticipated a further 10 units can be accommodated on the subject sites.

2.2.2 Any physical effect on the locality, including any landscape and visual effects

The subject site is located in a low density residential zone. The proposed development has been constructed with materials have been detailed in Part 1.4 above and are considered to be appropriate and consistent with the materials that furnish existing built form in the area.

Due to the existing topography and development on the lower slopes of the site and surrounding properties the proposed residential blocks will not be visible when travelling along Frankton Road.

The proposed development will be visible from Peninsula Road and some roads throughout Frankton. However, when viewed from this distance the proposal must be considered in the context of all residential development along the southern slopes of Queenstown Hill. In this context the proposal is considered to be acceptable.



The eastern boundary of the site is located on the eastern side of a gully system which runs north / south down the subject site.

A number of mature Douglas Fir and other exotic species stand within this gully, along boundary and parts of the adjoining Lot 2 DP 20473. Any view of the proposed development will be considerably diminished by these trees coupled with excavation which limits the amount of built form to the upper levels of the proposed development. It is accepted that these trees may be removed at any point as-of-right. However, Block 3 represents the only component of the proposed development which stands in proximity of the eastern boundary and all of these units comply with bulk and location requirements of the District Plan. As such, any adverse effects from the proposed development upon the visual amenity currently afforded on Lot 2 DP 20473 will be de minimis.

The western boundary of the subject site is shared with Lot 6 RM170614 which is owned by the applicant. The unit on this lot has been designed with reference to the proposal while the proposal locates Unit 1 and 2 where it will not compromise any level of visual amenity currently afforded on Lot 6 RM170614.

Overall, the appearance of the proposed residential blocks are considered to be consistent with the established buildings on adjoining properties, surrounding area and are anticipated in Low Density Residential Zone. As a result, any adverse physical effects including any landscape and visual effects are considered to be de minimis.

2.2.3 Any effect on those in the neighbourhood and, where relevant, the wider community including any social, economic or cultural effects:

(a) Views / Outlook

The topography of the site and surrounding area rises steeply to the north. As such, the northern neighbour Lot 2 DP 409336 affords an elevated ground level above the subject site. The proposed buildings will largely be constructed within the landform of the existing site which enables the overall height of the proposed buildings to stand below the existing ground level at the common boundary with Lot 2 DP 409336. This ensures that the views and outlook currently afforded from the neighbouring property to the north will not be compromised by the proposed development.

Block 3 stands in proximity of the eastern boundary and complies with bulk and location requirements of the District Plan and can be undertaken as-of-right. Subject to s.104 of the RMA the effects associated with Block 3 in relation to Lot 2 DP 409336 must be disregarded.

The western boundary is shared with land currently owned and being developed by the applicant.

Lot 14 DP 490069 is located to the south of the subject site. It must be acknowledged that views are generally directed from the proposed allotments south over Frankton Arm and the Kelvin Peninsula.



Due to the sloping topography of the site there is limited (if any) view to be enjoyed to the north from Lot 14 DP 490069 due to the existing landform of Queenstown Hill. In addition, any permitted construction of buildings up to 7m setback 2m from property boundaries will further reduce views and outlook northwards from Lot 14 DP 490069.

By virtue of the existing landform coupled with the permitted development building envelope over the subject site any adverse effects upon views / outlook afforded from Lot 14 DP 490069 which is above or beyond the baseline in the existing environment are considered to be less than minor.

A number of residential units have been constructed on the lower slopes of the subdivision approved under RM050520.01 and Greenstone / Remarkables Apartments adjoin Frankton Road to the south. However, due to the steeply sloping topography of the site and surrounding area views north from these properties are obstructed by the existing landform.

Overall, any adverse effects from the proposed development upon the views or outlook afforded from neighbouring properties will be less than minor.

(b) Privacy

As discussed above, Block 3 stands in proximity of the eastern boundary and complies with bulk and location requirements of the District Plan and can be undertaken as-of-right. Subject to s.104 of the RMA the effects associated with Block 3 in relation to Lot 2 DP 409336 must be disregarded.

The western boundary is shared with land currently owned and being developed by the applicant. Lot 6 RM170614 is owned by the applicant and has been designed with reference to the proposal while the proposal locates Unit 1 and 2 where it will not compromise any level of amenity currently afforded on Lot 6 RM170614.

The proposal will afford a limited visual perspective into Lot 14. Due to the underlying topography and the requirement to construct buildings on a formed and level platform Units 2, 9 & 10 appear above the maximum height limit of 7m as detailed on the elevations and the digital illustrations contained in Attachment [F]. The location of window spaces and a balcony on the first floor is considered to represent an adverse effect upon Lot 14 which is minor. Due to the steep topography a similar deck or window spaces on the ground floor would represent an adverse effect upon the privacy which is de minimis and as-of-right which must be disregarded. Therefore, the resulting effect is considered to be less than minor.

A number of residential units have been constructed on the lower slopes of the subdivision approved under RM050520.01 and Greenstone / Remarkables Apartments adjoin Frankton Road to the south. Again, the visual perspective afforded from the proposed units over these properties is one attributed to that of a development which would otherwise comply with the height limit. Coupled with the distance from the subject site to these properties any adverse effects upon the privacy afforded which is above or beyond that of permitted development is considered to be de minimis.



The maximum height of the proposed buildings is below the elevation at the common boundary with the northern neighbour Lot 2 DP 409336. Coupled with the southern orientation of the proposed development no adverse effects in terms of privacy upon Lot 2 DP 409336 are anticipated.

Overall, any adverse effects upon the level of privacy enjoyed on adjoining properties and those in the surrounding area is considered to be less than minor.

(c) Dominance

Due to the underlying topography and the requirement to construct buildings on a formed and level platform the maximum height of a number of proposed units appear above the maximum height limit of 7m as detailed on the elevations and the digital illustrations contained in Attachment [F].

However, Units within Blocks B and C are situated within the site where any adverse effects associated with dominance are largely confined to the subject site and any adverse effect of dominance beyond the boundary of the site from these units is considered to be de minimis.

Units 1-4 appear above the maximum height limit of 7m as detailed on the elevations and the digital illustrations contained in Attachment [L]. The digital illustrations clearly depict the amount of building bulk which appears above the maximum height for the zone.

Due to the existing topography of the subject site and surrounding area any permitted building upon this property will inevitably appear at an elevation above that of surrounding properties to the south.

The level of adverse effect attributed to any permitted building on the subject site is considered sufficient to result in the level of effect between the permitted baseline and the proposed development being less than minor.

(d) Sunlight / Daylight

Units 2, 9 & 10 appear above the maximum height limit of 7m as detailed on the elevations and the digital illustrations contained in Attachment [F].

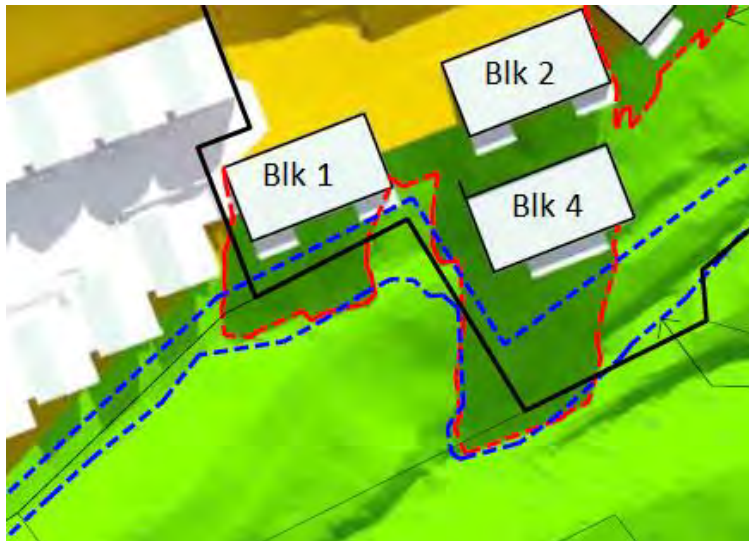


Figure 2: Shading Analysis, Attachment [F]

There are three critical points where the red line overlaps the blue representing the level of shading which is above that of the existing topography and/or the permitted baseline of building bulk on the subject site. Given the extent of the overlap any adverse effects associated with the proposal in terms of shading neighbouring Lot 14 DP 490069 is considered to be less than minor.

Overall, any adverse effects upon the level of sunlight admission into adjoining properties and those in the surrounding area is considered to be less than minor.

(e) Traffic / Access: Residential

The proposed development contains a sufficient number of parking spaces for the demand created from the proposed residential units and flats. The proposal affords clear lines of sight within the site and from its access point. Sufficiently so, that the level of safety for all road users is considered to be adequate to ensure that any adverse effects associated with the traffic generation and/or access will be de minimis.

2.2.4 Any effect on ecosystems, including on plants or animals and any physical disturbance of habitats in the vicinity

The site has already been modified from its natural state due to the earthworks undertaken in accordance with RM170614, therefore if any habitats were to be disturbed it would have already occurred.

2.2.5 Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual or cultural value, or other special value, for present or future generations:

The subject site is not recognised as a site containing any significant aesthetic, recreational, scientific, historical, spiritual or cultural values.



2.2.6 Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants.

The proposal does not include the discharge of contaminants.

2.2.7 Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.

An assessment of potential geotechnical constraints has been undertaken by Geosolve Ltd and their report is contained in Attachment [K]. A number of generic recommendations are set out in the report while the specific recommendations are outlined with reference to excavation and groundwater;

Excavation

- Pilot cuts should be made in advance of the bulk excavation. Such pilot cuts should be supervised; controlled and logged by a geotechnical specialist and comprise small “slots” which due to their size, location, and depth will not pose a significant instability risk to adjacent sites. Observations made in the pilot cuts should be used to confirm any rock support requirements and the excavation construction sequence prior to proceeding with the bulk excavation.
- The bulk excavation should be completed in a staged manner and advanced in several small steps and bays. The depth and size of the excavation should increase with each stage of excavation.
- Each new section of exposed cut face should be inspected by an engineering geologist or geotechnical engineer to confirm the ground conditions and verify any requirement for additional support measures or modification to the excavation sequence.
- The most appropriate method to stabilise the slope is expected to comprise over excavation (removal) of the affected areas, and/or the installation of temporary rock anchors and/or rock bolts with shotcrete as required.
- The construction program and budget should make appropriate allowance for the completion of a staged excavation sequence and the installation of stabilisation measures.

Groundwater

- A minimum 0.3m width of durable free draining granular material should be placed behind all retaining structures;
- A heavy duty non-woven geotextile cloth, such as Bidim A14, should be installed between the natural ground surface and the free draining granular material to prevent siltation and blockage of the drainage media; and
- A heavy-duty (TNZ F/2 Class 500) perforated pipe should be installed within the drainage material at the base of all retaining structures to minimise the risk of excessive groundwater pressures developing. This drainage pipe should be connected to the permanent piped storm water system.



All recommendations are accepted by the applicant and appear as conditions and set out in Attachment [E].

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

Please see section 2.2.7 above.

2.4 If the activity includes the discharge of any contaminant, a description of...

- (a) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and
- (b) any possible alternative methods of discharge, including into any other receiving environment

Please refer to section 2.2.6

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

Actual and potential adverse effects of the proposal have been considered in Part 2.2. No mitigation measures are considered necessary.

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

No persons are considered affected by the activity.

2.7 If the scale and significance of the activity's effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved:

It is not expected that any monitoring will be required as part of this application.

2.8 If the activity will or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

There are no known customary rights that the site is subject to therefore this is not applicable to this application.

3.0 OPERATIVE DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT



3.1 District Wide Objectives and Policies

3.1.1 Natural Environment

Objective 1 - Nature Conservation Values:

- The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.
- Improved opportunity for linkages between the habitat communities.
- The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.
- The protection of outstanding natural features and natural landscapes.
- The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.
- The protection of the habitat of trout and salmon.

Policies relevant to the above Objective being 1.1 – 1.20 have been considered. Due to the site not containing any significant indigenous ecosystems, plants, animals or extensive areas of natural character a majority of these policies are not considered relevant.

Objective 2: Air Quality

- Maintenance and improvement of air quality.

Policies:

- 2.1 *To ensure that land uses in both rural and urban areas are undertaken in a way which does not cause noxious, dangerous, offensive or objectionable emissions to air.*

The proposal will not result in any noxious, dangerous, offensive or objectionable emissions to air.

3.1.2 Landscape and Visual Amenity

Objective:

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

1. Future Development



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

The proposal is considered to be consistent with Policies 1(a) to 1(c) above for the following reasons:

- The subject site is zoned residential and not considered to be within an area where the visual amenity values are vulnerable to degradation.

6. Urban Development

- (a) To avoid new urban development in the outstanding natural landscapes of Wakatipu basin.
- (b) To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.
- (c) To avoid remedy and mitigate the adverse effects of urban subdivision and development where it does occur in the other outstanding natural landscapes of the district by:
 - maintaining the open character of those outstanding natural landscapes which are open at the date this plan becomes operative;
 - ensuring that the subdivision and development does not sprawl along roads.
- (d) To avoid remedy and mitigate the adverse effects of urban subdivision and development in visual amenity landscapes by avoiding sprawling subdivision and development along roads.

The proposal is considered to be consistent with Policies 6(a) to 6(d) above for the following reasons:

- The subject site is not within an outstanding natural landscape or visual amenity landscape.

Policies 2 – 5 & 7 – 17 have been assessed and are not considered to be relevant to the proposal.

3.1.3 Tangata Whenua

3.1.4 Open Space and Recreation

3.1.5 Energy

3.1.6 Surface of Lakes and Rivers

3.1.7 Solid and Hazardous Waste Management



Objectives and Policies listed above have been considered and deemed not to be relevant due to the location of the subject site and/or nature of the proposed development.

3.1.8 Natural Hazards

Natural hazards have been considered above in 2.2.7.

3.1.9 Urban Growth

3.1.10 Affordable and Community Housing

3.1.11 Earthworks

3.1.12 Monitoring, Review and Enforcement

Objectives and Policies listed above have been considered and deemed not to be relevant due to the location of the subject site and/or nature of the proposed development.

3.2 Residential - Objectives and Policies

3.2.1 District Wide Residential Objectives and Policies

Objective 1 - Availability of Land

Sufficient land to provide for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.

Policies:

- 1.1 *To zone sufficient land to satisfy both anticipated residential and visitor accommodation demand.*
- 1.2 *To enable new residential and visitor accommodation areas in the District.*
- 1.3 *To promote compact residential and visitor accommodation development.*
- 1.4 *To enable residential and visitor accommodation growth in areas which have primary regard to the protection and enhancement of the landscape amenity.*
- 1.5 *To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.*
- 1.6 *To promote, where reasonable, a separation of visitor accommodation development from areas better suited for the preservation, expansion or creation of residential neighbourhoods.*

The proposal is considered to be consistent with 1.1 – 1.6 above for the following reasons:

- The proposal provides 12 residential units within an existing residential zone.



- The subject site is zoned residential and not considered to be within an area where the visual amenity values are vulnerable to degradation.
- The proposal does not promote any distinction between urban and rural areas but it is not considered to compromise any distinction.
- The proposal does not include any visitor accommodation.

Objective 2 - Residential Form

A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.

Policies:

- 2.1 *To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.*
- 2.2 *To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.*
- 2.3 *To provide for rural living activity in identified localities.*
- 2.4 *In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.*
- 2.5 *To encourage and provide for high density development in appropriately located areas close to the urban centres and adjacent to transport routes.*

The proposal is considered to be consistent with 2.1 – 2.5 above for the following reasons:

- The subject site is within existing residentially zoned land and is not considered to represent urban expansion.
- The proposal does not include rural living or a new residential area
- The proposal is significantly below the density anticipated within the zone.
- The proposal is considered to represent a careful use of the topography by facilitating residential buildings upon a site which has a steep topographical incline.

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for community needs.

Policies:

- 3.1 *To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.*



The proposal is within the density anticipated within the zone and provides 10 further residential units into a developing area in the residential zone. This is considered to promote residential cohesion. The protection and enhancement of 'sense of community and well-being' through residential neighbours is not understood.

- 3.2 *To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown residential zones, small townships and Rural Living areas.*

The proposal is within the density anticipated within the zone.

- 3.3 *To provide for and encourage high density residential development within the high density residential zones.*

The subject site is not within a high density residential zone.

- 3.4 *To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.*

The subject site is zoned residential and does not constitute a landscape value which is considered significant. There is not a sufficient level of residential building in the immediate area to establish a level of coherent urban character.

- 3.5 *To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.*

Attachment [E] contains a suite of conditions which includes a condition limiting the hours of construction.

- 3.6 *To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.*

The proposed development has been intended to be apartment style living where the onus is on providing sufficient internal spaces and adjoining decking to ensure a healthy living environment.

- 3.7 *To ensure residential developments are not unduly shaded by structures on surrounding properties.*

Any effect upon those in the neighbourhood and the wider community in terms of visual amenity, views, outlook, privacy, dominance and sunlight / daylight have been



discussed in detail above in Part 2.2.2 and 2.2.3. Any adverse effects associated with the proposal are considered to be less than minor.

- 3.8 *To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.*

Discussed in Policy 3.5 above.

- 3.9 *To encourage on-site parking in association with development and to allow shared off-site parking in close proximity to development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*

The proposed development includes two car parking spaces for each proposed residential unit.

- 3.10 *To provide for and encourage new and imaginative residential development forms within the major new residential areas.*

'New and imaginative residential development forms' is not understood.

- 3.11 *To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments.*

The subject site is not considered to be within a critical listening environment.

- 3.12 *To ensure the single dwelling character and accompanying amenity values of the Low Density Residential Zone are not compromised through subdivision that results in an increase in the density of the zone that is not anticipated.*

The proposal is within the density anticipated within the zone.

- 3.13 *To require an urban design review to ensure that new developments satisfy the principles of good design.*

An urban design review is not required.

- 3.14 *To distinguish areas with low density character where that character should be retained from areas of change located close to urban centres or adjacent to transport routes where higher density development should be encouraged.*

These areas are distinguished by zones.



Objective 4 - Non-Residential Activities

The proposal does not include any non-residential activities.

3.3 Subdivision, Development and Financial Contributions - Objectives and Policies

3.3.1 Objective 1 – Servicing

The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.

Policies 1.1 – 1.12 have been considered and the proposal is deemed to be consistent with these for the following reasons:

- Each proposed residential allotment / unit has a connection to Council effluent, stormwater and water reticulation.
- Telecommunications and Power have been confirmed to the boundary of the subject site through the issue of completion certification of RM170614. Connections to these existing services can be provided and a condition of consent is offered in Attachment [E] which ensures the same.

3.3.2 Objective 2 - Cost of Services to be Met by Subdividers

The costs of the provision of services to and within subdivisions and developments, or the upgrading of services made necessary by that subdivision and development, to the extent that any of those things are necessitated by the subdivision or development to be met by subdividers.

Policies 2.1 and 2.2 have been considered and the proposal is deemed to be consistent with these as the cost of the provision of services will be met by the applicant in order to obtain completion certificates.

3.3.3 Objective 3 - Reserve Contributions (Hydro Generation Zone only)

Not applicable.

3.3.4 Objective 4 – Outstanding Natural Features, Landscape and Nature Conservation Values

The recognition and protection of outstanding natural features, landscapes and nature conservation values.

Policies 4.1 – 4.4 have been considered and the proposal is deemed to be consistent with these as discussed in Part 2.2.2 of this application.



3.3.5 Objective 5 - Amenity Protection

The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.

Policies 5.1 – 5.8 have been considered and the proposal is deemed to be consistent with these as discussed in Part 2.2.2 of this application.

3.3.6 Objective 6 - 21

These Objectives and their respective policies have been considered deemed not to be relevant to the current proposal.

4.0 OPERATIVE DISTRICT PLAN: RULES AND ASSESSMENT CRITERIA

Part A: Landuse

4.1 Comprehensive Residential Development [Rule 7.7.2(vi)]

- (a) *Any adverse effects of the activity in terms of:*
- (i) *Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.*

Pursuant to Rule 7.5.5.3(iii) site density in the zone specifies the minimum net area for a residential unit is 450m². The subject sites are 4790m² in total which can accommodate 10 units and 10 units are currently proposed.

The access arrangements within have been designed and will be constructed in accordance with QLDC standards. The scale and nature of vehicle movements associated with the proposed development is considered directly compatible with the zoning of the site.

- (ii) *Loss of privacy*
- Discussed in Part 2.2.3 above.
- (iii) *Level of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.*

Traffic generation and access has been discussed in in detail in Part 2.2.3 where any adverse effects from the proposed access and parking is considered to be de minimis.



(iv) *Pedestrian safety in the vicinity of the activity.*

Pedestrian access is provided around the cul-de-sac of Potters Hill Drive and vehicle access and parking has been discussed in Part 2.2.3 where any adverse effects are considered to be de minimis.

(v) *Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.*

(b) *The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.*

Vehicle access and parking has been discussed in Part 2.2.3 where any adverse effects are considered to be de minimis.

(c) *Any adverse effects of the proximity or bulk of the buildings, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.*

Discussed in Part 2.2.2 and 2.2.3.

(d) *Any adverse effects of the proximity or bulk of the buildings, in terms of loss of access to daylight on adjoining sites.*

Discussed in Part 2.2.2 and 2.2.3.

(e) *The ability to provide adequate opportunities for garden and tree plantings around buildings.*

The proposed development has been intended to be apartment style living where the onus is on providing sufficient internal spaces and adjoining decking to ensure a healthy living environment.

(f) *The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.*

The proposed development does not result in any breach of the maximum building coverage over the subject site. The appearance of the proposed buildings and any adverse effects of dominance have been considered in Part 2.2.2 and 2.2.3.



- (g) *The ability to provide adequate vehicle parking and manoeuvring space on site.*

The number and dimensions of parking spaces have been designed in accordance with District Plan standards and any adverse effects have been considered under part 2.2.3.

- (h) *The extent to which the increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and daylight and loss of opportunities for views.*

The proposed development does not result in any breach of the maximum building coverage over the subject site. Any adverse effects of dominance, privacy, views, sunlight / daylight admission have been considered in Part 2.2.2 and 2.2.3.

- (i) *The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.*

Refer to Part (e) above.

- (j) *The ability to mitigate any adverse effects of increased coverage.*

The proposed development does not result in any breach of the maximum building coverage over the subject site.

- (k) *Whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.*

The proposed development results in a range in apartment styles and lot sizes. This range results in a range in price reaching the market which increases affordability.

4.2 Outdoor Living Space [Rule xxii]

- (a) *The extent to which the reduction in outdoor living space and/or its location will adversely affect the ability of the site to provide for the outdoor living needs of likely future residents of the site.*

The proposed development has been intended to be apartment style living where the onus is on providing sufficient internal spaces and adjoining decking to ensure a healthy living environment.

Each of the proposed Units afford a modest decking space. While this space is limited it will enable peoples to congregate outside.



- (b) *Any alternative provision on, or in close proximity to, the site for outdoor living space to meet the needs of likely future residents.*

Frankton Road is not furnished with reserves in the immediate vicinity. However, decking spaces are considered to provide some level of outdoor amenity for apartment style living.

- (c) *The extent to which the reduction in outdoor living space or the lack of access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.*

The decking spaces provided on the southern elevation of the Units are readily accessible and sliding doors on the southern elevation enables occupants to leave doors open and enjoy an outdoor aspect from the open plan living space.

- (d) *Whether the residential units are to be used for elderly persons housing and the extent to which a reduced area of outdoor living space will adequately provide for the outdoor living needs of the likely residents of the site.*

The proposed units are not specifically seeking to provide for elderly housing as intended in the assessment criteria.

4.3 Building Height

- (a) Whether any earthworks have been carried out on the site prior to the date of notification (10 October 1995) that have lowered the level of the site.
- (b) Whether there are rules requiring the site to be built up.
- (c) With regard to proposals that breach one or more zone standard(s), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.

With reference to the above;

- No earthworks have been undertaken on the site prior to 10th October 1995.
- There are no rules requiring the site to be built up.
- The proposed development results in ten apartments which will create a range in price / affordability.

4.4 Earthworks

- (i) Nature and scale of the Earthworks



- (a) *Whether the earthworks are a necessary part of subdivision, development or access construction and the extent to which the subdivision engineering works, building or finished project will remedy the effects of the earthworks.*
- (b) *Whether the design of the finished earthworks is sympathetic to natural topography, provides safe and stable building platforms and access with suitable gradient.*
- (c) *Whether the earthworks will be completed within a short period, reducing the duration of any adverse effects.*
- (d) *Whether the mitigation measures proposed, reflect the level of environmental effects from the project.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- The proposed earthworks are considered to be a necessary part of the subdivision by enabling the geometrical design, gradient and width of the road to be practical and meet Council standards.
- The landform is not unique and not recognised as a notable landform by District Plan standards.
- The proposed earthworks will be completed within a twelve week period which reduces noise, dust and vibration effects.
- During earthworks a temporary fence structure will be erected around the downslope / lower edges of the worksite which will ensure all sediment remains on the subject site.

NB: The subject site is not located in the Rural General Zone, Rural Visitor Zone and Gibbston Character Zone.

(ii) Environmental Protection Measures

- (a) *Whether, and to what extent proposed sediment and erosion control techniques are adequate to ensure sediment remains on-site.*
- (b) *Whether appropriate measures to control dust emissions are proposed, including from associated transport on and off the site.*
- (c) *Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.*
- (d) *Hours of operation, including whether the activity will generate noise and vibration effects, which detract from the amenity values of the surrounding area.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- During earthworks a temporary fence structure will be erected around the downslope / lower edges of the worksite which will ensure all sediment remains on the subject site.
- The loading of earth shall be confined to the subject site. The applicant will 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 applicant shall take immediate action to clean the roads and conditions appear in Attachment [E] to ensure the same.



- Effects associated with dust emission, noise and vibration are considered to be adequately mitigated by conditions of consent as set out in Attachment [F].
- The subject site has no defined overland flow paths and no existing stormwater provision. As such, earthworks proposed will not adversely affect stormwater or overland flows.
- A condition of consent appears in Attachment [F] restricting the hours of operation.

(iii) Remedial works and re-vegetation

- (a) *The proposed rehabilitation of the site and to what extent re-vegetation will mitigate any adverse effects.*
- (b) *The timeframes proposed for remedial works and re-vegetation.*
- (c) *The effectiveness of the remedial works and re-vegetation taking into account the altitude and the alpine environment.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- The proposed earthworks are associated with the construction of access which will be surfaced. Remaining areas which are battered or otherwise will be re-vegetated.
- The subject site is not within an Alpine environment.

(iii) Effects on rural landscape and visual amenity values, including on Outstanding Natural Features and Outstanding Natural Landscapes.

- (a) *Whether, and to what extent, the scale and location of any cut and fill will adversely affect:*
 - (i) *The visual quality and amenity values of the landscape;*
 - (ii) *The natural landform of any ridgeline or visually prominent area;*
 - (iii) *The visual amenity values of surrounding sites.*
- (b) *Whether the earthworks will take into account the sensitivity of the landscape.*
- (c) *The potential for cumulative effects on the natural landform of the existing landscape.*
- (d) *Whether and to what extent the earthworks create an area that is consistent with the character of the surrounding landscape.*
- (e) *Whether the location and/or design of any new tracking can be modified in order to decrease the effects on stability, visual quality and amenity values of the landscape.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- Effects on landscape and visual amenity values have been considered in Part 2.2.1 of this application where any adverse effects were determined to be de minimis.
- There is no existing tracking on the site and no tracking is proposed as part of the current application.

(v) Land Stability and Flooding



- (a) *Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.*
- (b) *Whether the earthworks will adversely affect the stability of neighbouring sites.*
- (c) *Whether cut, fill and retaining are done in accordance with engineering standards.*
- (d) *Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.*
- (e) *Whether and to what extent earthworks are necessary in order to undertake flood protection works recognising the long-term benefits of effective flood mitigation measures on the surrounding environment.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- Stability has been discussed in Part 2.2.7.
- Exposed excavation faces will be retained or battered at suitable gradient to ensure that the proposal will not compromise the stability of any neighbouring sites.
- The proposed excavation works will require permanent retention measures which will be subject to engineering approval as part of the subdivision completion certificates. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards. A condition appears in the suite of conditions contained in Attachment [F] to this application requiring engineering approval.
- The subject site does not contain any surface drainage patterns and all stormwater associated with the proposal will be appropriately directed to stormwater galleries. As such, no adjoining land will be at a higher risk of inundation, or a raised water table.
- No earthworks are necessary in order to undertake flood protection works.

(vi) Water bodies

- (a) *The effectiveness of sediment control techniques.*
- (b) *Whether any groundwater is likely to be affected, and if any mitigation measures are proposed address likely effects.*
- (c) *The effects of earthworks on the natural character of wetlands, lakes and rivers and their margins.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- There is no water body within the vicinity of the subject site.

(vii) Impacts on Sites of Cultural Heritage Value:

- (a) *The extent to which the activity modifies or damages waahi tapu or waahi taonga, and whether tangata whenua have been notified.*
- (b) *The extent to which the activity affects Ngai Tahu's cultural, spiritual, historic and traditional association with a Statutory Acknowledgment Area having regard to the relevant provisions of the Kai Tahu ki Otago and Te Ao Marama Incorporated Natural Resource Management Plans.*



- (c) *Whether the subject land contains a recorded archaeological site, and if so the extent to which the proposal would affect any such site and whether any necessary archaeological authority has been obtained from Heritage New Zealand.*
- (d) *The extent to which earthwork activities adversely affect values within Heritage Landscapes of the District.*
- (e) *The extent to which earthwork activities have the potential adversely affect heritage buildings or structures located in close proximity to the site of the proposed earthworks and the adequacy of any avoidance or mitigation measures put forward to address such risks or effects.*

The proposal is considered to be consistent with the criteria above for the following reasons:

- The subject site is not recognised as a site of any cultural heritage value. However, should any sub-surface archaeological evidence be unearthed during works, work will cease in the immediate area of remains and the Historic Places Trust will be contacted.

(vii) Bulk Earthworks

The proposed earthworks are not considered to constitute bulk earthworks.

(ix) Cleanfill Facilities and Cleanfill Material

The subject site is not a cleanfill facility and the proposed earthworks do not include any cleanfill.

Part B: Subdivision

4.5 Lot Size, Average and Dimension

Proposed lot sizes and dimensions are depicted on the subdivision plan contained in Attachment [G] of this application.

With the exception of Lots 110 and 200, all proposed allotments do not meet the required fee simple standard. Three of these do not meet the minimum density requirement specified in the District Plan for the Low Density Residential Zone. However, all lot sizes are a direct reflection of apartment style living and comprehensive development.

Notwithstanding the above, Part 15.2.6.3 of the District Plan stipulates:

"No minimum allotment size shall apply in the Low and High Density Residential Zones and the Shotover Country Special Zone where each allotment to be created, and the original allotment, all contain at least one residential unit".



At the time of lodgement no buildings have been constructed on the site. It is not intended to proceed with subdivision consent until these have been constructed. To afford the benefit of Part 15.2.6.3 it must be conditioned that an subdivision consent cannot be progressed until the roofs have been erected on the buildings which occupy the site intended for completion by the subdivision consent. As such, the following condition is offered:

"With the exception of Lots 110 & 200, prior to certification pursuant to Section 224 (c) of the Act, the construction of one dwelling on-each lot shall be created. The residential units are to be completed to a stage where they are fully measurable (ie, the walls, floors and roof shall be constructed)".

4.6 Property Access

Access to each proposed allotment is confirmed through the schedule of easements which appears on the subdivision plan contained in Attachment [G]. Car parking and access has been discussed in Part 2.2.3 where it was concluded any adverse effects associated with the development in this regard will be de minimis.

4.7 Landscaping

There is no landscaping requirement contained in the District Plan and no requirement imposed by previous consenting on the property. Notwithstanding, a landscape plan is contained in Attachment [F] of this application.

4.8 Hazards

Consideration of geotechnical constraints has been discussed in Part 2.2.7 and an report by Geosolve Ltd is contained in Attachment [K] while conditions applicable to the proposal appear in Attachment [E].

4.9 Water Supply

The subject site has been supplied with water as a requirement of the completion of certification towards the issue of title for the subject site. From the boundary of the subject site the division of water supply is allocated to each proposed allotment via easements. These easements are detailed in the schedule on the proposed scheme plan contained in Attachment [G].

Connections to this existing service can be provided and a condition of consent is offered in Attachment [E] which ensures the same.

4.10 Stormwater

The design of stormwater disposal within the site has been detailed on the proposed Scheme Plan and its schedule of easements.



Connections to this existing service can be provided and a condition of consent is offered in Attachment [E] which ensures the same.

4.11 Effluent Disposal

The subject site has been supplied with effluent disposal as a requirement of the completion of certification towards the issue of title for the subject site. From each proposed unit effluent disposal collectively appears to the connection point at the boundary via easements which are detailed in the schedule on the proposed scheme plan contained in Attachment [G].

4.12 Energy Supply and Telecommunications

Telecommunications and Power have been confirmed to the boundary of the subject site through the issue of completion certification of RM170614. From the boundary of the subject site the division of water supply is allocated to each proposed allotment via easements. These easements are detailed in the schedule on the proposed scheme plan contained in Attachment [G].

Connections to these existing services can be provided and a condition of consent is offered in Attachment [E] which ensures the same.

5.0 PROPOSED DISTRICT PLAN OBJECTIVES AND POLICIES

Relevant Objectives and Policies of the Proposed District Plan are contained within Attachment [L] to this application. Decisions have been released on Stage 1 of the Plan Review and the appeal period closes on the 19th June 2018. Until the ambit of any appeals lodged on Stage 1 is established limited weighting can be attributed to the Rules set out in part 1.5.2 of this application. However, the zone-specific Objectives and Policies are directly relevant to the PDP breaches set out in part 1.5.2 and have been assessed in part 5.1 before higher order Objectives and Policies part 5.2.

5.1 Lower Density Suburban Residential (LDSR)

5.1.1 Objective 7.2.1

Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.

Policies

- 7.2.1.1 Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure and is designed in a manner consistent with the capacity of infrastructure networks.



- 7.2.1.2 Encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing suburban residential development and maintains suburban residential amenity values including predominantly detached building forms, and predominantly one to two storey building heights.
- 7.2.1.3 Ensure that the height, bulk and location of development maintains the suburban-intensity character of the zone and maintains the amenity values enjoyed by users of neighbouring properties, in particular, privacy and access to sunlight.
- 7.2.1.4 Require, as necessary, all new buildings, relocated buildings and additions and alterations to existing buildings that contain an Activity Sensitive to Road Noise located adjacent to a State Highway to be designed to maintain internal residential amenity values and, in particular provide protection to sleeping occupants from road noise.

In relation to Objective 7.2.1 and related policies 7.2.1.1 – 7.2.1.4 above, the proposal is considered to be consistent with each for the following reasons:

- Infrastructure is considered in Part 4 of the current application;
- Residential intensity, existing and proposed residential scale and character, height, bulk, privacy, views and access to sunlight has been assessed in part 2 and 4 of the current application;
- The subject site is not location adjacent to a State Highway.

5.1.2 Objective 7.2.2

Development is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the severe amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.

Objective 7.2.2 and its related policies 7.2.2.1 – 7.2.2.3 have been assessed and are not considered to be relevant to the proposal as the location of the subject site is outside the Outer Control Boundary.

5.1.3 Objective 7.2.3

Encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.

Policies

- 7.2.3.1 Encourage densities higher than 1:450 square metres per residential unit where this is designed to fit well with the immediate context, with particular significance attached to the way the development: a. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping; b. achieves a reasonable level of privacy between neighbours through measures such as deeper boundary setbacks, offsetting habitable room windows that face each other, or the use of screening devices or landscaping; c.



provides activation of streets through the placement of doors, windows and openings that face the street.

- 7.2.3.2 Limit building height on sites smaller than 900 square metres that are proposed to be developed for two or more principal units (i.e. excluding residential flats) so as to mitigate a reduction in spaciousness around and between buildings that otherwise forms part of suburban residential amenity values.
- 7.2.3.3 Encourage landscaped areas to be well-designed and integrated into the development layout and design, providing high amenity spaces for recreation and enjoyment, having particular regard to the visual amenity of streets and street frontages.

In relation to Objective 7.2.3 and related policies 7.2.3.1 – 7.2.3.3 above, the proposal is considered to be consistent with each for the following reasons:

- A range of residential densities are outlined in Table 1;
- Residential scale and character, height, bulk, privacy, views and access to sunlight has been assessed in part 2 and 4 of the current application;

5.1.4 Objective 7.2.4

Residential development in Arrowtown compatible with the town's existing character.

Objective 7.2.4 and its related policies 7.2.4.1 – 7.2.4.2 have been assessed and are not considered to be relevant to the proposal as the location of the subject site is not located in Arrowtown.

5.1.5 Objective 7.2.5

Community activities serving the needs of people within the zone locate within the zone on sites where adverse effects are compatible with residential amenity values.

Objective 7.2.5 and its related policies 7.2.5.1 – 7.2.5.3 have been assessed and are not considered to be relevant as the proposal does not include any community facilities / activities.

5.1.6 Objective 7.2.6

Development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.

Policies

- 7.2.6.1 Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimises impacts on on-street vehicle parking.
- 7.2.6.2 Ensure development is designed consistent with the capacity of existing infrastructure networks and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.



- 7.2.6.3 Integrate development with all transport networks and in particular, where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).

In relation to Objective 7.2.6 and related policies 7.2.6.1 – 7.2.6.3 above, the proposal is considered to be consistent with each for the following reasons:

- The proposal includes two parking spaces per unit with sufficient manoeuvrability as depicted on the proposed parking plan contained in Attachment [F];
- The safety and efficiency of the road network has been discussed in part 2 of the current application and it is concluded that the proposal will not compromise the safety of any road user;
- Infrastructure is considered in Part 4 of the current application;
- Frankton Road contains public transport services. Tracks to Frankton Road within the area have been considered by previous applications as set out in Attachment [D]. The ability of the subject site to provide further pedestrian walkways is limited by the existing topography where it is not considered practicable to improve connections to public transport services.

5.1.7 Objective 7.2.7

Commercial development in the zone is small scale and generates minimal amenity value impacts.

Objective 7.2.7 and its related policies 7.2.7.1 – 7.2.7.4 have been assessed and are not considered to be relevant as the proposal does not include any commercial development.

5.2 Chapter 3 - Strategic Direction

5.2.1 Objective 3.2.1

The development of a prosperous, resilient and equitable economy in the District. (addresses Issue 1)

Policies

- 3.2.1.1 The significant socioeconomic benefits of well designed and appropriately located visitor industry facilities and services are realised across the District.
- 3.2.1.2 The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.
- 3.2.1.3 The Frankton urban area functions as a commercial and industrial service centre, and provides community facilities, for the people of the Wakatipu Basin.
- 3.2.1.4 The key function of the commercial core of Three Parks is focused on large format retail development.



- 3.2.1.5 Local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wanaka town centres 2, Frankton and Three Parks, are sustained.
- 3.2.1.6 Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.
- 3.2.1.7 Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)
- 3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)
- 3.2.1.9 Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. (also elaborates on S.O. 3.2.2 following)

In relation to Objective 3.2.1 and related policies 3.2.1.1 – 3.2.1.9 above, the proposal is considered to be consistent with each for the following reasons:

- The proposal does not include visitor industry facilities, services or agricultural land use;
- The subject site is not located in the Town Centre Zone, Frankton urban area, Three Parks Zone, commercial or industrial centre or Rural area;
- The proposal includes residential development which does not diversify the District's economic base. However, it does create employment opportunities and for the purposes of the Proposed District Plan can be considered 'sustainable';
- Infrastructure is considered in Part 4 of the current application;

5.2.2 Objective 3.2.2

Urban growth is managed in a strategic and integrated manner. (addresses Issue 2)

Policies

- 3.2.2.1 Urban development occurs in a logical manner so as to:
 - a. promote a compact, well designed and integrated urban form;
 - b. build on historical urban settlement patterns;
 - c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;
 - d. minimise the natural hazard risk, taking into account the predicted effects of climate change;
 - e. protect the District's rural landscapes from sporadic and sprawling development;
 - f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;
 - g. contain a high quality network of open spaces and community facilities; and.



h. be integrated with existing, and planned future, infrastructure. (also elaborates on S.O. 3.2.3, 3.2.5 and 3.2.6 following)

In relation to Objective 3.2.2.1 and related policy above, the proposal is considered to be consistent with each for the following reasons set out in parts 2 and 4 of the current application.

5.2.3 Objective 3.2.3

Policies

3.2.3.1 The District's important historic heritage values are protected by ensuring development is sympathetic to those values.

Objective 3.2.3 is not considered relevant as the site does not contain any District Plan references of historical importance.

5.2.4 Objective 3.2.4

The distinctive natural environments and ecosystems of the District are protected. (addresses Issue 4)

Policies

3.2.4.1 Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.

3.2.4.2 The spread of wilding exotic vegetation is avoided.

3.2.4.3 The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved or enhanced.

3.2.4.4 The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.

3.2.4.5 Public access to the natural environment is maintained or enhanced.

Objective 3.2.4 and related policies have been assessed and the proposal is considered to be consistent with these for the reasons set out in 3.1 and 3.2 of this application.

5.2.5 Objective 3.2.5

The retention of the District's distinctive landscapes. (addresses Issues 2 and 4)

Policies

3.2.5.1 The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.



3.2.5.2 The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.

5.2.6 Objective 3.2.6

The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety. (addresses Issues 1 and 6)

In relation to Objective 3.2.6, the proposal is considered to be consistent with each for the following reasons set out in parts 2, 3, 4 and 5 of the current application.

5.2.6 Objective 3.2.7

The partnership between Council and Ngāi Tahu is nurtured. (addresses Issue 6).

Policies

3.2.7.1 Ngāi Tahu values, interests and customary resources, including taonga species and habitats, and wahi tupuna, are protected.

3.2.7.2 The expression of kaitiakitanga is enabled by providing for meaningful collaboration with Ngāi Tahu in resource management decision making and implementation.

Objective 3.2.7 and policies 3.2.7.1 and 3.2.7.2 have been assessed and the proposal is considered to be consistent with these as the site is not recognised as containing any items of cultural significance.

5.2.7 Strategic Policies

Strategic policies 3.3.1 – 3.3.35 have been assessed and are not considered to be relevant for the following reasons:

- The subject site is not located in a Town Centre, Commercial, Industrial Zone, Significant Natural Area, Rural area, Outstanding Natural Landscape, and is not located outside of the Urban Growth Boundary;
- The subject site does not contain any District Plan references of historical importance;
- Policies 3.3.33 to 3.3.35 have been assessed and the proposal is considered to be consistent with this policy as the site is not recognised as containing any items of cultural significance.

5.3 Chapter 4 – Urban Development

5.3.1 Objective 4.2.1



Objective 4.2.1 and related policies have been assessed and are not considered to be relevant as this policy relates to the administration and application of Urban Growth Boundaries (UGB) where the proposal does not seek to amend the UGB.

5.3.2 Objective 4.2.2A

A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services.

The proposal is considered to be consistent the above Objective for the following reasons:

- The proposal is considered to be a compact and integrated urban form within the UGB;
- Infrastructure is considered in Part 4 of the current application;

5.3.2 Objective 4.2.2B

Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)

Policies

- 4.2.2.1 Integrate urban development with the capacity of existing or planned infrastructure so that the capacity of that infrastructure is not exceeded and reverse sensitivity effects on regionally significant infrastructure are minimised.
- 4.2.2.2 Allocate land within Urban Growth boundaries into zones which are reflective of the appropriate land use having regard to:
- a. its topography;
 - b. its ecological, heritage, cultural or landscape significance if any;
 - c. any risk of natural hazards, taking into account the effects of climate change;
 - d. connectivity and integration with existing urban development;
 - e. convenient linkages with public transport;
 - f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;
 - g. the need to make provision for the location and efficient operation of regionally significant infrastructure;
 - h. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;
 - i. the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies; and
 - j. the need to locate emergency services at strategic locations.
- 4.2.2.3 Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring



development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.

- 4.2.2.4 Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.
- 4.2.2.5 Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
- 4.2.2.6 Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.
- 4.2.2.7 Explore and encourage innovative approaches to design to assist provision of quality affordable housing.
- 4.2.2.8 In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.
- 4.2.2.9 Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting "Crime Prevention Through Environmental Design".
- 4.2.2.10 Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.
- 4.2.2.11 Ensure that the location of building platforms in areas of low density development within Urban Growth boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.
- 4.2.2.12 Ensure that any transition to rural areas is contained within the relevant Urban Growth boundary.

In relation to Objective 4.2.2B and related policies 4.2.2.1 – 4.2.2.12 above, for the reasons set out in parts 2, 3, 4 and 5 (above) the proposal is considered to be consistent with each policy listed above.

5.3.2 *Wakatipu Basin Specific Policies*

Policies

- 4.2.2.13 Define the Urban Growth boundary for Arrowtown, as shown on the District Plan maps that preserves the existing urban character of Arrowtown and avoids urban sprawl into the adjacent rural areas.
- 4.2.2.14 Define the Urban Growth boundaries for the balance of the Wakatipu basin, as shown on the District Plan maps that:
 - a. are based on existing urbanised areas;
 - b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases over the planning period;
 - c. enable the logical and sequenced provision of infrastructure to and community facilities in new areas of urban development;
 - d. avoid Outstanding Natural Features and Outstanding Natural Landscapes;



- e. avoid sprawling and sporadic urban development across the rural areas of the Wakatipu basin.
- 4.2.2.15 Ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.
- 4.2.2.16 Manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries while at the same time providing for the efficient operation of Queenstown Airport.
- 4.2.2.17 Protect the airport from reverse sensitivity effects of any Activity Sensitive to Aircraft Noise via a range of zoning methods.
- 4.2.2.18 Ensure that Critical Listening Environments of all new buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise boundary or Outer Control boundary are designed and built to achieve appropriate Indoor Design Sound Levels.
- 4.2.2.19 Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise management Plan and a Queenstown Airport Liaison Committee.
- 4.2.2.20 Ensure that development within the Arrowtown Urban Growth boundary provides:
- a. an urban form that is sympathetic to the character of Arrowtown, including its scale, density, layout and legibility, guided by the Arrowtown Design Guidelines 2016;
 - b. opportunity for sensitively designed medium density infill development in a contained area closer to the town centre, so as to provide more housing diversity and choice and to help reduce future pressure for urban development adjacent or close to Arrowtown's Urban Growth boundary;
 - c. a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown;
 - d. for Feehley's Hill and land along the margins of bush Creek and the Arrow River to be retained as reserve areas as part of Arrowtown's recreation and amenity resource;
 - e. recognition of the importance of the open space pattern that is created by the inter-connections between the golf courses and other Rural Zone land.
- 4.2.2.21 Rural land outside of the Urban Growth boundaries is not used for urban development until further investigations indicate that more land is needed to meet demand for urban development in the Wakatipu basin and a change to the Plan amends the Urban Growth boundary and zones additional land for urban development purposes.

In relation to Policies 4.2.2.13 – 4.2.2.21 above, the proposal is considered to be consistent with each for the following reasons:

- The subject site is outside the Arrowtown Urban Growth boundary
- The subject site is outside the control boundaries for Activities Sensitive to Aircraft Noise;
- The proposal does not seek to define the UGB;
- The subject site is not within a Rural area;



5.4 Chapter 5 - Tangata Whenua

The current application is for a resource consent. As such, Objective 5.4.1 and its related policies are not considered relevant. It is considered that the proposal is not sufficient in scale to require a collaborative approach with Ngai Tahu in the design of built environment, planting or public spaces. Objectives 5.4.3 to 5.4.5 and related policies have been assessed and these are not considered to be relevant as the site is not recognised as containing any items of cultural significance.

5.5 Chapter 6 - Landscapes and Rural Character

The subject site is located in the LDS Zone and not within any ONL or ONF landscapes. Therefore, Chapter 6 is not considered to be relevant.

5.6 Chapter 27 – Subdivision & Development

5.6.1 Objective 27.2.1

Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Policies

- 27.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.
- 27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.
- 27.2.1.3 Require that allotments are a suitable size and shape and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.
- 27.2.1.4 Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:
 - a. desirable urban design outcomes;
 - b. greater efficiency in the development and use of the land resource;
 - c. affordable or community housing.
- 27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.



27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services

For the reasons set out in parts 2, 3 and 4 of the current application the proposal is considered to be consistent with the Objective 27.2.1 and its related policies above.

5.6.2 Objective 27.2.2

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

Policies

- 27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.
- 27.2.2.2 Ensure subdivision design maximises the opportunity for buildings in urban areas to front the road.
- 27.2.2.3 Locate open spaces and reserves in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.
- 27.2.2.4 Urban subdivision shall seek to provide for good and integrated connections and accessibility to:
 - a. existing and planned areas of employment;
 - b. community facilities;
 - c. services;
 - d. trails;
 - e. public transport;
 - f. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.
- 27.2.2.5 Urban subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.
- 27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.
- 27.2.2.7 Promote informal surveillance for safety in urban areas through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.
- 27.2.2.8 Manage subdivision within the National Grid Corridor or near to electricity distribution lines to facilitate good amenity and urban design outcomes, while minimising potential adverse effects (including reverse sensitivity effects) on the National Grid and avoiding, remedying or mitigating potential adverse effects (including reverse sensitivity effects) on electricity distribution lines

For the reasons set out in parts 2, 3 and 4 of the current application the proposal is considered to be consistent with the Objective 27.2.2 and its related policies above.



5.6.3 Objective 27.2.3

The potential of small scale and infill subdivision in urban areas is recognised and provided for while acknowledging their design limitations.

Policies

- 27.2.3.1 Accept that small scale subdivision in urban areas, (for example subdivision involving the creation of fewer than four allotments), and infill subdivision where the subdivision involves established buildings, might have limited opportunities to give effect to policies 27.2.2.4, 27.2.2.5 and 27.2.2.7.
- 27.2.3.2 While acknowledging potential limitations, encourage small scale and infill subdivision in urban areas to:
- ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
 - where possible, locate lots so that they over-look and front road and open spaces;
 - avoid the creation of multiple rear sites, except where avoidance is not practicable;
 - where buildings are constructed with the intent of a future subdivision, encourage site and development design to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;
 - identify and create opportunities for connections to services and facilities in the neighbourhood.

For the reasons set out in parts 2, 3 and 4 of the current application the proposal is considered to be consistent with the Objective 27.2.3 and its related policies above.

5.6.4 Objective 27.2.4

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

Policies

- 27.2.4.1 Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.
- 27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage features and other protected items scheduled or identified in the District Plan.
- 27.2.4.3 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where



applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wāhi tapu and other taonga.

- 27.2.4.4 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to: a. whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection; b. where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.

For the reasons set out in parts 2, 3 and 4 of the current application the proposal is considered to be consistent with the Objective 27.2.4 and its related policies above.

5.6.5 Objective 27.2.5

Infrastructure and services are provided to new subdivisions and developments.

Transport, Access and Roads

Policies

- 27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling. For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.
- 27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.
- 27.2.5.3 Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.
- 27.2.5.4 Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.
- 27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:
- the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;
 - the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;
 - the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;
 - the provision and vesting of corner splays or rounding at road intersections; e. the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;



- f. the provision of appropriate tree planting within roads;
- g. any requirements for widening, formation or upgrading of existing roads;
- h. any provisions relating to access for future subdivision on adjoining land;
- i. the provision and location of public transport routes and bus shelters.

Water supply, stormwater, wastewater

- 27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

Water

- 27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.
- 27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.
- 27.2.5.10 Ensure appropriate water supply, design and installation by having regard to: a. the availability, quantity, quality and security of the supply of water to the lots being created; b. water supplies for fire fighting purposes; c. the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision; d. any initiatives proposed to reduce water demand and water use.

Stormwater

- 27.2.5.11 Ensure appropriate stormwater design and management by having regard to: a. any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas; b. the capacity of existing and proposed stormwater systems; c. the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems; d. the location, scale and construction of stormwater infrastructure; e. the effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater runoff, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.
- 27.2.5.12 Encourage subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of wetlands and waterways.



Wastewater

- 27.2.5.13 Treat and dispose of sewage in a manner that: a. maintain public health; b. avoids adverse effects on the environment in the first instance; and c. where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.
- 27.2.5.14 Ensure appropriate sewage treatment and disposal by having regard to: a. the method of sewage treatment and disposal; b. the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system; c. the location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.
- 27.2.5.15 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

Energy Supply and Telecommunications

- 27.2.5.16 Ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:
- a. providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
 - b. ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;
 - c. generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.

Easements

- 27.2.5.17 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.
- 27.2.5.18 Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.

For the reasons set out in parts 2, 3 and 4 of the current application the proposal is considered to be consistent with the Objective 27.2.5 and its related policies above.

7.0 RESOURCE MANAGEMENT ACT 1991: PART 2



The proposal aligns with the Objectives and Policies of the Low Density Residential Zone and Lower Density Suburban Residential Zone. Future development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy, and mitigate adverse effects of activities on the environment.

Overall, the proposal is in keeping with the purpose and principles of the RMA.

AEE prepared by **Nick Geddes**

CLARK FORTUNE MCDONALD & ASSOCIATES

21st June 2018



ATTACHMENT [B]..... **Certificate of Title**

ATTACHMENT [C]..... Site Location Plan

ATTACHMENT [D]..... **Consent History**

ATTACHMENT [E]..... **Offered Conditions of Consent**

ATTACHMENT [F]..... Proposed Building Plans / Parking Plans / Shading Analysis / Landscape Plan

ATTACHMENT [G]..... Proposed Scheme Plan / Services Memorandum

ATTACHMENT [H]..... Proposed Earthworks Plan

ATTACHMENT [I]..... NES Assessment

ATTACHMENT [J]..... APA Albatross QT Ltd

ATTACHMENT [K]..... Geotechnical Report, Geosolve Ltd

ATTACHMENT [L]..... **Relevant Chapters** of the Proposed District Plan

Figure 1.....QLDC GIS Image

Figure 2.....Shading Analysis, Attachment F

Table 1.....Lots / Units

APPENDIX 3 – ENGINEERING ASSESSMENT

ENGINEERING REPORT

TO: Hamish Anderson

FROM: Cameron Jones

DATE: 23/04/2019

APPLICATION DETAILS	
REFERENCE	RM180674
APPLICANT	Alpha Properties NZ Limited
APPLICATION TYPE & DESCRIPTION	Subdivision and land use for the construction and fee simple subdivision of ten residential units.
ADDRESS	Potters Hill Drive, Frankton
ZONING	Low Density Residential.
LEGAL DESCRIPTION	Lot 10 DP 490069 Subject land is Lot 5 RM180834
SITE AREA	Lot 10: 9,886m ² Lots 5 + 100: 4,790m ²
ACTIVITY STATUS	Non-complying

Application	Reference Documents	Documents provided with consent application.
	Previous Relevant Consents	RM050520, RM050520.01, RM130069 & RM150928: underlying subdivision and variations. RM140714: earthworks for access and future dwellings. RM160181: earthworks on Lots 10 & 11 RM050520. RM160718, RM170614 & RM180834: underlying subdivision and variations.
	Date of site visit	18/05/2018

Comments		
	Existing Use	Vacant allotment.
	Neighbours	Residential allotment with an existing dwelling to the east; Council reserve to the north; Pencarrow Lane to the south; consented development of 12 units to the west, construction well under way.
	Topography/Aspect	Moderately sloping towards the south.

Location Diagram (approx. area of Lot 5 shown)



Scheme Plan



1.0 SUBDIVISION MATTERS

1.1 Design

A 12 lot fee simple subdivision is proposed to be created from Lot 5 RM180834 (title not yet issued; this lot is part of Lot 10 DP 190069, held in Computer Freehold Register 706713).

Twelve of the lots (Lots 101 – 110; subtracting 100 from the lot number gives the unit number referred to in the plans and in this report) are to each contain a dwelling. Lot 111 is to be held with Lot 6 RM180834. Lot 200 is to be an unserviced balance lot.

1.2 Staging

The subdivision is proposed to be completed in three stages as follows:

Stage 1: Block 3 & balance lot. Block 3 consists of the four residential units on Lots 105-108.

Stage 2: Blocks 2 & 4. Block 2 consists of the two residential units on Lots 103 & 104. Block 4 consists of the two residential units on Lots 109 & 110.

Stage 3: Block 1. Block 1 consists of the final two residential units on Lots 101 & 102.

The applicant has proposed that the staging proceed in numerical order of the stages, and I recommend an appropriate condition allowing for staging of the subdivision consent.

2.0 TRANSPORT

2.1 Means of Access

Access to the lot is to be over a road between the units approved by RM160718 and its variations.

The legal and formed widths of the existing road are approx. 6m. While the legal width does not comply with QLDC Code of Practice requirements for an E11 (1 to 20 du) or E12 (1 to 200 du) road, as there is no parking within the movement lane and no new services will need to be laid in the future, I am satisfied that the formation will be adequate, and has been accepted by Council's Infrastructure engineers as being adequate.

As part of the approval of RM180834, this road is to be vested in Council (it was to be a private road in the approvals of RM160718 & RM170614) with an appropriate turning head provided, and the indicative design has been approved by Council's Infrastructure engineers. The applicant has provided tracking curves for an 8m rigid truck to turn within the turning head, though I note that this has an overhang of approximately 1.7m, and towards the northern end the final contours increase approximately 300-400mm above the level of the access (presumably in addition to a kerb). Regardless, as no detailed design has been submitted for Engineering Acceptance, I am satisfied that these details can be rectified as part of that process. Given that the turning head is required to ensure the access to the site is of an adequate standard, **it is strongly recommended that all works associated with RM160718, RM170614 & RM180834 be complete prior to issuing any titles for the current proposal. I recommend that the planner include an appropriate condition in this regard.** I also note that the application for RM180834 did not include any requirement for, or details regarding, bin collection from the 10 units now proposed. The tracking curves provided with the application show some clear space where bins can be located while awaiting collection, but it is unclear whether this is adequate for the number of bins which will be required for 10 units. I recommend a condition that these details be provided prior to the commencement of works.

Within the proposed development, access is via an extension of the road, to be legally secured by a series of reciprocal right of way easements. The formation continues with a 6.0m width, and I am satisfied that this complies with QLDC Code of Practice requirements. A second turning area has been provided beyond Unit 8. Tracking curves for a 90th percentile vehicle have been provided, though it appears that these curves have a radius of less than the 6.3m required by the District Plan. Given there is some space clear of the tracking curves, and any required changes would be minor, I am satisfied that this can be adequately addressed by the detailed design review.

I recommend a condition that full details of the access design be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the access way be formed as per the Accepted design prior to the occupation of the units/224c certification.

For completeness, I note that the applicant has provided correspondence from the NZTA confirming that any potential upgrades of the Potters Hill Drive / Frankton Road intersection will be part of a business case currently being prepared by the NZTA, and will be undertaken independent of the developer.

2.2 Vehicle Crossing

Access to the development is to be via a 19.5m wide vehicle crossing approved as part of the underlying subdivision. I am satisfied that this crossing complies with Council requirements for surfacing, sight distance and break over angles. The only non-compliance is the crossing's length. As this was assessed as an intersection under RM160718 and formed as such, I am satisfied that this is appropriate and I make no recommendations with regard to vehicle crossings.

2.3 Parking

The applicant proposes two car parks for each unit, and two shared visitor parking spaces within a right to park easement on Lot 104. Each unit has a single garage and an external carpark adjacent to the ROW, with the exception of Units 9 & 10, which each have two external parking spaces. Several of these parking spaces are shown within Lot 111 (to be amalgamated with Lot 6 RM180834), and are protected by right to park easements. One of the spaces for Unit 10 is within Lot 103, and both visitor spaces are within Lot 104; all are protected by right to park easements.

All of the external parking spaces for Units 1 – 4 and 9 & 10, along with the visitor spaces, are perpendicular to the access way. They are all 2.7m wide by 5.0m long, and have an aisle of at least 6.0m, in compliance with Table 1 of Appendix 7 of the District Plan for class 2 users. The garage doors appear to have a width of 3.3m, which results in a net width of 2.7m (after subtracting 300mm for the obstructions on each side), also with compliant aisle lengths.

The external parking spaces for Units 5 – 8 are parallel to the access way. Each is 6.1m long, and approximately 2.5m wide. The road is 6.0m in width allowing sufficient manoeuvring and I am satisfied that these dimensions are appropriate.

I am satisfied that all parking spaces will be flat and sealed, in compliance with District Plan requirements.

I recommend a condition that the detailed design of the parking area be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that the parking spaces be formed as per the Accepted design prior to occupation of the units/224c certification.

ENGINEERING			COMMENTS	Condition
EARTHWORKS	Extent	Description	Earthworks as required to establish flat building platforms, accesses and parking areas.	
		Cut /Fill Volume (m ³)	Cut: 6,900m ³ Fill: 140m ³	
		Total Volume (m ³)	7,040m ³	
		Area Exposed (m ²)	2,320m ²	
		Max Height Cut/Fill (m)	Max cut: unclear; appears to be in excess of 15m, according to the cross sections provided. Max fill: approx. 2m.	
		Prox. to Boundary	The proposed cuts breach Site Standard 22.3.3(ii)(b)(iii) with regard to the distance from the top of the cut to the boundary. However, I am satisfied that the works will not result in any ground instability beyond the lot boundary if the earthworks are undertaken in accordance with the recommendations in the GeoSolve report referenced in the Stability section herein. A condition is recommended to ensure that no earthworks extend beyond the lot's boundaries	X
	Stand	Geotech assessment by	GeoSolve Limited	

		Report reference	<i>Geotechnical Report for Resource Consent, Lot 10, Eastern Area, The Views, Queenstown.</i> Prepared for Alpha Properties Ltd by GeoSolve Ltd. GeoSolve ref 160500.03, dated April 2018.	
		Report Comment	<p>The report presents the results of a geotechnical assessment to determine the subsoil conditions. Preliminary geotechnical design parameters are also provided. The report also confirms that further investigation and assessment will be required during detailed design, noting <i>"Preliminary assessment indicates the stability of the upper 3-6m of the rock mass is unlikely to have factors of safety in line with current building code requirements. Specific engineering assessment and design of appropriate support will therefore be required for the proposed development."</i> I recommend a condition that a further geotechnical report be provided to Council for Engineering Acceptance, including details of the appropriate methodology for completing the south-facing cuts due to the presence of adverse rock features, and confirmation that rock anchors do not extend beyond the site boundaries of consented Lot 5 RM180834..</p> <p>I recommend a condition that all earthworks are undertaken under the supervision of a suitably qualified person, in accordance with the recommendations made in these reports.</p>	X
		Rock breaking	Required due to the depth of cuts and the schist present. Given the proximity to the new houses/houses under construction to the west, I recommend an advice note regarding undertaking a preconstruction survey.	
		Rock blasting	Not proposed.	
		Preconstruction survey	An advice note is recommended.	
		Retaining	<p>It is possible that there will be areas where a drop off exists adjacent to the proposed access way and parking spaces. I recommend a condition that the detailed design of any required vehicular barriers be provided to Council for Engineering Acceptance prior to the commencement of works. I recommend a condition that these be installed as designed prior to occupation of the dwellings/224c certification. I recommend an advice note regarding Building Act requirements for retaining walls.</p> <p>The GeoSolve report states that the use of shotcrete and rock anchors is a likely solution for unstable rock. I recommend a condition that the detailed design of these systems be provided to Council for Engineering Acceptance prior to the commencement of works, and that the anchors shall not extend beyond the site boundaries of consented Lot 5 RM180834.</p>	X X
		Recommendations on cut/batter slopes	The GeoSolve report provides recommendations regarding temporary and permanent batter slopes. I recommend a condition that all batter slopes be formed in accordance with these recommendations.	X
		Fill certification/specific foundation design required	Addressed under Schedule 2A requirement below.	X
		Engineers supervision	Required for Schedule 2A.	X
		Uncertified fill covenant	Not required.	

		Schedule 2a Certificate	A Schedule 2A is recommended due to the extensive geotechnical requirements in regard to preparation of the site for future land use and to provide clarity for future lot owners. An appropriate consent notice condition is recommended in this regard.	X
		Clean fill only	Not required.	
	Site Management	Report reference	A condition is recommended to ensure that appropriate site management is in place prior to the commencement of works.	X
		Specific sedimentation management	Not required.	
		Specific stormwater management	Not required.	
		Neighbours	I am satisfied that the earthworks will not result in any adverse effects on neighbouring sites, provided they are undertaken in accordance with the recommendations in the GeoSolve report, as discussed above.	
		Traffic management	I recommend a condition that the applicant provide a TMP to Council for approval if required. I recommend appropriate conditions to ensure that the ROW over the adjacent lots to the west are kept clear during the works.	X X
		Construction crossing	Not required.	
		Revegetation	An appropriate condition is recommended to ensure all exposed areas are stabilised or re-vegetated at the completion of earthworks.	X

3.0 SERVICES

3.1 Existing Services

Connections to power, telecommunications, and Council reticulated water, wastewater and stormwater to the lot boundary were approved as part of the underlying subdivision. I recommend an advice note regarding the requirement to pay Development Contributions.

3.2 Potable Water

A 125mm diameter water main was approved to the lot boundary as part of the works for the underlying subdivision. I am satisfied that this will be adequate to service the development, and I recommend a condition that the design of the individual connections to each unit be provided to Council for approval prior to the commencement of works. I recommend a condition that these connections be made to each unit/lot prior to occupation/224c certification.

3.3 Firefighting

A fire hydrant was approved approx. 2.5m from the western lot boundary as part of the underlying subdivision. Approval was also provided from Fire & Emergency NZ for the formation of the access to the development approved under RM160718. I am satisfied that this will satisfy all requirements for firefighting for this development, and I make no recommendations in this regard.

3.4 Effluent Disposal

A 150mm diameter sewer line was approved to the lot boundary as part of the works for the underlying subdivision. This pipe continues to Potters Hill Drive, and services will service a total of 24 units should the proposal be constructed. The note attached to Table 5.3 in the QLDC Code of Practice states "*In practical terms, in a catchment not exceeding 250 dwelling units, and where no pumping station is involved, DN 150 pipes... will be adequate without specific hydraulic design.*"

Based on this, I am satisfied that connecting the development to Council's wastewater reticulation is feasible, and I recommend a condition that the design of connections to each unit be provided prior to the commencement of works. I recommend a condition that these connections be provided prior to occupation of any unit/224c certification.

3.5 Stormwater Disposal

Similarly to effluent disposal, a 300mm diameter stormwater line was approved to the lot boundary as part of the underlying subdivision. I am satisfied that this will be adequate for the development. I recommend a condition that the internal stormwater reticulation design be provided to Council for approval prior to the commencement of works, and that the connections be installed as per the Accepted design prior to occupation of the units/224c certification.

3.6 Power and Telecommunications

The applicant has provided letters from Chorus and Aurora stating that connections to the telecommunications and power networks are feasible. I recommend a condition that confirmation of supply to each lot is provided prior to 224c certification.

3.7 Management Company

Required for private access way and services. An appropriate condition is recommended in this regard.

4.0 NATURAL HAZARDS.

The QLDC Hazard Register Maps show the site falls within the LIC1 liquefaction hazard category, with an assessed liquefaction risk being "Nil to Low". Based on this hazard category, I am satisfied that the proposed buildings are unlikely to be at risk of liquefaction in a seismic event and that standard foundations as required under NZS 3604:2011 for timber framed buildings are sufficient. Foundation requirements for the buildings will be addressed under the related building consent and no conditions are necessary.

5.0 PROJECT INFORMATION

I recommend appropriate conditions regarding providing the following to Council:

- The name of the consent holder's engineering representative.
- A notice of commencement of works.
- A traffic management plan.
- Design certificates for all engineering works.
- Completion certificates for all engineering works.
- As built plans for all engineering works.

6.0 TITLE INFORMATION

6.1 Consent Notices

Council's engineering report for RM170614 makes the following comment regarding the existing consent notices on the lot's title:

'The following consent notice is relevant (summarised):

Consent notice 10449745.29 conditions:

- 1) *Geotechnical investigations*
- 2) *Construct a vehicle crossing*
- 3) *Geotechnical constraints*

- 4) *Engineering design to address 3)*
- 5) *Geotechnical design*
- 6) *Headworks fee upon further subdivision*
- 7) *Water pressure system*
- 8) *Management company of internal assets*

All of the above matters are addressed satisfactorily in conditions of RM160181 and RM160718 and remain relevant to the revised proposal. I do not recommend any additional conditions.'

I am satisfied that these conditions will either be met via compliance with the conditions recommended herein, or are no longer relevant.

I recommend that a consent notice be added to the titles created regarding membership in the management entity for the maintenance of the internal access and service infrastructure.

As Lot 200 is to be left unserviced, I recommend a consent notice notifying potential future owners of this fact. Lot 111 will also be left unserviced, but as it is to be amalgamated with Lot 6 RM180834 I am satisfied that no consent notice is required.

6.2 Easements

A condition is recommended to ensure all necessary easements are granted or reserved.

6.3 Amalgamation Condition

An amalgamation condition is required to amalgamate Lot 111 with Lot 6 RM180834.

7.0 RECOMMENDED CONDITIONS – LAND USE

It is recommended that the following conditions are included in the consent decision:

General

1. All engineering works, including the construction of retaining walls, 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 May 2018 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>

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

2. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.
3. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.

4. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
- a) The provision of a water supply to Units 1 - 10 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Units 1 - 10 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for any two units. The costs of the connections shall be borne by the consent holder.
 - c) The provision of a connection from all potential impervious areas within Units 1 - 10 to the Council reticulated stormwater disposal system. This shall include an inspection chamber/rodding eye at the junction of the laterals for the any units. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot.
 - d) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. This shall include:
 - i. Parking stalls to be in general accordance with the Clark Fortune McDonald plan submitted with the application ('Proposed Units on Lot 5 RM 170614', Rev C, dated 29.03.19) and in accordance with Councils standards.
 - ii. Parking shall be clearly and permanently marked out. No parking marking shall be installed in the turning heads.
 - iii. Car parks which are associated with a particular unit shall be clearly signposted.
 - iv. Visitor parking areas shall be clearly signposted.
 - v. Wheel stops shall be installed where appropriate.
 - vi. Provision shall be made for stormwater disposal.
 - vii. Tracking curves prepared by a suitably qualified traffic engineer shall be provided demonstrating that the final design allows for a 90th percentile vehicle to undertake a three-point turn in the turning area adjacent to Unit 8.
 - e) The provision of road lighting in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. 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.
 - f) The formation of the access way to all units, in accordance with Council's standards. This shall include:
 - i. Surface treatment to clearly delineate where the public road ends and the private road begins.
 - ii. Provision shall be made for stormwater disposal from the carriageway.
 - iii. Provision shall be made for rubbish bin storage and collection at the end of the public road serving the development. This shall include tracking curves prepared by a suitably qualified traffic engineer, demonstrating that a medium rigid truck can undertake a 3-point turn in the turning head without striking any of the bins.
 - g) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or

parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to occupation of any unit.

- h) The consent holder shall provide a geotechnical report prepared by a suitably qualified person addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site and neighbouring lots is maintained. This shall include details of the appropriate methodology for completing the south-facing cuts due to the presence of adverse rock features, and confirmation that rock anchors do not extend beyond the site boundaries of consented Lot 5 RM180834. All required retaining structures shall be completely contained within the lot boundaries.
 - i) The provision of Design Certificates for all engineering works associated with this 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.
5. 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 to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
 6. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (4h) and who shall supervise the earthworks procedure and retaining wall construction, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.
 7. At least 5 working days prior to commencing work on site the consent holder shall advise the Manager of Resource Management Engineering at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Conditions (2 - 6) shall be demonstrated.

To be monitored throughout earthworks

8. The earthworks, batter slopes and retaining shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (4h).
9. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
10. 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.
11. The loading and stockpiling of earth and other materials shall be confined to the subject site. Specifically Woods Lane or the communal right-of-way access shall not be used for the loading/unloading or storage of material.

12. At the completion of works each day Woods Lane and the access way shall be left in a condition trafficable by small vehicles.
13. In the absence of an approved traffic management plan that authorises otherwise, contractors' equipment shall not be permanently located within any portion of Woods Lane.
14. In the absence of an approved traffic management plan that authorises otherwise, any temporary obstructions in Woods Lane shall be removed within 5 minutes of being reasonably requested to allow safe passage of pedestrians or vehicles over the road.
15. No earthworks, temporary or permanent, are to breach the boundaries of the site.
16. The Manager of Resource Management Engineering at Council shall be notified and work shall stop immediately if any cracking, movement, structural distress or damage to any existing buildings, structures, underground services, public roads, pathways and/or surrounding land occurs.
17. If at any time Council officers, or its elected representatives, receive justifiable complaints about or proof of effects from vibration sourced from the earthworks activities approved by this resource consent, the consent holder at the request of the Council shall cease all earthworks activities and shall engage a suitably qualified professional who shall prepare a report which assesses vibration caused by earthworks associated with this consent and what adverse effect (if any) these works are having on any other land and/or buildings beyond this site. Depending on the outcome of this report, a peer review may be required to be undertaken by another suitably qualified professional at the consent holder's expense. This report must take into consideration the standard BS 5228:1992 or a similar internationally accepted standard. Both the report and peer review (if required) shall be submitted to Council for review and acceptance. The Consent holder shall implement any measures proposed in the report that will mitigate any negative effects of the vibration.

To be completed prior to occupation of any unit

18. Prior to occupation of any unit, 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 development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all works detailed in Condition (4) above.
 - c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 101-110 as per condition (4a) above, and evidence of supply shall be provided to Council's Subdivision Inspector.
 - d) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (2) for all engineering works completed in relation to or in association with this 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.
 - e) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
 - f) The consent holder shall provide to the Manager of Resource Management Engineering at Council a geotechnical completion report and a Schedule 2A "Statement of professional opinion as to suitability of land for building construction" in accordance with Section 2.6.1 of QLDC's Land Development and Subdivision Code of Practice that has been prepared by suitably qualified geotechnical professional as defined in Section 1.2.2 and demonstrates to Council that the building platforms are suitable for building development. In the event that the conditions within the building platforms are only found to be suitable for building construction subject to certain mitigation measures and/or remedial works being carried out, then a suitably qualified and experienced professional shall submit to the Council for review and certification full details of such works. The consent holder shall be responsible for implementing all necessary mitigation measures and/or remedial works required to prepare the land for building construction. Where any buildings are to be founded on fill that has not been certified in

accordance with NZS 4431:1989, the foundations of the building shall be designed by a suitably qualified engineer and a corresponding producer statement shall be submitted to the Manager of Resource Management Engineering at Council.

- g) 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.
 - h) 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.
 - i) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
 - j) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.
19. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a Covenant in Gross (or other alternative legal instrument acceptable to Council) shall be registered on the relevant Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

Advice Note:

1. The consent holder is advised to undertake a pre-construction condition survey, including photographs, to record the existing condition of all neighbouring buildings, landscaping and roads that lie within 10m of the proposed works. The extent of the pre-construction survey is related to the site and its surrounds and the associated potential risks. The existing condition of roading, landscaping and structures needs to be documented by way of photos, focusing on any damage that is already apparent. Items such as minor cracking in plaster will be very difficult to identify, and in these cases other methods would need to be employed to determine if they were formed as a result of the consented works. The survey will never cover everything but it aims to provide a record that can be reviewed in the event of a complaint or issue being raised.
2. 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.
3. 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.

8.0 RECOMMENDED CONDITIONS – SUBDIVISION

It is recommended that the following conditions are included in the consent decision:

Staging

1. This subdivision may be staged. For the purposes of issuing approvals under Sections 223 and 224(c) of the Resource Management Act 1991, the conditions of this consent shall be applied only to the extent that they are relevant to each particular stage proposed. This consent may be progressed in the following stages:

Stage 1: Lots 105 – 108.

Stage 2: Lots 103, 104, 109 & 110.

Stage 3: Lots 101 & 102

The stages set out above may be progressed in any order and combined in any order, providing all necessary subdivision works (such as servicing, provision of formed legal access and other works required to satisfy conditions of this consent), are completed for each stage, prior to certification being issued as necessary under Sections 223 and 224(c) of the Resource Management Act 1991. Any balance lots created shall either be serviced to Council's standards or held together in one title with a serviced lot.

General

2. All engineering works, including the construction of retaining walls, 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 May 2018 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>

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

3. The owner of the land being developed shall provide a letter to the Manager of Resource Management Engineering 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.
4. The consent holder shall obtain and implement a traffic management plan approved by Council prior to undertaking any works within or adjacent to Council's road reserve that affects the normal operating conditions of the road reserve through disruption, inconvenience or delay. The Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (STMS). All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS to manage the site in accordance with the requirements of the NZTA's "*Traffic Control Devices Manual Part 8: Code of practice for temporary traffic management*". The STMS shall implement the Traffic Management Plan. A copy of the approved plan shall be submitted to the Manager of Resource Management Engineering at Council prior to works commencing.
5. Prior to commencing works on the site, the consent holder shall obtain 'Engineering Review and Acceptance' from the Queenstown Lakes District Council for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the applicant's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition (1), to detail the following requirements:
 - a) The provision of a water supply to Lots 101-110 in terms of Council's standards and connection policy. This shall include an Acuflo GM900 as the toby valve and an approved water meter as

detailed in QLDC Water Meter Policy (Appendix A), dated June 2017. The costs of the connections shall be borne by the consent holder.

- b) The provision of a foul sewer connection from Lots 101-110 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. This shall include an inspection chamber/rodding eye at the junction of the laterals for any two units. The costs of the connections shall be borne by the consent holder.
- c) The provision of a connection from all potential impervious areas within Lots 101-110 to the Council reticulated stormwater disposal system. This shall include an inspection chamber/rodding eye at the junction of the laterals for the any units. The individual lateral connections shall be designed to provide gravity drainage for the entire area within each lot.
- d) The construction and sealing of all vehicle manoeuvring and car parking areas to Council's standards. This shall include:
 - i. Parking stalls to be in general accordance with the Clark Fortune McDonald plan submitted with the application ('Proposed Units on Lot 5 RM 170614', Rev C, dated 29.03.19) and in accordance with Councils standards.
 - ii. Parking shall be clearly and permanently marked out. No parking marking shall be installed in the turning heads.
 - iii. Car parks which are associated with a particular unit shall be clearly signposted.
 - iv. Visitor parking areas shall be clearly signposted.
 - v. Wheel stops shall be installed where appropriate.
 - vi. Provision shall be made for stormwater disposal.
 - vii. Tracking curves prepared by a suitably qualified traffic engineer shall be provided demonstrating that the final design allows for a 90th percentile vehicle to undertake a three-point turn in the turning area adjacent to Lot 8.
- e) The provision of road lighting in accordance with Council's road lighting policies and standards, including the *Southern Light* lighting strategy. 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.
- j) The formation of the access way within right of way easements A - F, in accordance with Council's standards. This shall include:
 - i. Surface treatment to clearly delineate where the public road ends and the private road begins.
 - ii. Provision shall be made for stormwater disposal from the carriageway.
 - iii. Provision shall be made for rubbish bin storage and collection at the end of the public road serving the development. This shall include tracking curves prepared by a suitably qualified traffic engineer, demonstrating that a medium rigid truck can undertake a 3-point turn in the turning head without striking any of the bins.
- f) A barrier shall be provided for pedestrian and vehicular safety locations where land drops away to more than 1m in height, at an angle of more than 45°, within 2m of the edge of the access or parking area. The level of protection shall be assessed and designed by a suitably qualified engineer as part of the overall access design and a PS1 producer statement provided to the Manager of Resource Management Engineering at Council prior to installation. A PS4 producer statement or QLDC's Land Development and Subdivision Code of Practice Schedule 1C Completion Certificate shall be provided following construction and prior to 224c certification.
- g) The consent holder shall provide a geotechnical report prepared by a suitably qualified person addressing the specific proposed development and identifying all geotechnical works required to be completed to ensure suitable foundations for the proposed buildings and associated works, and to ensure the stability of the overall site and neighbouring lots is maintained. This shall include details of the appropriate methodology for completing the south-facing cuts due to the presence of adverse rock features, and confirmation that rock anchors do not extend

beyond the site boundaries of consented Lot 5 RM180834. All required retaining structures shall be completely contained within the lot boundaries.

- h) The provision of Design Certificates for all engineering works associated with this subdivision 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.
6. 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 to ensure that neighbouring sites remain unaffected from earthworks. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.
7. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council with the name of a suitably qualified geo-professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice who is familiar with the GeoSolve Ltd report (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (4h) and who shall supervise the earthworks procedure and retaining wall construction, in accordance with the report recommendations. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at Council new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.
8. At least 5 working days prior to commencing work on site the consent holder shall advise the Manager of Resource Management Engineering at Council of the scheduled start date of physical works. Compliance with the prior to commencement of works conditions detailed in Conditions (2 - 6) shall be demonstrated.

To be monitored throughout earthworks

9. The earthworks, batter slopes and retaining shall be undertaken in accordance with the recommendations of the report by GeoSolve Ltd (GeoSolve ref 160500.03, dated April 2018) and the report accepted under Condition (4h).
10. Temporary retention systems shall be installed wherever necessary immediately following excavation to avoid any possible erosion or instability.
11. 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.
12. The loading and stockpiling of earth and other materials shall be confined to the subject site. Specifically Woods Lane or the communal right-of-way access shall not be used for the loading/unloading or storage of material.
13. At the completion of works each day Woods Lane and the access way shall be left in a condition trafficable by small vehicles.
14. In the absence of an approved traffic management plan that authorises otherwise, contractors' equipment shall not be permanently located within any portion of Woods Lane.
15. In the absence of an approved traffic management plan that authorises otherwise, any temporary obstructions in Woods Lane shall be removed within 5 minutes of being reasonably requested to allow safe passage of pedestrians or vehicles over the road.
16. No earthworks, temporary or permanent, are to breach the boundaries of the site.

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. This shall include any Easements in Gross as required by Council for infrastructure to vest. Requirements for vested infrastructure and Easements in Gross shall be agreed with Council prior to Engineering Acceptance.

Amalgamation Condition

18. The following shall be registered with Land Information New Zealand (CSN XXXXX):

- *"That Lot 111 hereon and Lot 6 RM180834 (DP to be confirmed) be held in the same Record of Title"*

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 at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all Water, Wastewater and Stormwater reticulation (including private laterals and toby positions).
- b) The completion and implementation of all works detailed in Condition (4) above.
- c) An Elster PSM V100 or Sensus 620 water meter shall be provided to Council's maintenance contractor Veolia for Lots 101-110 as per condition (4a) above, and evidence of supply shall be provided to Council's Subdivision Inspector.
- d) 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.
- e) 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.
- f) The submission of Completion Certificates from the Contractor and the Engineer advised in Condition (2) for all engineering works completed in relation to or in association with this subdivision (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.
- g) A 1.1m high non-climbable fence/barrier shall be constructed on all retaining walls higher than 1m for the purpose of personal safety in compliance with NZBC Clause F4/AS1 1.1.
- h) The consent holder shall establish a suitable management organisation which shall be responsible for implementing and maintaining the on-going maintenance of all internal roading and service infrastructure associated with the subdivision.

The legal documents that are used to set up or that are used to engage the management company are to 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.

- i) All earthworks, geotechnical investigations and fill certification shall be carried out under the guidance of suitably qualified and experienced geotechnical professional as described in Section 2 of the Queenstown Lakes District Council's Land Development and Subdivision Code of Practice. At the completion of onsite earthworks the geo-professional shall incorporate the results of ground bearing test results for each residential allotment within the subdivision regardless of whether affected by development cut and fill earthworks and include the issue of a Geotechnical Completion Report and Schedule 2A certificate covering all lots within the subdivision. The Schedule 2A certification shall include a statement under Clause 3(e) covering Section 106 of the Resource Management Act 1991. In the event the Schedule 2A includes

limitations or remedial works against any lot(s) the Schedule 2A shall include a geotechnical summary table identifying requirements against each relevant lot in the subdivision for reference by future lot owners. Any remedial works outlined on the Schedule 2A that requires works across lot boundaries shall be undertaken by the consent holder prior to 224(c) certification being issued.

- j) 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.
- 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) All earth worked and/or exposed areas created as part of the subdivision shall be top-soiled and grassed, revegetated, or otherwise stabilised.
- m) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

Ongoing Conditions/Consent Notices

20. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Titles by way of Consent Notice pursuant to s.221 of the Act.

- a) In the event that the Schedule 2A certificate and Geotechnical Completion Report issued under Condition (19i) contains limitations or remedial works required, then a consent notice shall be registered on the relevant Computer Freehold Registers detailing requirements for the lot owner(s).
- b) All lot owners are required to be part of the management entity as required by Condition (19h) of RM180674. This management entity shall be established and maintained at all times and ensure implementation and maintenance of all internal roading and service infrastructure.
- c) In the absence of a management company, or in the event that the management entity established is unable to undertake, or fails to undertake, its obligations and responsibilities stated above, then the lot owners shall be responsible for establishing a replacement management entity and, in the interim, the lot owners shall be responsible for undertaking all necessary functions.
- d) At the time of any future development of Lot 200, all necessary services and access shall be provided in accordance with Council's standards and connection policy as they apply at the time. For the purposes of this condition the term "necessary services and access" includes wastewater disposal, water supply, stormwater disposal, telecommunications supply, electricity supply, and formed legal access. The costs of providing services and access shall be borne by the owner of the lot for the time being and they shall also pay to the Queenstown Lakes District Council any applicable Development Contributions.

21. In the event that the Engineering Acceptance issued under Condition (4) contains ongoing conditions or requirements associated with the installation, ownership, monitoring and/or maintenance of any infrastructure subject to Engineering Acceptance, then at Council's discretion, a consent notice (or other alternative legal instrument acceptable to Council) shall be registered on the *relevant* Records of Title detailing these requirements for the lot owner(s). The final form and wording of the document shall be checked and approved by 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. The applicant shall liaise with the Subdivision Planner and/or Manager of Resource Management Engineering at Council in respect of the above. All costs, including costs that relate to the checking of the legal instrument by Council's solicitors and registration of the document, shall be borne by the applicant.

[Note: This condition is intended to provide for the imposition of a legal instrument for the performance of any ongoing requirements associated with the ownership, monitoring and maintenance of any infrastructure within this development that have arisen through the detailed engineering design and acceptance process, to avoid the need for a consent variation pursuant to s.127 of the Resource Management Act].

Advice Note:

1. There is repetition of some conditions in the land use consent and the subdivision consent. When a condition is satisfied in one it will be noted as having been satisfied in the other.
2. The consent holder is advised to undertake a pre-construction condition survey, including photographs, to record the existing condition of all neighbouring buildings, landscaping and roads that lie within 10m of the proposed works. The extent of the pre-construction survey is related to the site and its surrounds and the associated potential risks. The existing condition of roading, landscaping and structures needs to be documented by way of photos, focusing on any damage that is already apparent. Items such as minor cracking in plaster will be very difficult to identify, and in these cases other methods would need to be employed to determine if they were formed as a result of the consented works. The survey will never cover everything but it aims to provide a record that can be reviewed in the event of a complaint or issue being raised.
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. 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.

Prepared by:



Cameron Jones
LAND DEVELOPMENT ENGINEER

Reviewed by:



Steve Hewland
LAND DEVELOPMENT ENGINEER

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180674

Thursday, 23 May 2019



LEGAL DESCRIPTION

658a Frankton Road, Frankton

Lot 5 100 RM 170614

Site Area: 5665m²

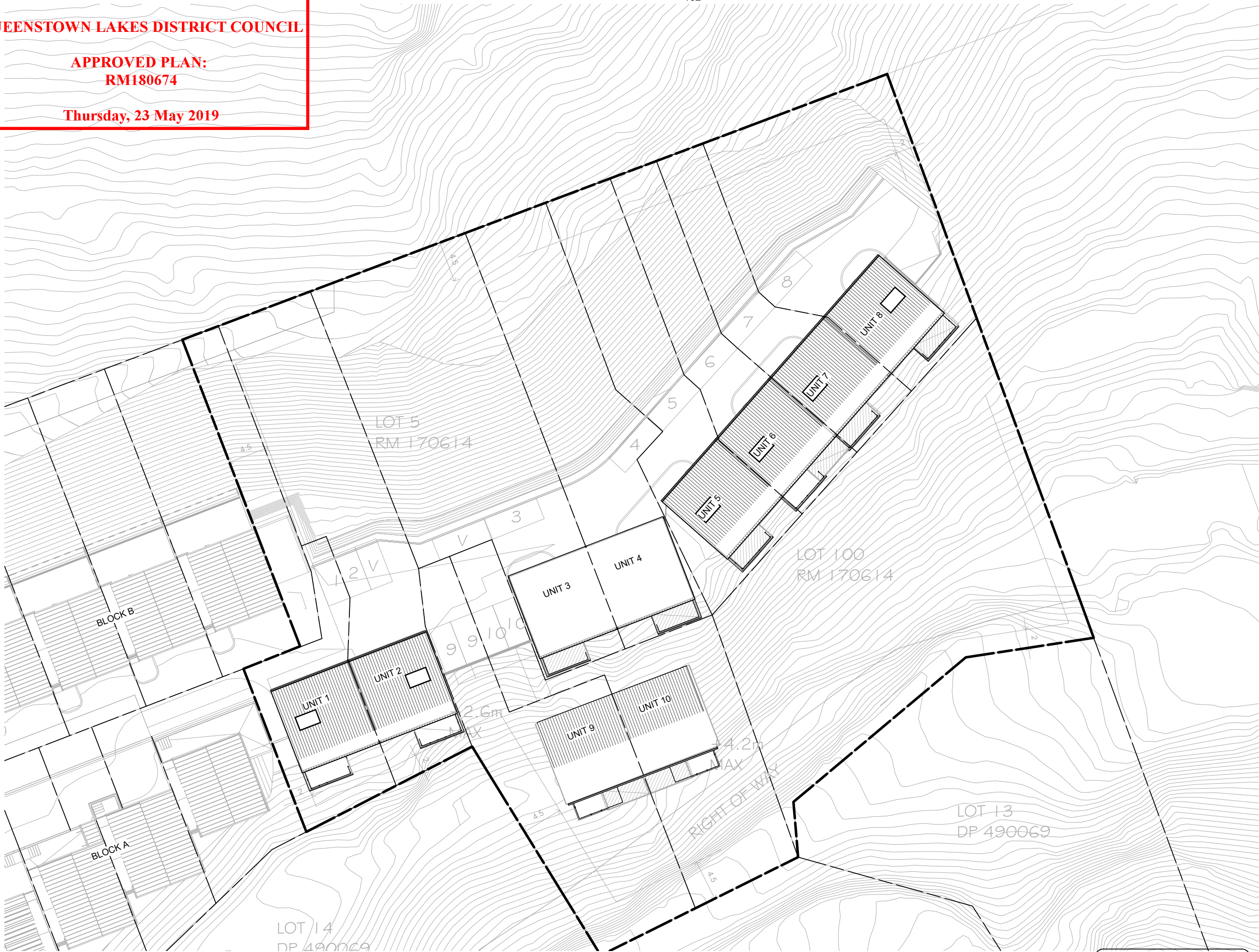
Building Footprint: 856m²

Site Coverage: 15.6%

Wind Zone: VERY HIGH

Altitude: 385m (sub-alpine)

NOTE:
Drawings to be read in conjunction with Clark Fortune McDonald & Associates Engineering Design plans. Refer to CFM design plans for Foul Drainage layout, Stormwater Drainage layout, Water Retention Layout & Gas Retention layout.



Phone: 03 459 4198
Fax: 03 459 5078
12 Thomas Street
Mosgiel 9004
New Zealand

WJ CADZOW
Building Design and Drafting Services

Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract: **The Tiers Woods For - ALPHA PROPERTIES NZ LTD**
658a Frankton Road
Queenstown

Author: **Author** Date: 03/04/14

A1 Scales: **1 : 200** A3 Scales: **A3 Scale**

Sheet Title: **Part Site Plan**

Contract: **01** Sheet: **A1-01**

CAD File Name: Revision:

Resource Consent **A1**

Site Plan
1 : 200

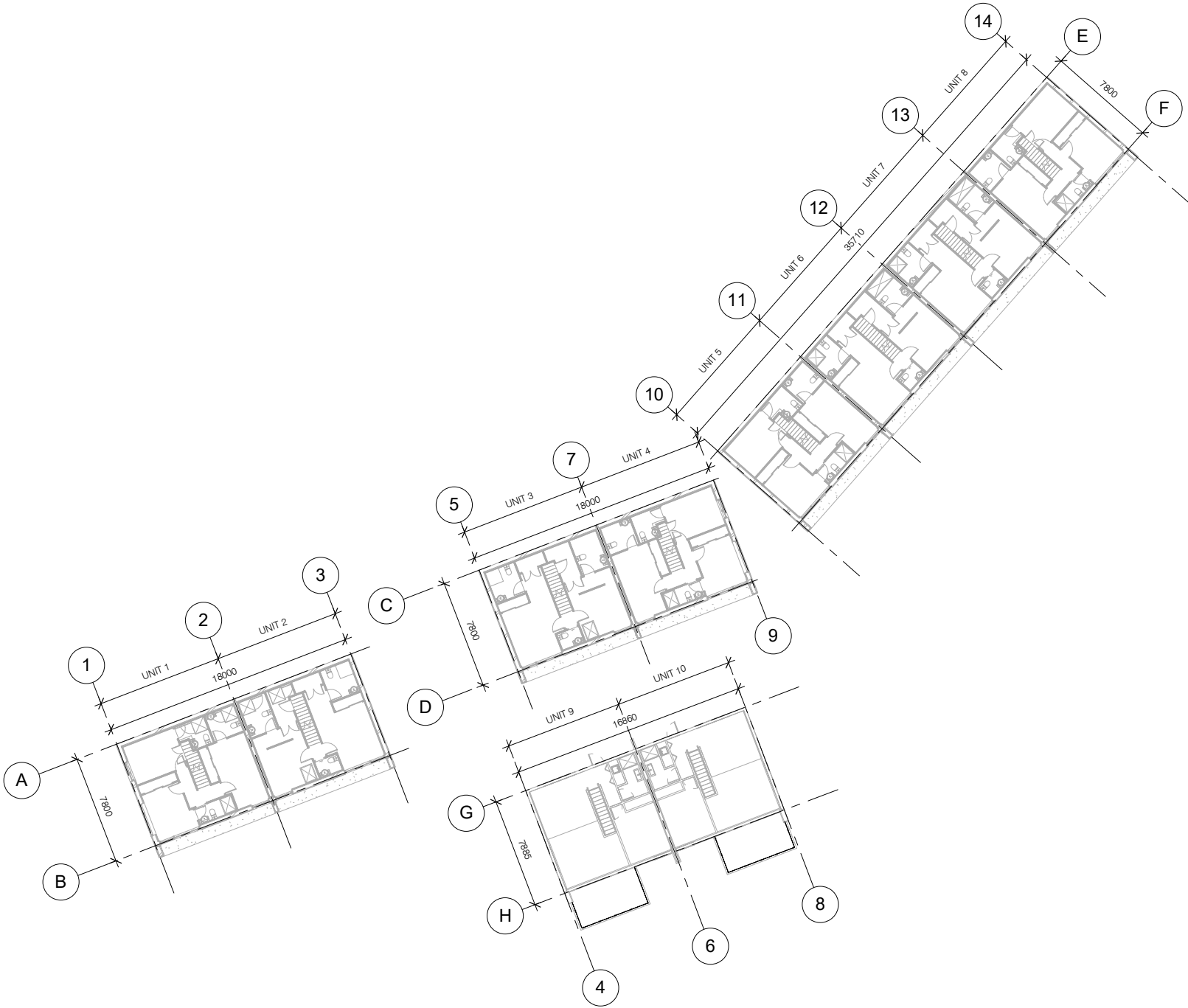
**PRELIMINARY
RESOURCE CONSENT**



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180674

Thursday, 23 May 2019



Overall Block Layout Plan
1 : 200



Date	Revision Description	No.

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Contract: **The Tiers Woods For - ALPHA PROPERTIES NZ LTD**
658a Frankton Road
Queenstown

Client: **Rob** Date: **26/01/18**

AT Scales: **1 : 200** Approver: **Approver**

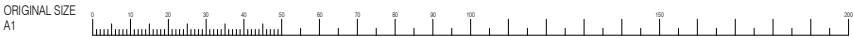
Sheet Title: **Overall Block Layout Plan**

Contract: **01** Sheet: **A1-02**

CAD File Name: Revisions:

Resource Consent **A1**

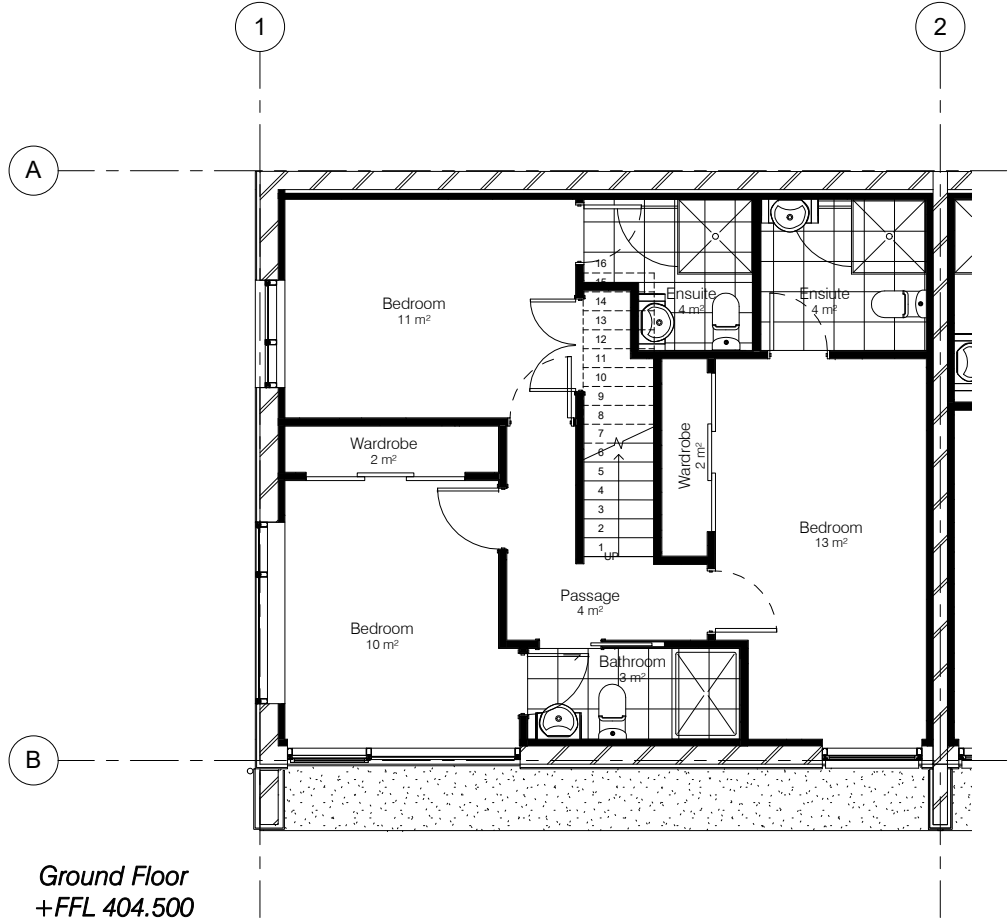
PRELIMINARY
RESOURCE CONSENT



QUEENSTOWN LAKES DISTRICT COUNCIL

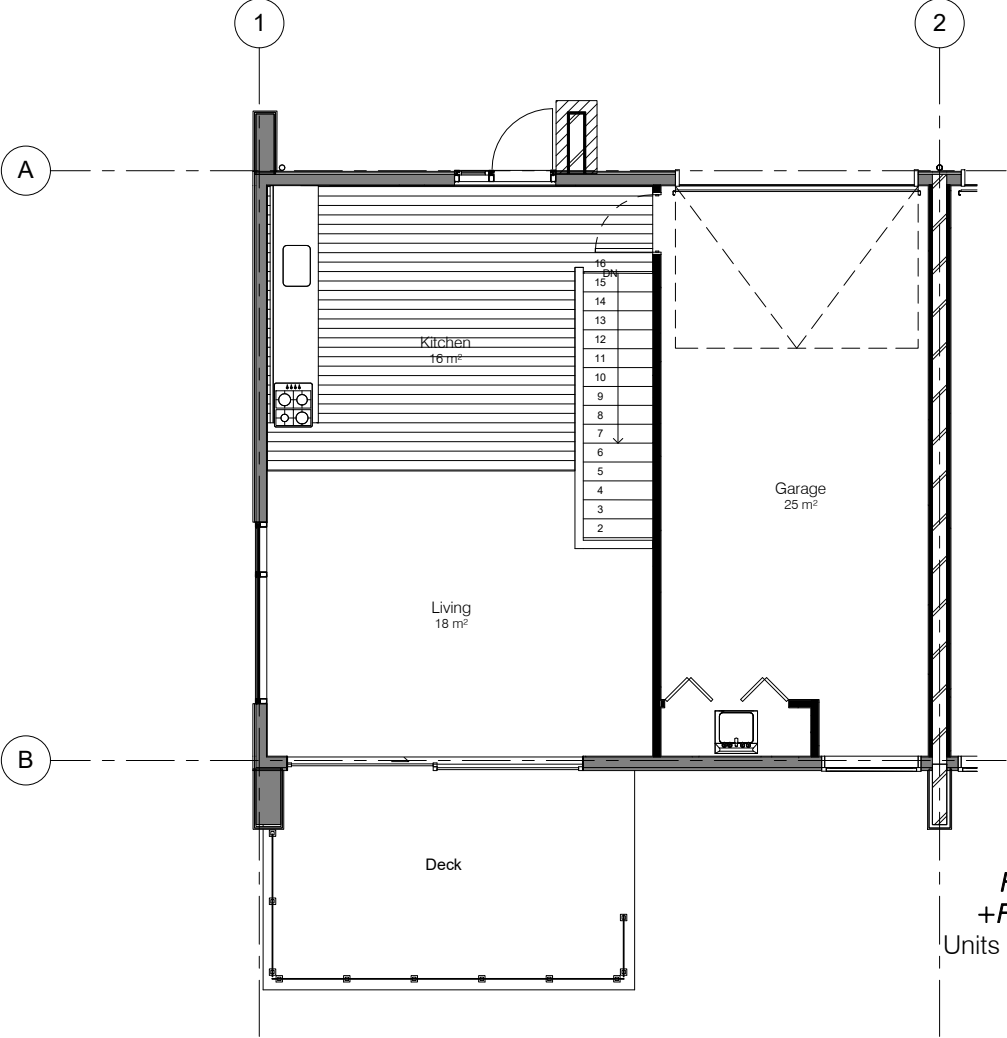
APPROVED PLAN:
RM180674

Thursday, 23 May 2019



Ground Floor
+FFL 404.500
Units 5-8 = 405.000

Units 1, 4, 5 & 8 Ground Floor Plan
1 : 50



First Floor
+FFL 407.500
Units 5-8 = 408.000

Units 1, 4, 5 & 8 First Floor Plan
1 : 50

LOWER LEVEL	64m²
MID LEVEL	N/A
UPPER LEVEL	67m²
DECK	15m²
TOTAL	146m²



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract: **The Tiers Woods For - ALPHA PROPERTIES NZ LTD**
658a Frankton Road
Queenstown

Author: **Author** Date: 01/24/18
A1 Scales: **1 : 50** A3 Scales: **Approver**

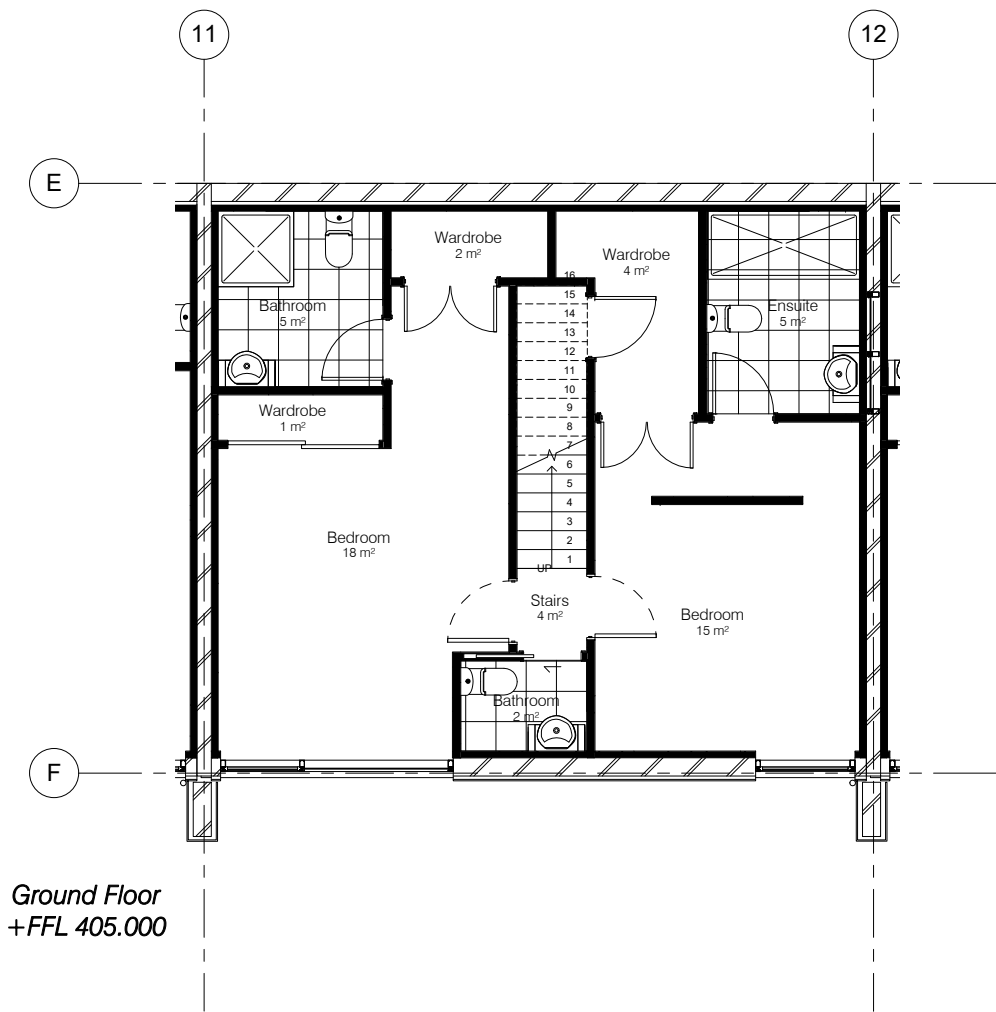
Sheet Title: **Units 1, 4, 5 & 8 Typical Plans**

Contract: **01** Sheet: **A1-03**
CAD File Name: Or:
Revision:

Resource Consent **A1**

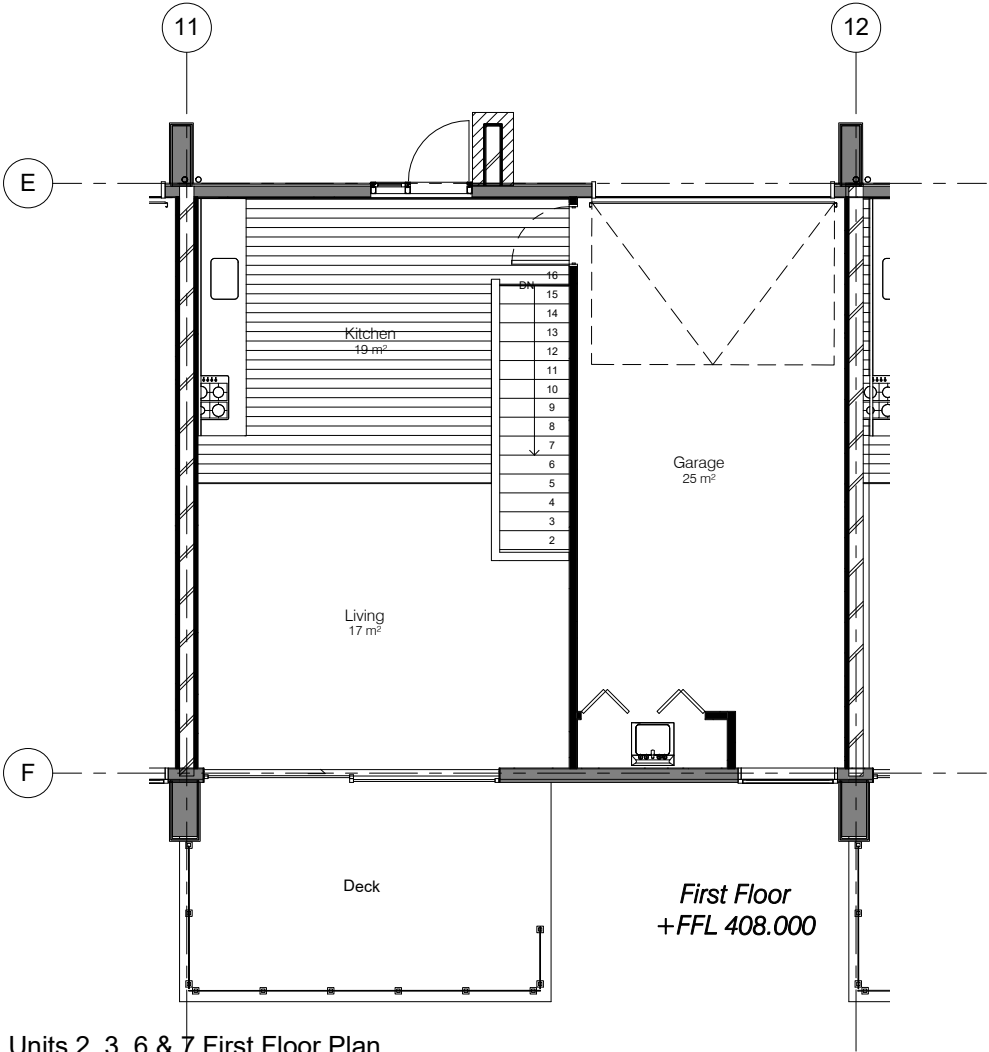
**PRELIMINARY
RESOURCE CONSENT**





Ground Floor
+FFL 405.000

Units 2, 3, 6 & 7 Ground Floor Plan
1 : 50



First Floor
+FFL 408.000

Units 2, 3, 6 & 7 First Floor Plan
1 : 50

LOWER LEVEL	64m²
MID LEVEL	N/A
UPPER LEVEL	67m²
DECK	15m²
TOTAL	146m²



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract:
**The Tiers Woods
For - ALPHA PROPERTIES
NZ LTD**
658a Frankton Road
Queenstown

Author: **Author** Date: 01/29/18
AT Scales: **1 : 50** AS Scales: **Approver**

Sheet Title:
Units 2, 3, 6 & 7 Typical Plans

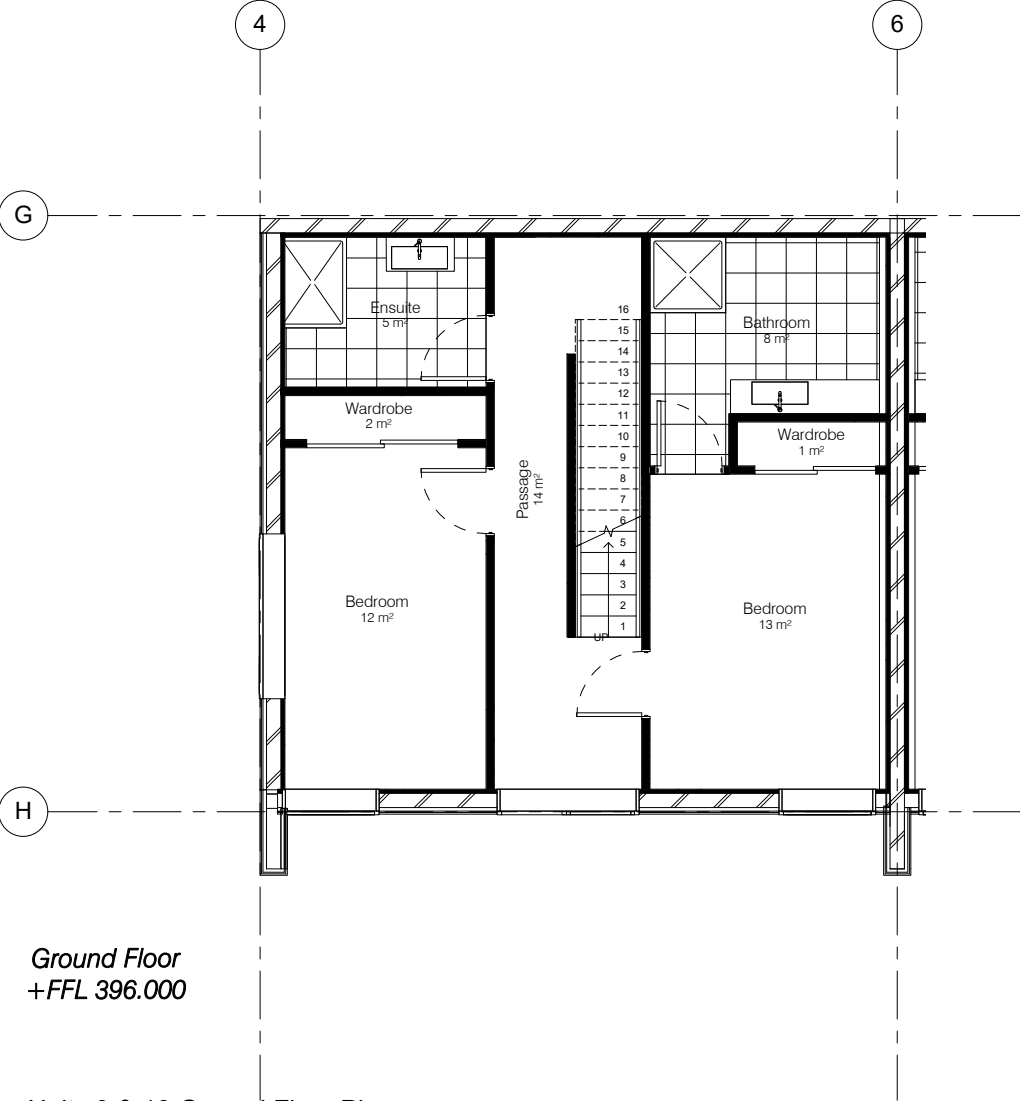
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CAD File Name: Or
Revision:
Resource Consent **A1**

**PRELIMINARY
RESOURCE CONSENT**

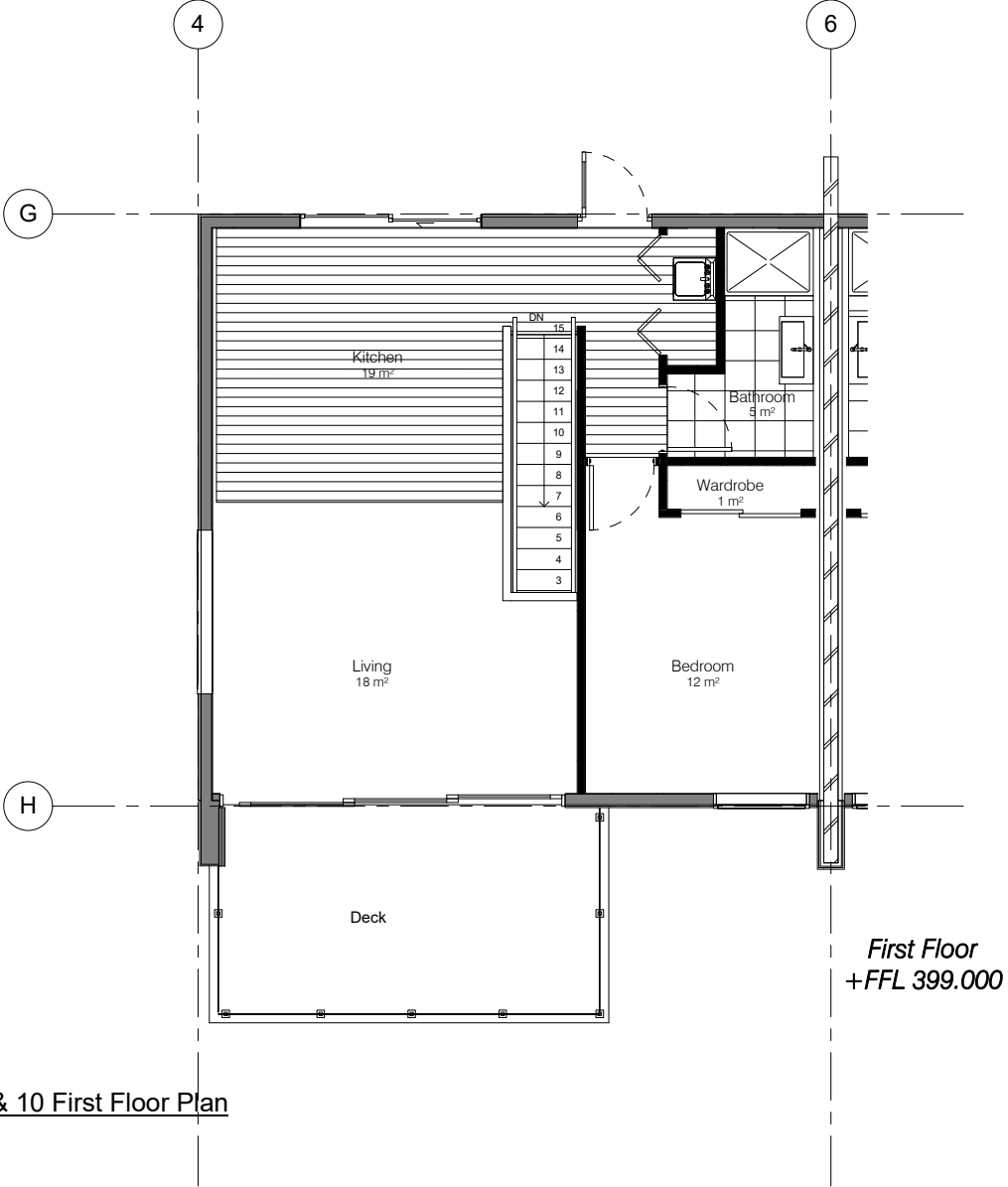


APPROVED PLAN:
RM180674

Thursday, 23 May 2019



Units 9 & 10 Ground Floor Plan
1 : 50



Units 9 & 10 First Floor Plan
1 : 50

LOWER LEVEL	60m²
MID LEVEL	N/A
UPPER LEVEL	62m²
DECK	16m²
TOTAL	138m²



Date	Revision Description	No.

Do Not Scale From These Drawings.
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Contract:
**The Tiers Woods
For - ALPHA PROPERTIES
NZ LTD**
658a Frankton Road
Queenstown

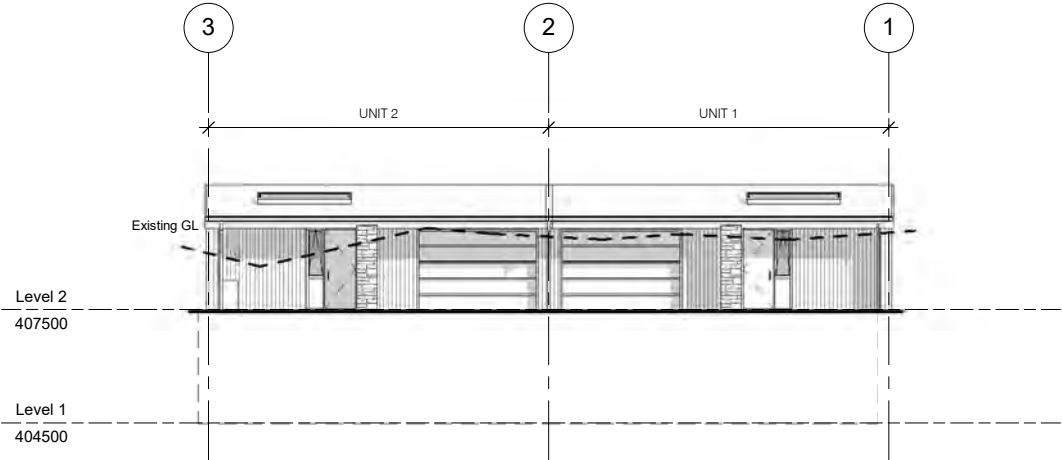
Author: 01/24/18
Date: 01/24/18
AT Scales: 1 : 50
A3 Scales: Approver

Units 9 & 10 Typical Plans

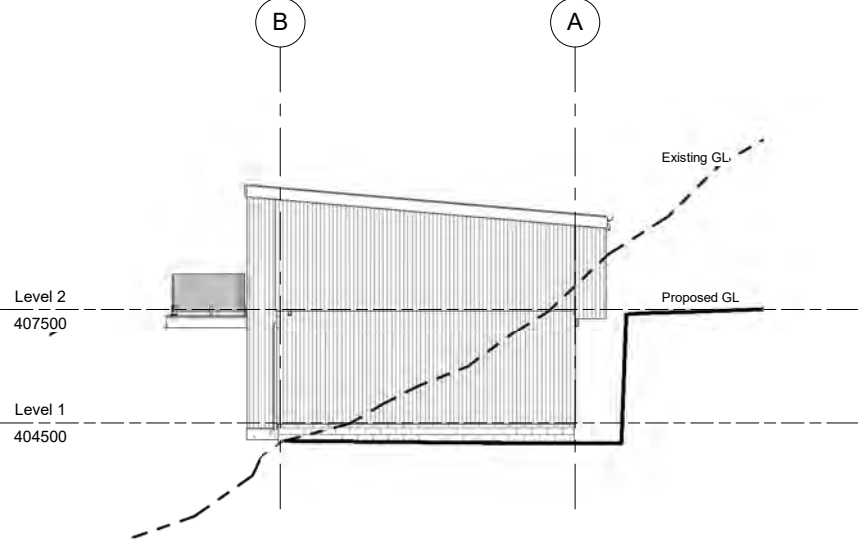
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Revision: A1
Resource Consent

**PRELIMINARY
RESOURCE CONSENT**

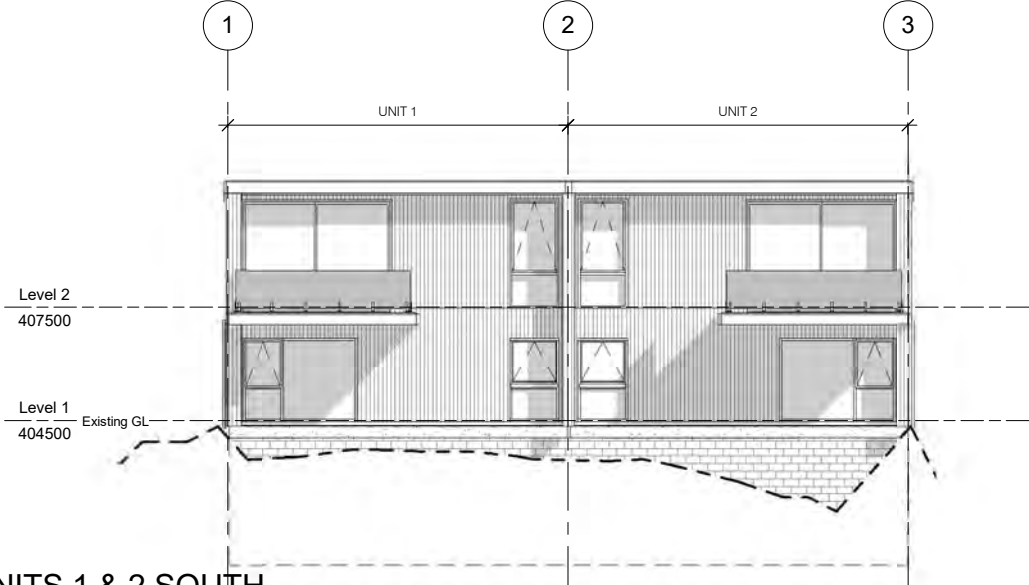




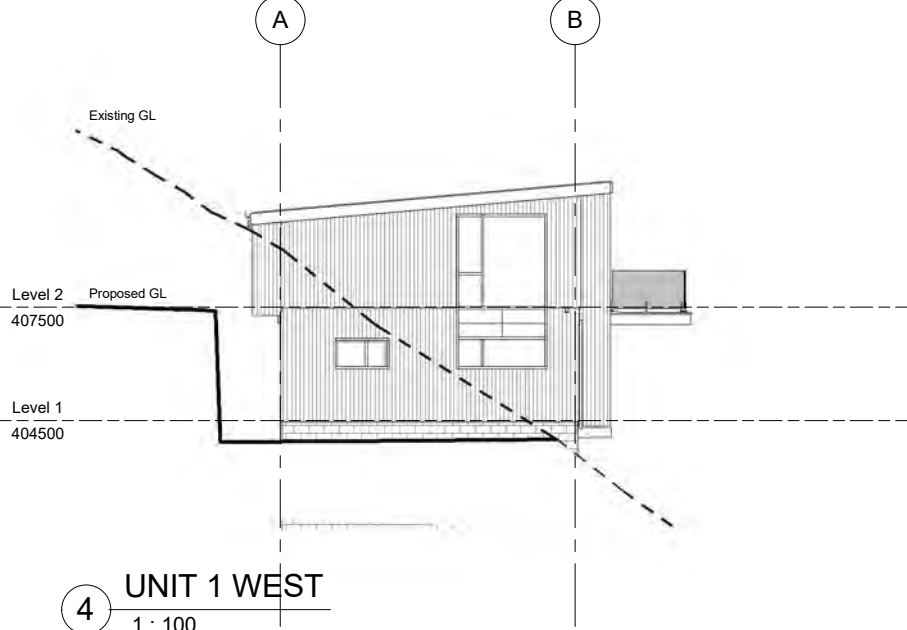
1 UNITS 1 & 2 NORTH
1 : 100



2 UNIT 2 EAST
1 : 100



3 UNITS 1 & 2 SOUTH
1 : 100



4 UNIT 1 WEST
1 : 100

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180674

Thursday, 23 May 2019



Date	Revision Description	No.

Do Not Scale From These Drawings.
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Contract: **The Tiers Woods**
For - ALPHA PROPERTIES
NZ LTD
658a Frankton Road
Queenstown

Author: **Author** Date: **06/26/14**

AT Scales: **1 : 100** Approver: **Approver**

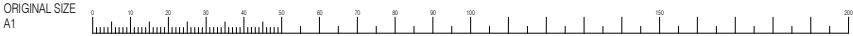
Sheet Title: **Unit 1 & 2 Elevations**

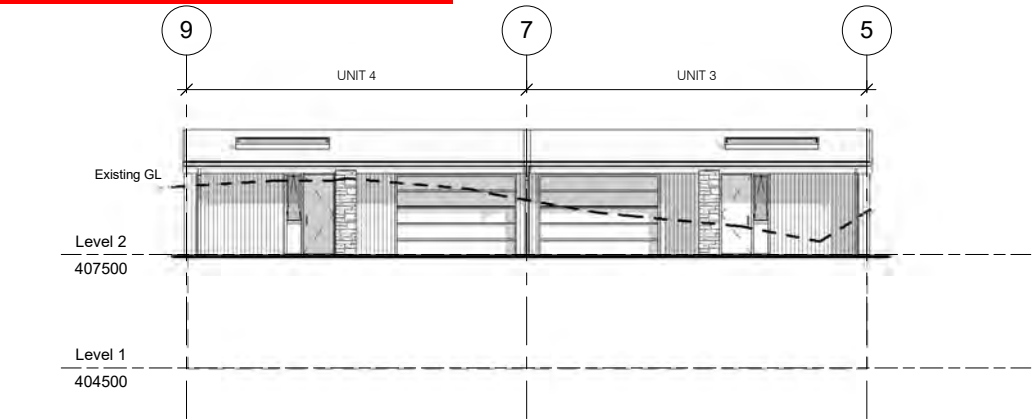
Contract: **01** Sheet: **A1-06**

CAD File Name: **Or** Revision: **A1**

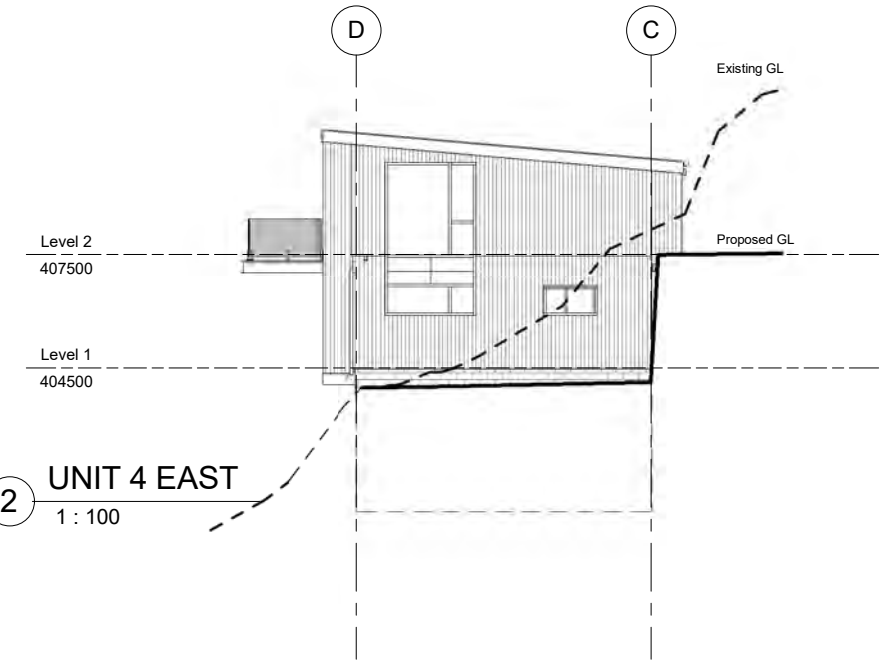
Resource Consent

PRELIMINARY
RESOURCE CONSENT





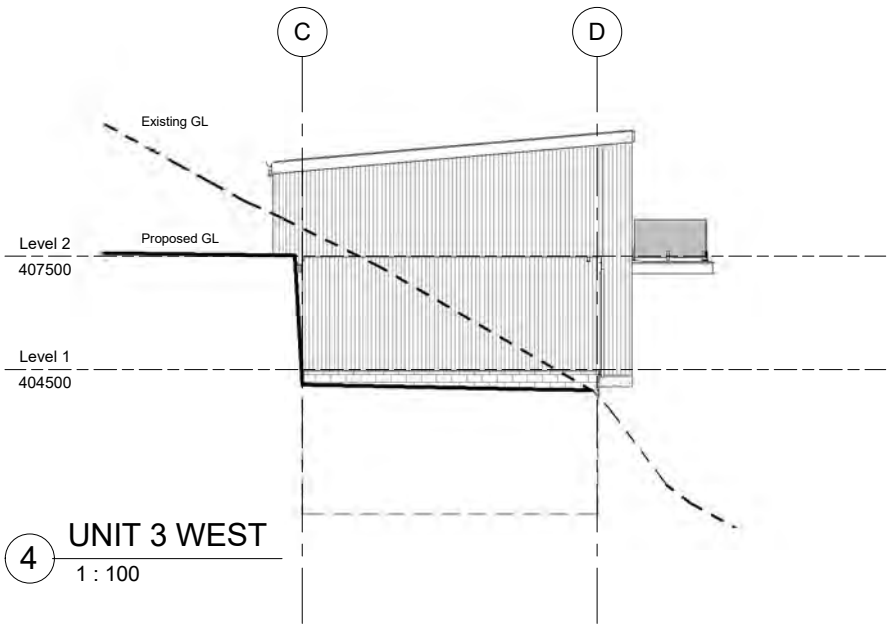
1 UNITS 3 & 4 NORTH
1 : 100



2 UNIT 4 EAST
1 : 100



3 UNITS 3 & 4 SOUTH
1 : 100



4 UNIT 3 WEST
1 : 100



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract: **The Tiers Woods For - ALPHA PROPERTIES NZ LTD**
658a Frankton Road
Queenstown

Author: **Author** Date: 01/24/18
A1 Scales: **1 : 100** A3 Scales: **Approver**

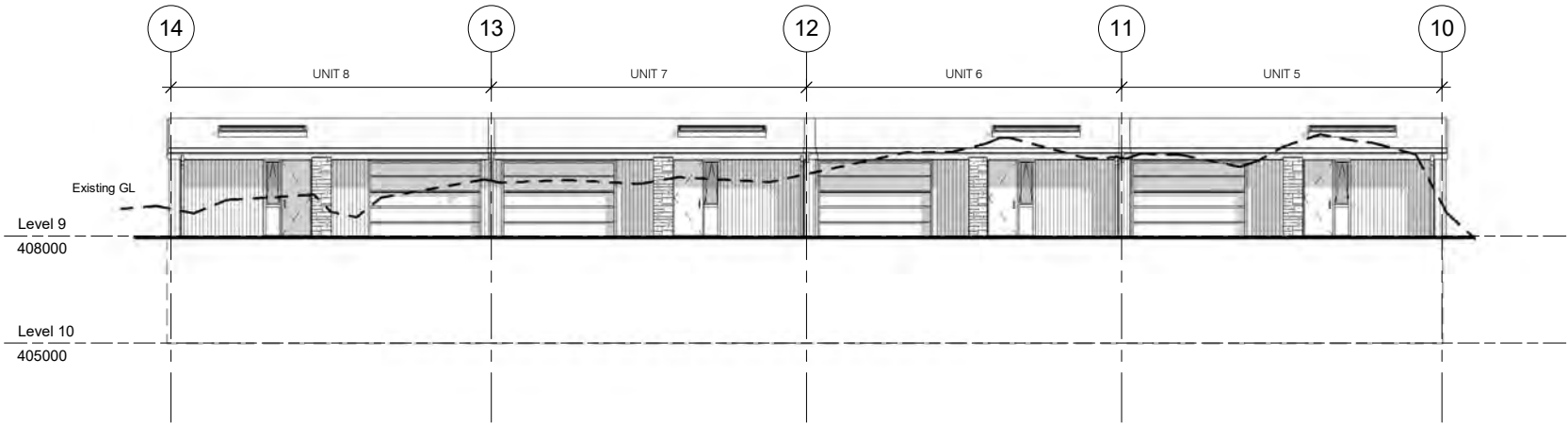
Sheet Title: **Unit 3 & 4 Elevations**

Contract: **01** Sheet: **A1-07**
CAD File Name: **Or** Revision: **A1**

Resource Consent

**PRELIMINARY
RESOURCE CONSENT**



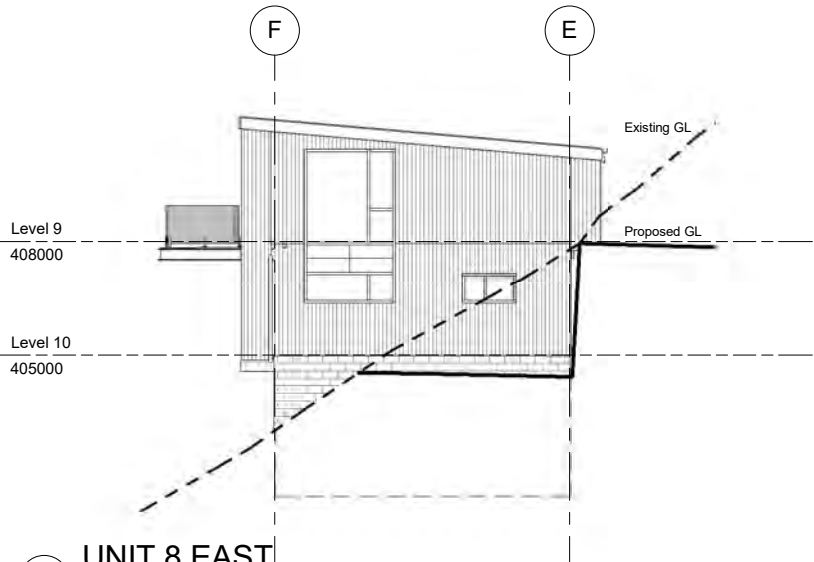


1 UNITS 5 - 8 NORTH
1 : 100

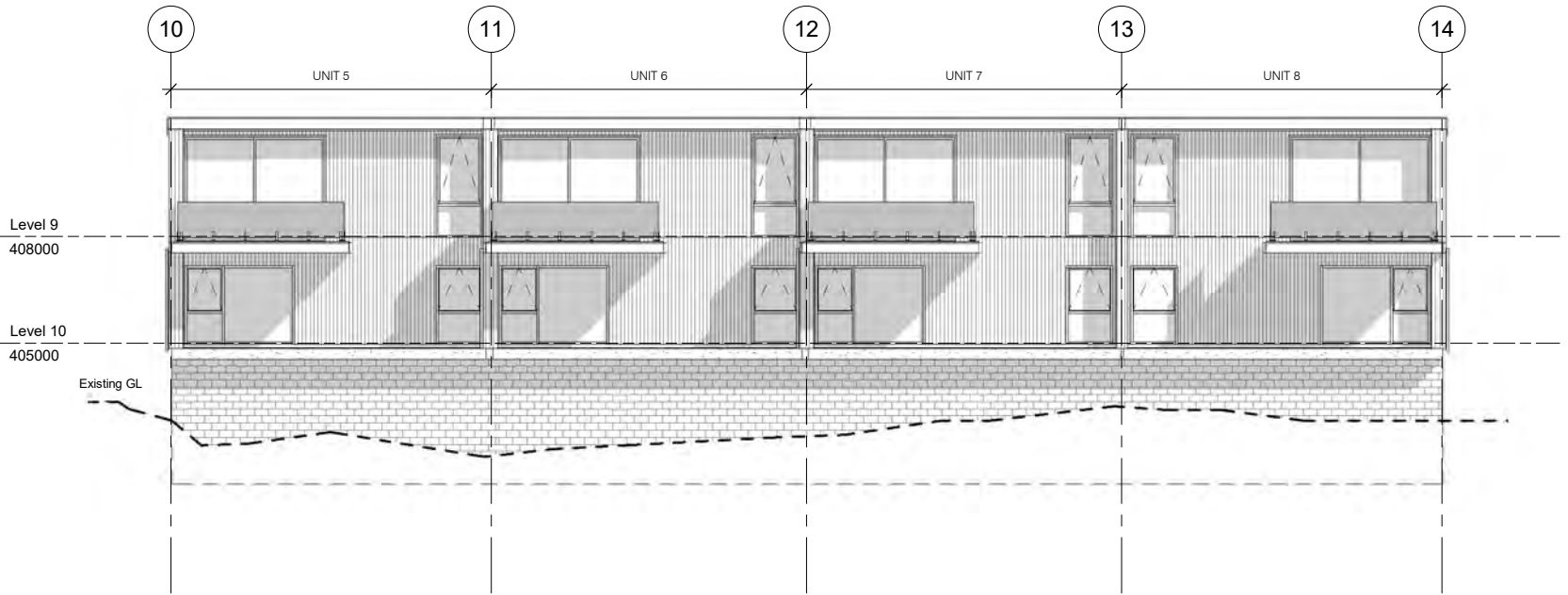
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180674

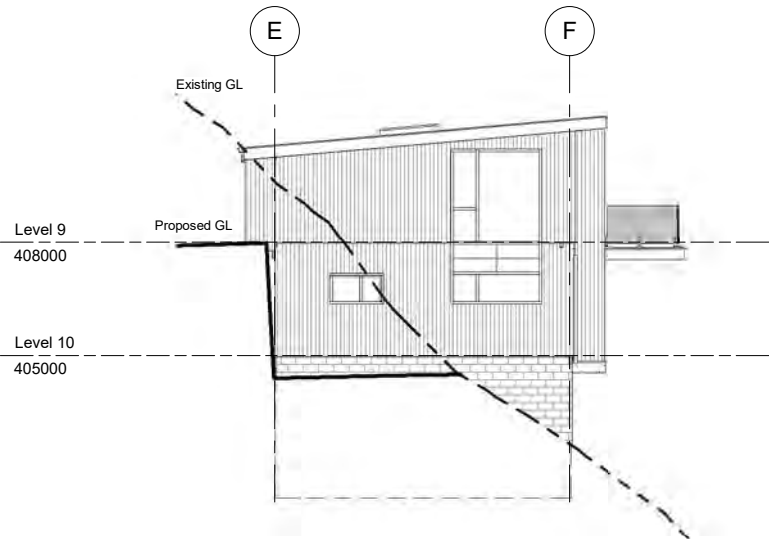
Thursday, 23 May 2019



2 UNIT 8 EAST
1 : 100



3 UNITS 5 - 8 SOUTH
1 : 100



4 UNIT 5 WEST
1 : 100



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract: **The Tiers Woods**
For - ALPHA PROPERTIES
NZ LTD
658a Frankton Road
Queenstown

Author: **Author** Date: **01/24/18**

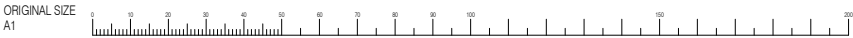
AT Scales: **1 : 100** A3 Scales: **Approver**

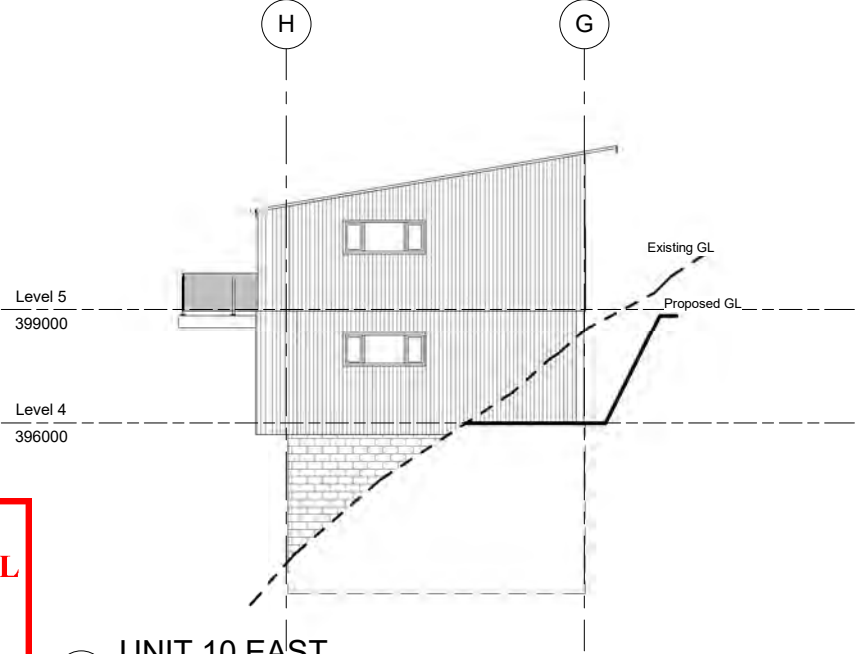
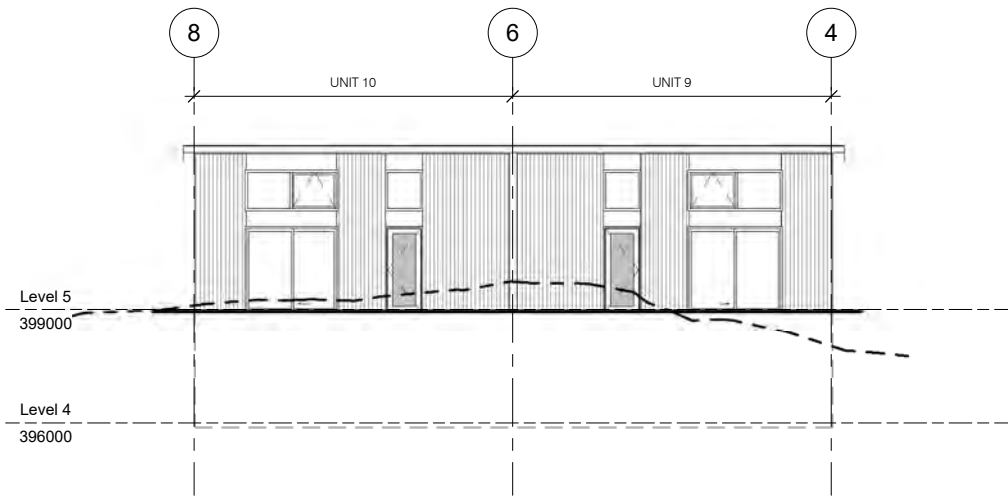
Sheet Title: **Unit 5 - 8 Elevations**

Contract: **01** Sheet: **A1-08**

CAD File Name: **Resource Consent** Revision: **A1**

PRELIMINARY
RESOURCE CONSENT

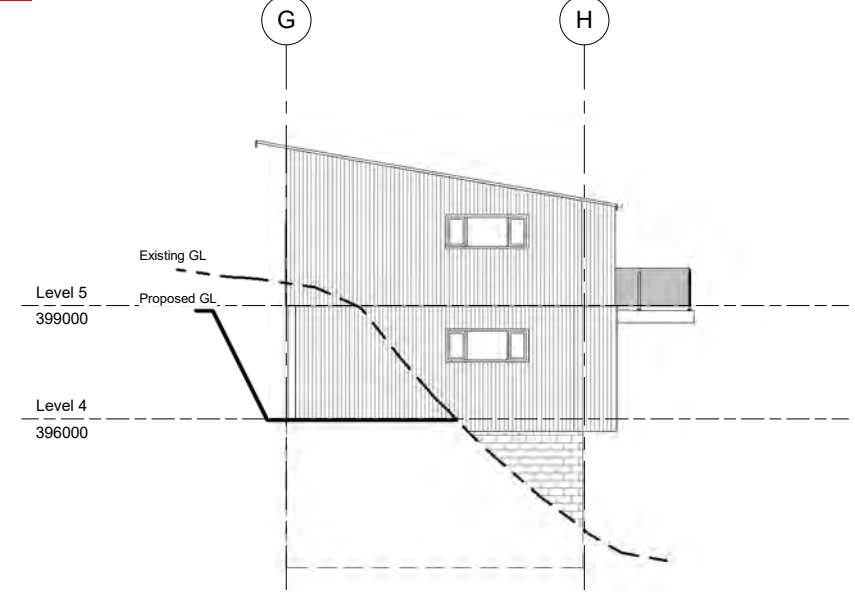
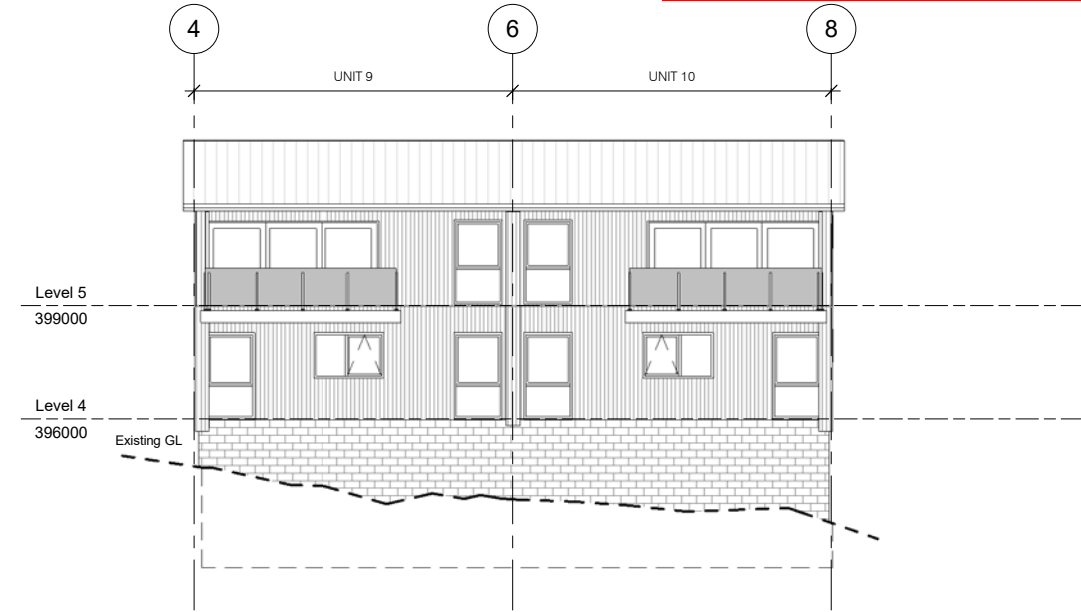




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RM180674

Thursday, 23 May 2019



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract: **The Tiers Woods**
For - ALPHA PROPERTIES
NZ LTD
658a Frankton Road
Queenstown

Author: **Author** Date: **01/24/18**

AT Scales: **1 : 100** Approver: **Approver**

Sheet Title: **Unit 9 & 10 Elevations**

Contract: **01** Sheet: **A1-09**

CAD File Name: **Or** Revision: **A1**

Resource Consent

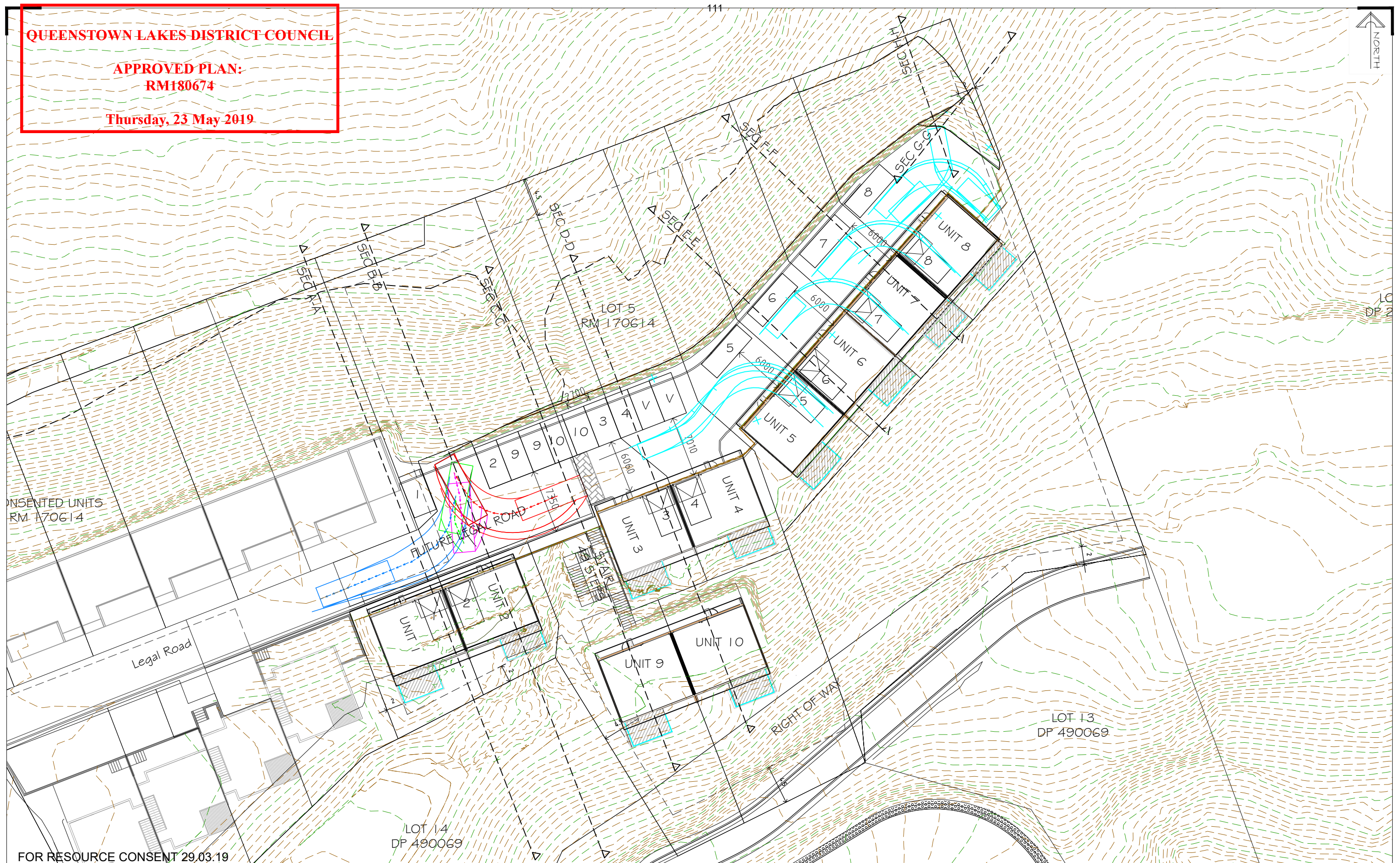
PRELIMINARY
RESOURCE CONSENT



QUEENSTOWN LAKES DISTRICT COUNCIL

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RM180674

Thursday, 23 May 2019



FOR RESOURCE CONSENT 29.03.19

 **Clark Fortune McDonald & Associates**
Licensed Cadastral Surveyors - Land Development - Planning Consultants

309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	25.06.18	Update with new RM 170614 boundaries	RB
C	29.03.19	UPDATE PARKING LAYOUT AND UNIT 9/10	RB

PROPOSED UNITS ON LOT 5 RM 170614

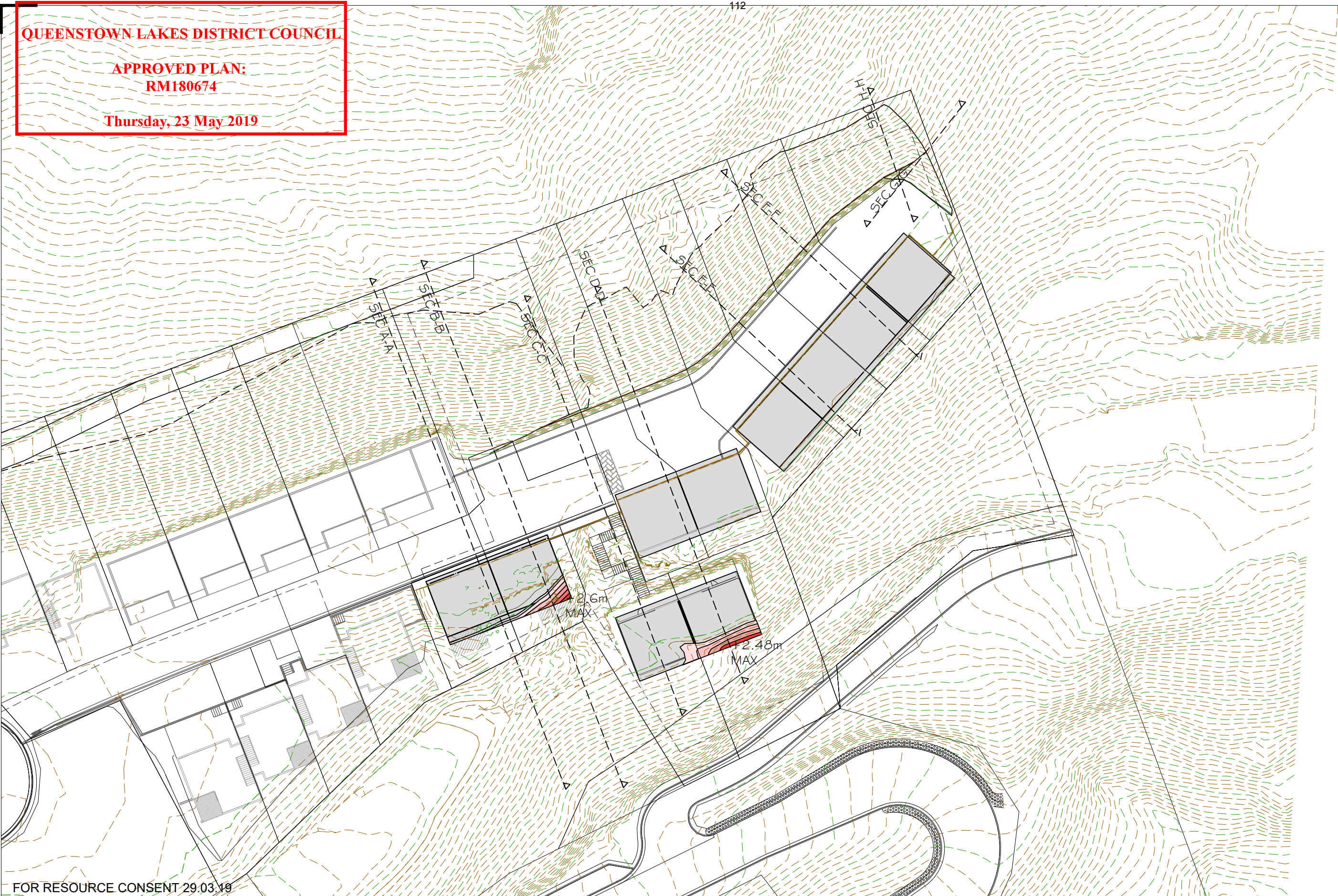
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ALPHA PROPERTIES LTD	-	-	-	12377	F001 Sheet 001
Drawn	Signed	Date	Scale	1:200 @ A1 1:400 @ A3	
RB	-	15.02.18			
Designed	Signed	Date	Datum & Level	Rev.	
-	-	-	NZGD2000 / MSL	C	

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Rev.	Date	Revision Details	By
A	25.06.18	Update with new RM 170614 boundaries	RB
C	29.03.19	UPDATE PARKING LAYOUT AND UNIT 9/10	RB

PROPOSED UNITS ON LOT 5 RM 170614 HEIGHT LIMIT INFRINGEMENTS

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
		-		-	12377	F001 Sheet 002
Drawn	RB	Signed		Date	Scale	1:250 @ A1 1:500 @ A3
Designed	-	Signed		Date	Datum & Level	Rev.
				-	NZGD2000 / MSL	C

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**APPROVED PLAN:
RM180674**

113

COUNCIL

7m HEIGHT LIMIT

ORIGINAL GROUND

FINISHED GROUND LEVEL

UNIT 1

FFL 404.50

6.0

BOUNDARY

7m HEIGHT LIMIT

EXISTING GROUND

FINISHED GROUND LEVEL

UNIT 2

FFL 404.50

2.25

BOUNDARY

Shotover Design Limited trading as
Clark Fortune McDonald & Associates
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Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	F001
					Sheet 003
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. Consent on this drawing is reserved	Drawn	Signed	Date	Scale	1:125 @ A1 1:250 @ A3
	RB	-	15.02.18		
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	NZGD2000 / MSL	C

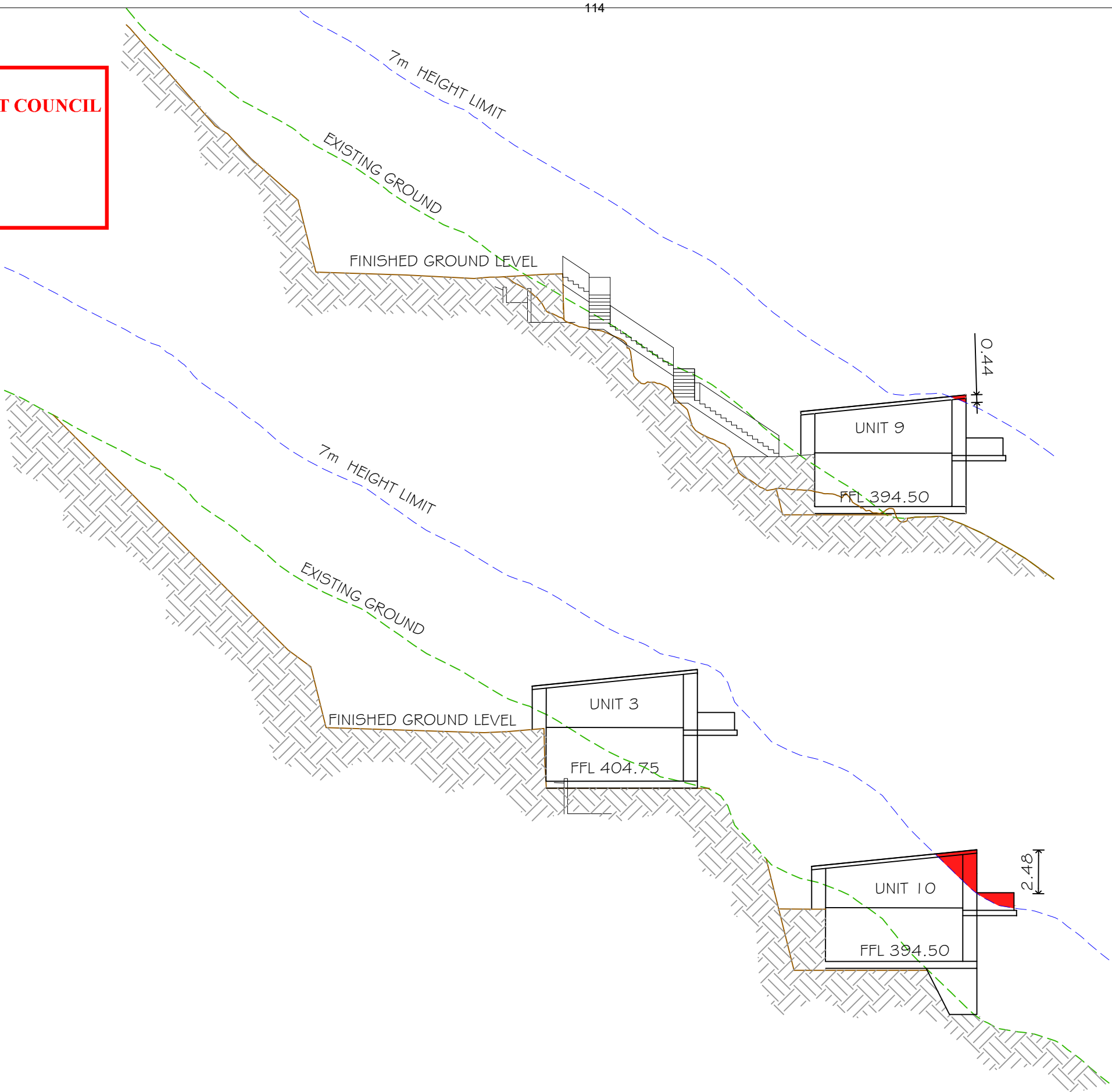
Notes:

- All dimensions shown are in meters unless shown otherwise.
- Any person using Clark Fortune McDonald drawings and other data accepts the risk of:
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RM180674

Thursday, 23 May 2019



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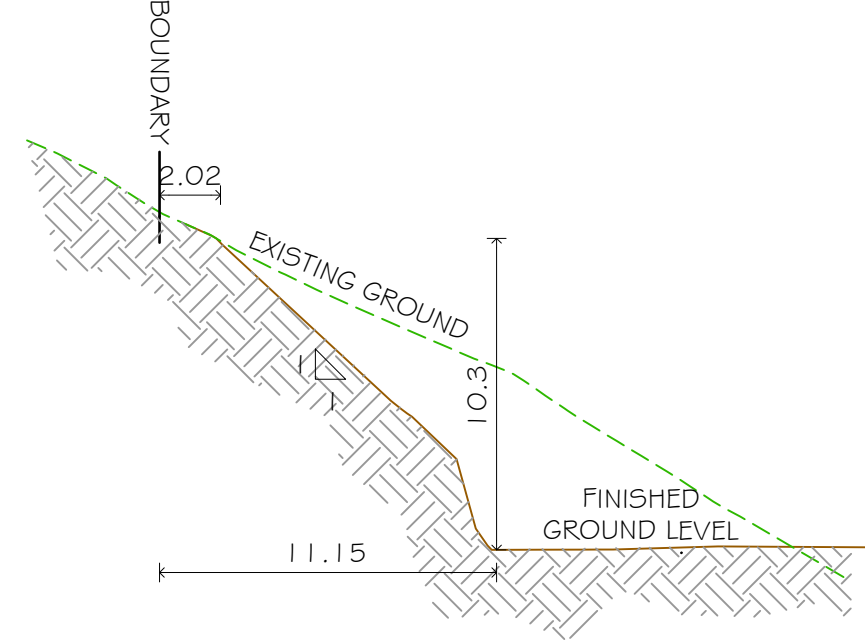
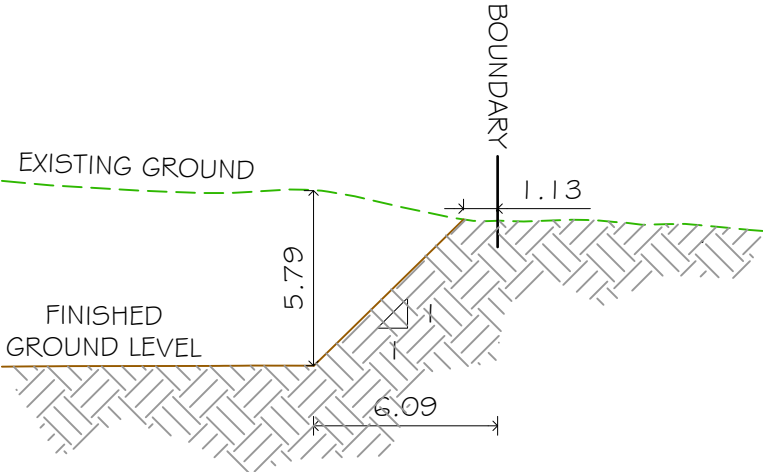
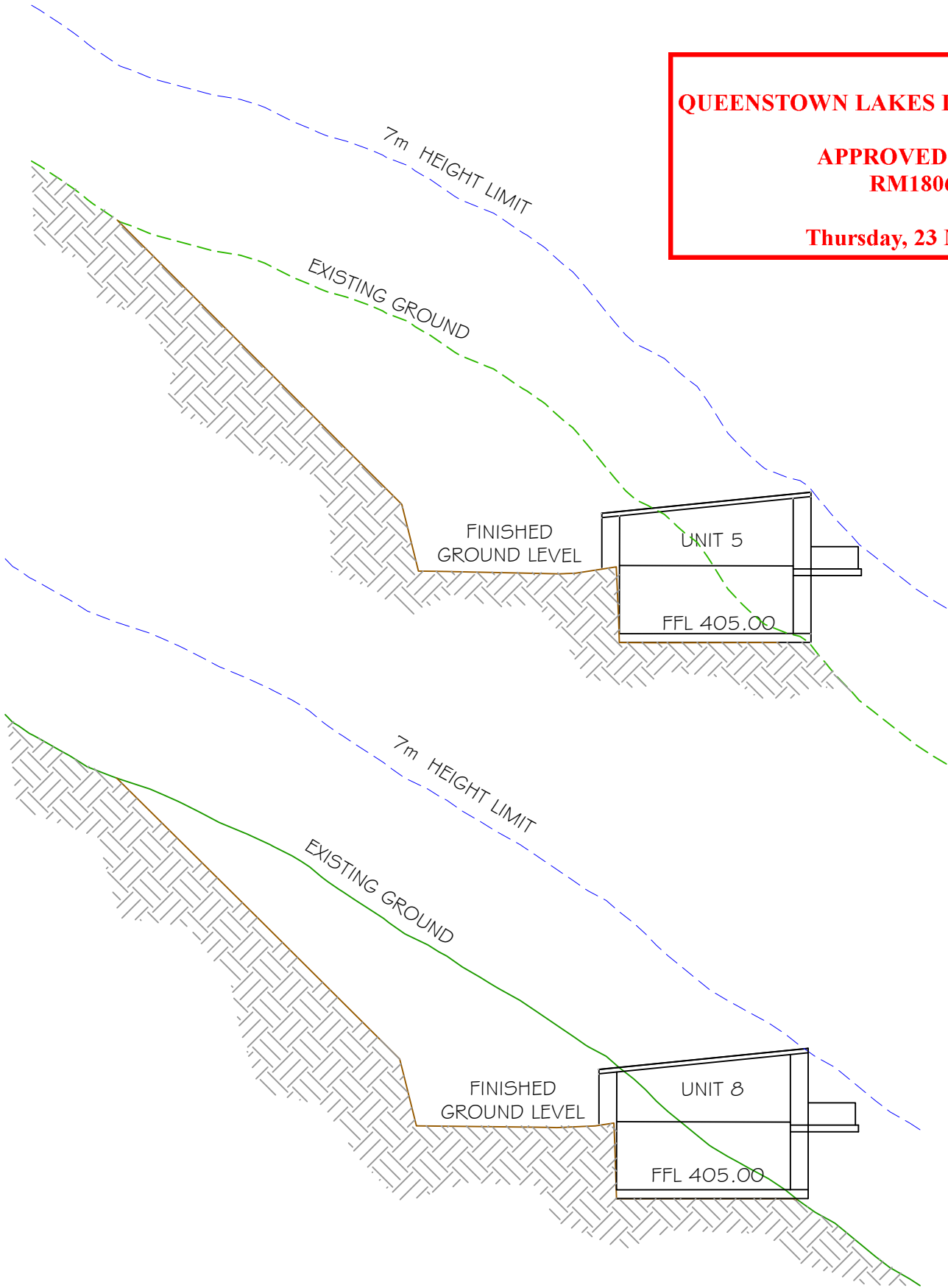
 <div>Clark Fortune McDonald & Associates Licensed Cadastral Surveyors - Land Development - Planning Consultants 309 Lower Shotover Road, P.O.Box 553 Queenstown Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz Shop 2, Otago House, 475 Moray Place, P.O. Box 5960 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz</div>	Shotover Design Limited trading as				Rev.	Date	Revision Details	By	<div>PROPOSED UNITS ON LOT 5 RM 170614 HEIGHT LIMIT INFRINGEMENTS</div>	Client	Surveyed	Signed	Date	Job No.	Drawing No.	
					-	-	-	-		ALPHA PROPERTIES LTD	-	-	-	-	12377	F001 Sheet 004
					A	25.06.18	Update with new RM 170614 boundaries	RB		<div>Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.</div>	Drawn	Signed	Date	Scale	1:125 @ A1 1:250 @ A3	
					C	29.03.19	UPDATE PARKING LAYOUT AND UNIT 9/10	RB			RB	-	15.02.18			
											Designed	Signed	Date	Datum & Level	Rev.	
											-	-	-	NZGD2000 / MSL	C	

S:\JOBS\12300\12377\acad\FUTURE UNITS\12377_F001_The Tiers Woods_PROPOSED UNITS_REVB.dwg Plotted: 29.03.2019

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Rev.	Date	Revision Details	By
A	25.06.18	Update with new RM 170614 boundaries	RB
C	29.03.19	UPDATE PARKING LAYOUT AND UNIT 9/10	RB

**PROPOSED UNITS ON LOT 5 RM 170614
HEIGHT LIMIT INFRINGEMENTS**

Client	ALPHA PROPERTIES LTD	Surveyed	-	Signed	-	Date	-	Job No.	12377	Drawing No.	F001
									Sheet 005		
		Drawn	RB	Signed	-	Date	15.02.18	Scale	1:125 @ A1 1:250 @ A3		
		Designed	-	Signed	-	Date	-	Datum & Level	NZGD2000 / MSL	Rev.	C

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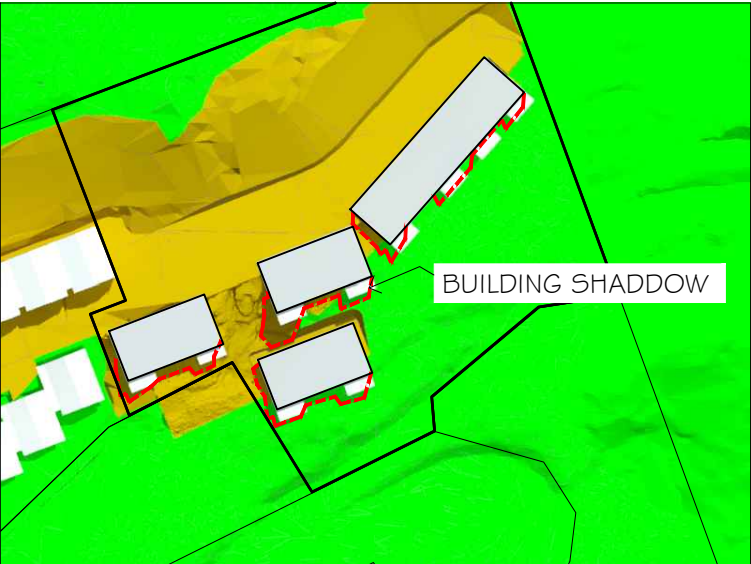


QUEENSTOWN LAKES DISTRICT COUNCIL

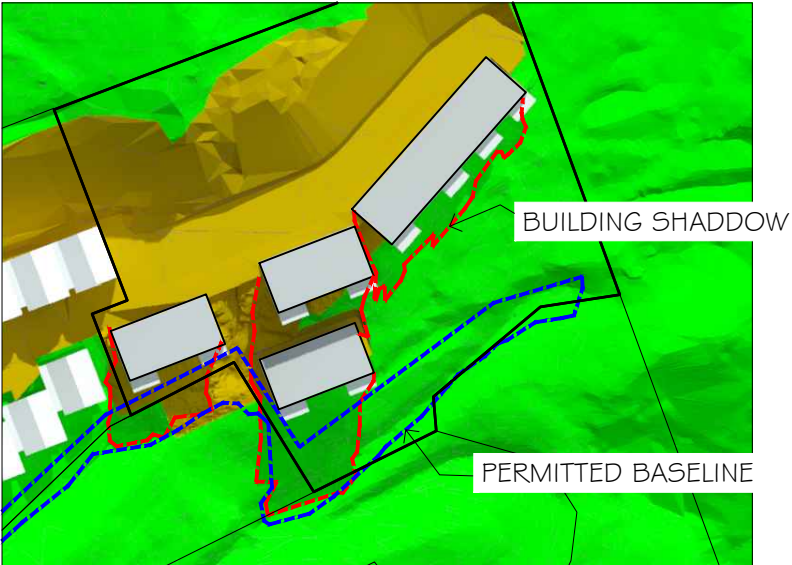
APPROVED PLAN:
RM180674

Thursday, 23 May 2019

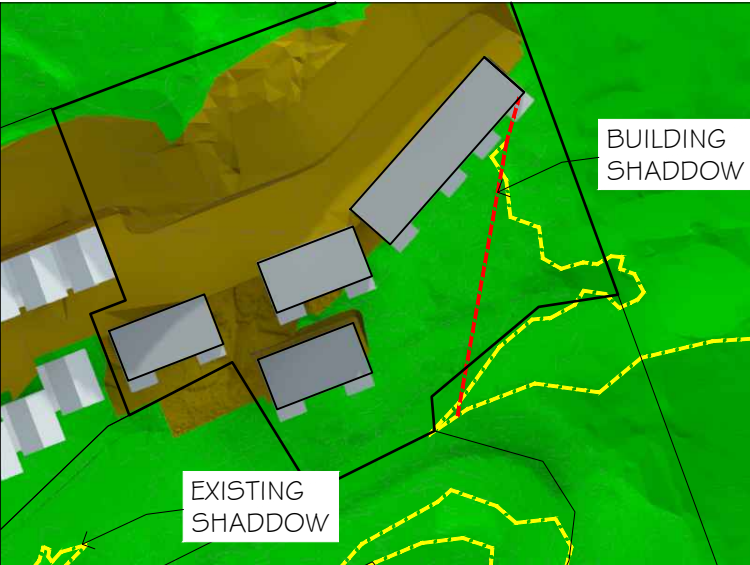
LONGEST DAY



EQUINOX



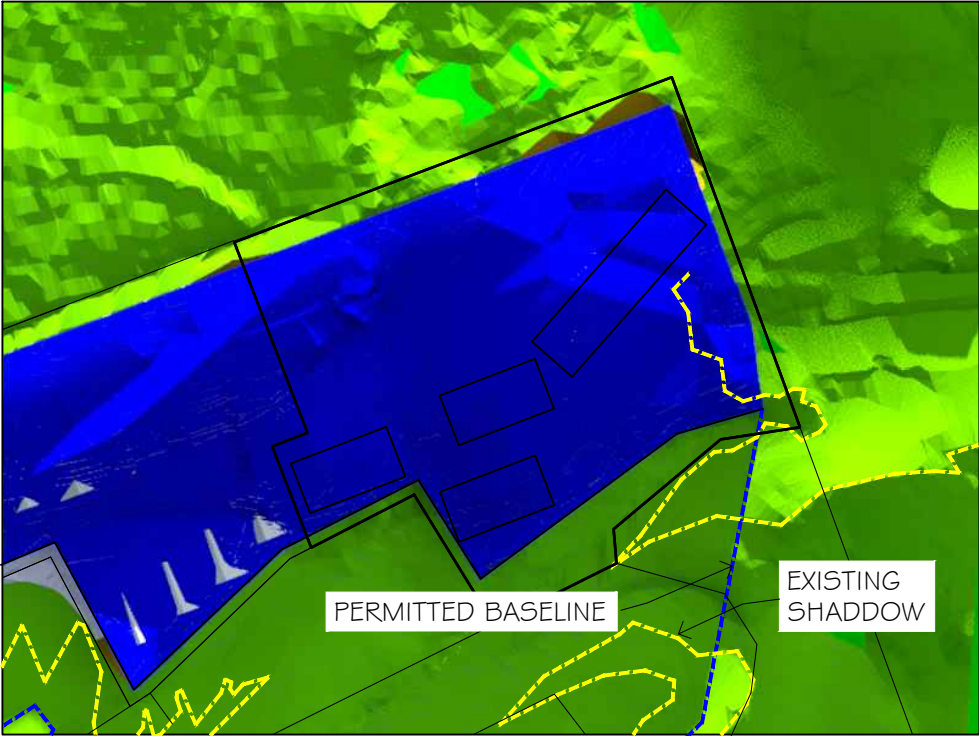
SHORTEST DAY



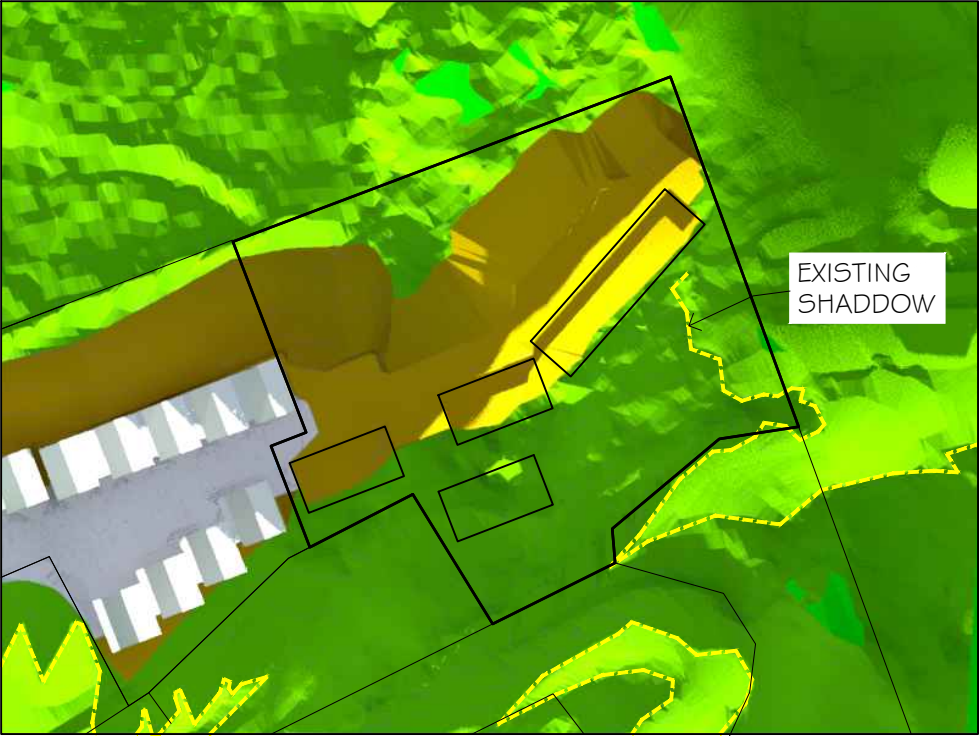
EQUINOX DAY - PERMITTED BASELINE



SHORTEST DAY - PERMITTED BASELINE



SHORTEST DAY - NO BUILDINGS



FOR RESOURCE CONSENT 29.03.19

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**PROPOSED UNITS ON LOT 5 RM 170614
SHADING ANALYSIS**

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
		-		-	12377	F001
					Scale	Sheet 006
		Drawn	Signed	Date		
		RB				
		Designed	Signed	Date	Datum & Level	Rev.
		-		-	NZGD2000 / MSL	C

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APPROVED PLAN:
RM180674

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RM180674

Thursday, 23 May 2019

LOT 5
RM 170614

LOT 14
DP 490069

LOT 13
DP 490069

WOODS LANE

RIGHT OF WAY

STAIRS

COLLECTION AREA
RUBBISH DAY ONLY

Legal road to be
created in stage 2 of
RM 170614

UNIT 1
BINS TO BE
STORED
IN GARAGES

UNIT 2
BINS TO BE
STORED
IN GARAGES

UNIT 3
BINS TO BE
STORED
IN GARAGES

UNIT 4
BINS TO BE
STORED
IN GARAGES

UNIT 5
BINS TO BE
STORED
IN GARAGES

UNIT 6
BINS TO BE
STORED
IN GARAGES

UNIT 7
BINS TO BE
STORED
IN GARAGES

UNIT 8
BINS TO BE
STORED
IN GARAGES

UNIT 9
BINS TO BE
STORED
IN GARAGES

UNIT 10
BINS TO BE
STORED
IN GARAGES

SECTION A
SECTION B
SECTION C
SECTION D
SECTION E
SECTION F
SECTION G
SECTION H

FOR RESOURCE CONSENT 29.03.19

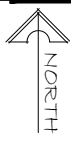
LOT 14
DP 490069



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Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

[illegible]

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	F001 Sheet 008
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. <i>Provided that the drawings are maintained</i>	Drawn	Signed	Date	Scale	1:200 @ A1 1:400 @ A3
	RB		15.02.18		
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	NZGD2000 / MSL	C



Proposed Amalgamation Conditions:

"That Lot 6 RM 170614 & Lot 111 hereon be held
in the same Register of Title - See CSN request
XXXX"

- Subject to resource consent
- Subject to It survey
- Additional service easements may be required

PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of way	A	Lot 103	Lots 104 - 110
	B	Lot 104	Lots 103 & 105 - 110
	C	Lot 105	Lots 106, 107, 108
	D	Lot 106	Lots 105, 107, 108
	E	Lot 107	Lots 105, 106, 108
	F	Lot 108	Lots 105 - 107
Right to Park	PA	Lot 111	Lot 101
	PB		Lot 102
	PC		Lot 109
	PD		Lot 110
	PE	Lot 103	Lot 110
	PF	Lot 104	Lots 101 - 110
Right of way (Pedestrian)	G	Lot 109	Lot 110
Right to drain stormwater	A	Lot 103	Lot 104 - 108
	B	Lot 104	Lot 105 - 108
	C	Lot 105	Lot 106 - 108
	D	Lot 106	Lot 107 & 108
	E	Lot 107	Lot 108
	R	Lot 101	Lot 102
	S, T, N	Lot 110	Lot 109
Right to drain sewage	R	Lot 101	Lot 102
	P	Lot 200	Lots 105 - 108
	Q	Lot 104	Lot 103 & 105 - 108
	O	Lot 110	Lots 103 - 108
	N		Lots 103 - 109
	S, T		Lot 109

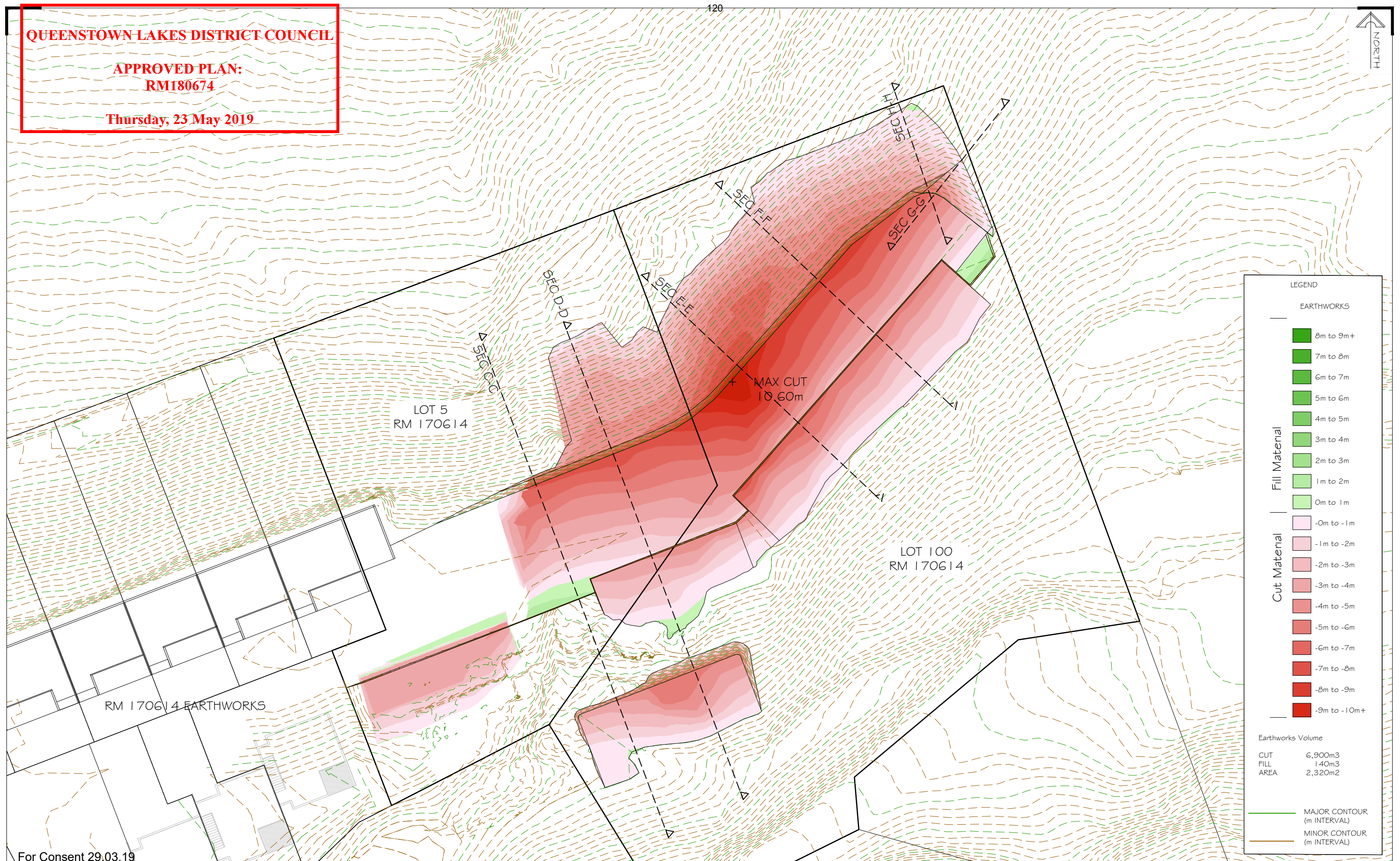
PROPOSED MEMORANDUM OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to Convey Water	A	Lot 101 Hereon	QLDC
	B	Lot 102 Hereon	
	C	Lot 109 Hereon	
	D	Lot 110 Hereon	
	E	Lot 103 Hereon	
	F	Lot 104 Hereon	



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Thursday, 23 May 2019



LEGEND

EARTHWORKS

Fill Material

- 8m to 9m+
- 7m to 8m
- 6m to 7m
- 5m to 6m
- 4m to 5m
- 3m to 4m
- 2m to 3m
- 1m to 2m
- 0m to 1m

Cut Material

- 0m to -1m
- 1m to -2m
- 2m to -3m
- 3m to -4m
- 4m to -5m
- 5m to -6m
- 6m to -7m
- 7m to -8m
- 8m to -9m
- 9m to -10m+

Earthworks Volume

CUT	6,900m3
FILL	1,40m3
AREA	2,320m2

MAJOR CONTOUR
(m INTERVAL)

MINOR CONTOUR
(m INTERVAL)

For Consent 29.03.19

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Rev. Date Revision Details By

C	29.03.19	UPDATE FOR EVISED PARKING ETC	RB
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**THE TIERS WOODS
PROPOSED EARTHWORKS ON
LOTS 5 & 100 RM 170614**

Client: ALPHA PROPERTIES LTD

Surveyed	Signed	Date	Job No.	Drawing No.
-	-	-	12377	F003
Drawn	Signed	Date	Scale	Sheet 001
RB	-	01.03.18	1:200 @ A1 1:400 @ A3	-
Designed	Signed	Date	Datum & Level	Rev.
-	-	-	NZGD2000 / MSL	C

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**THE TIERS WOODS
PROPOSED EARTHWORKS ON
LOTS 5 & 100 RM 170614**

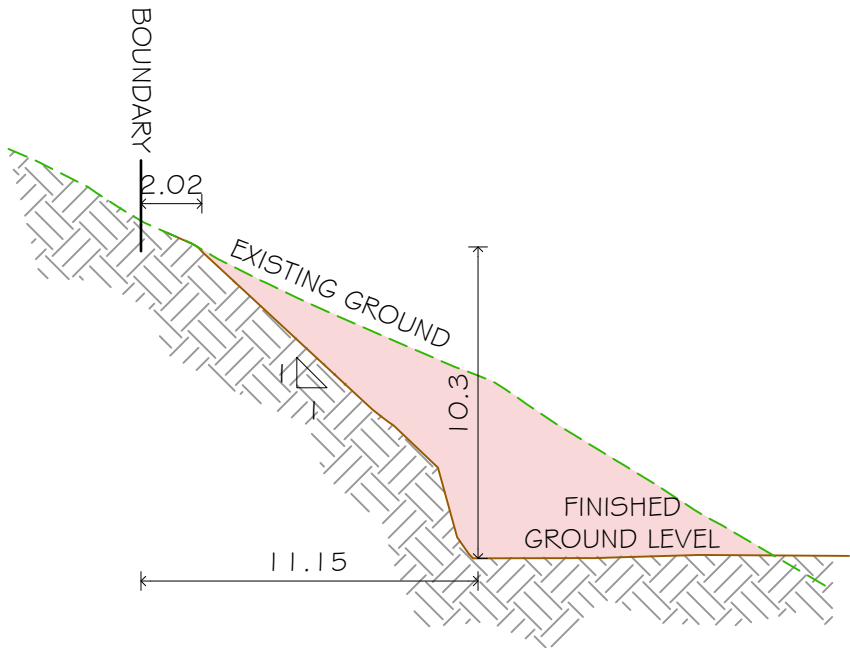
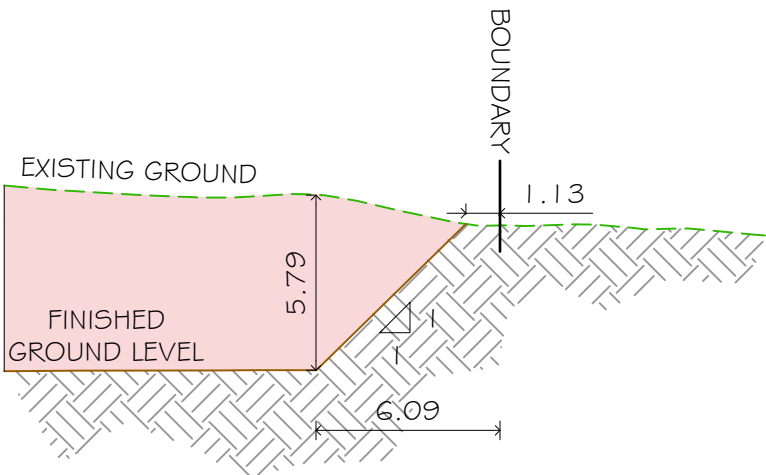
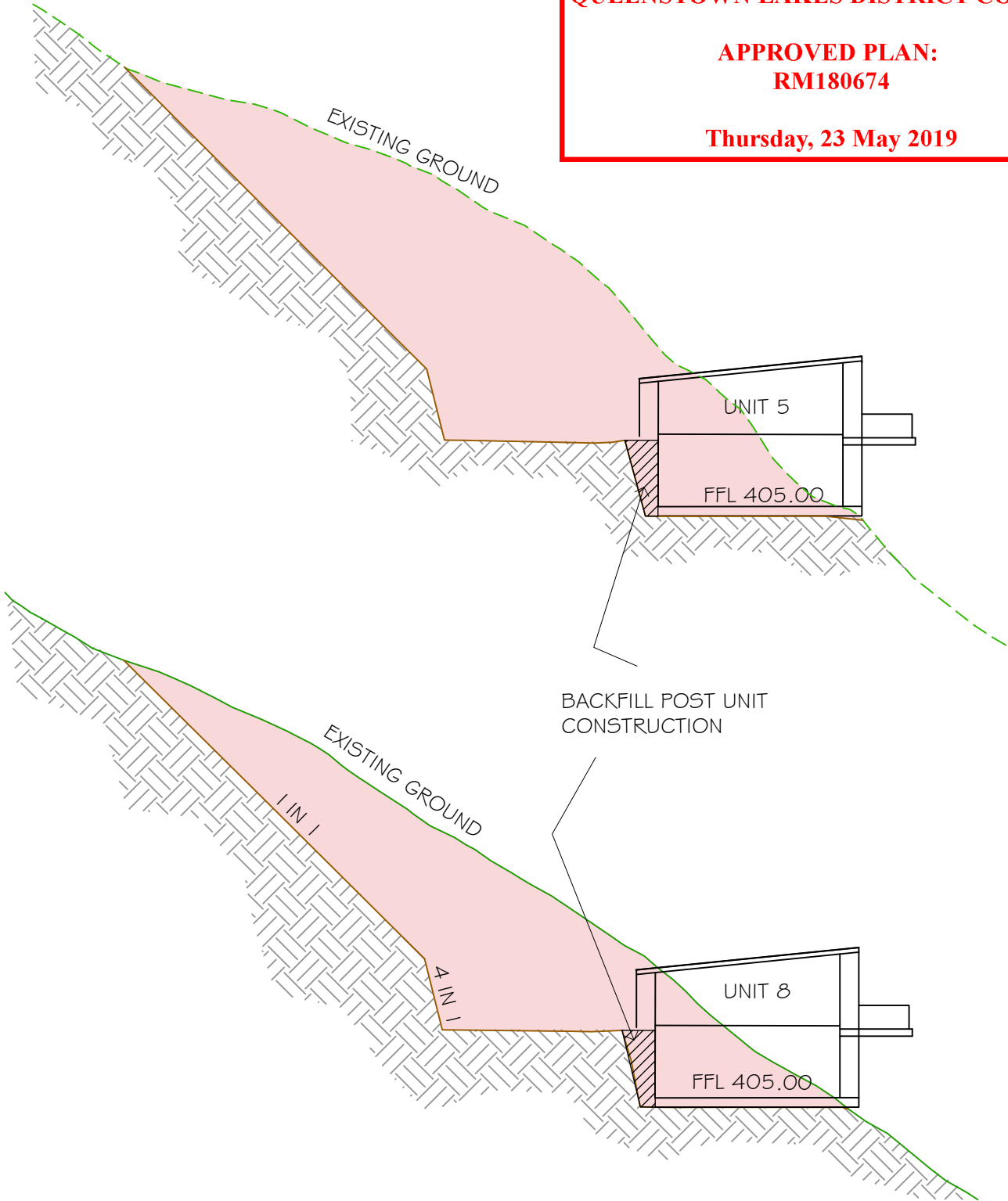
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		Designed	-	Signed	-	Date	-	Datum & Level	NZGD2000 / MSL	Rev.	-

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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180674

Thursday, 23 May 2019

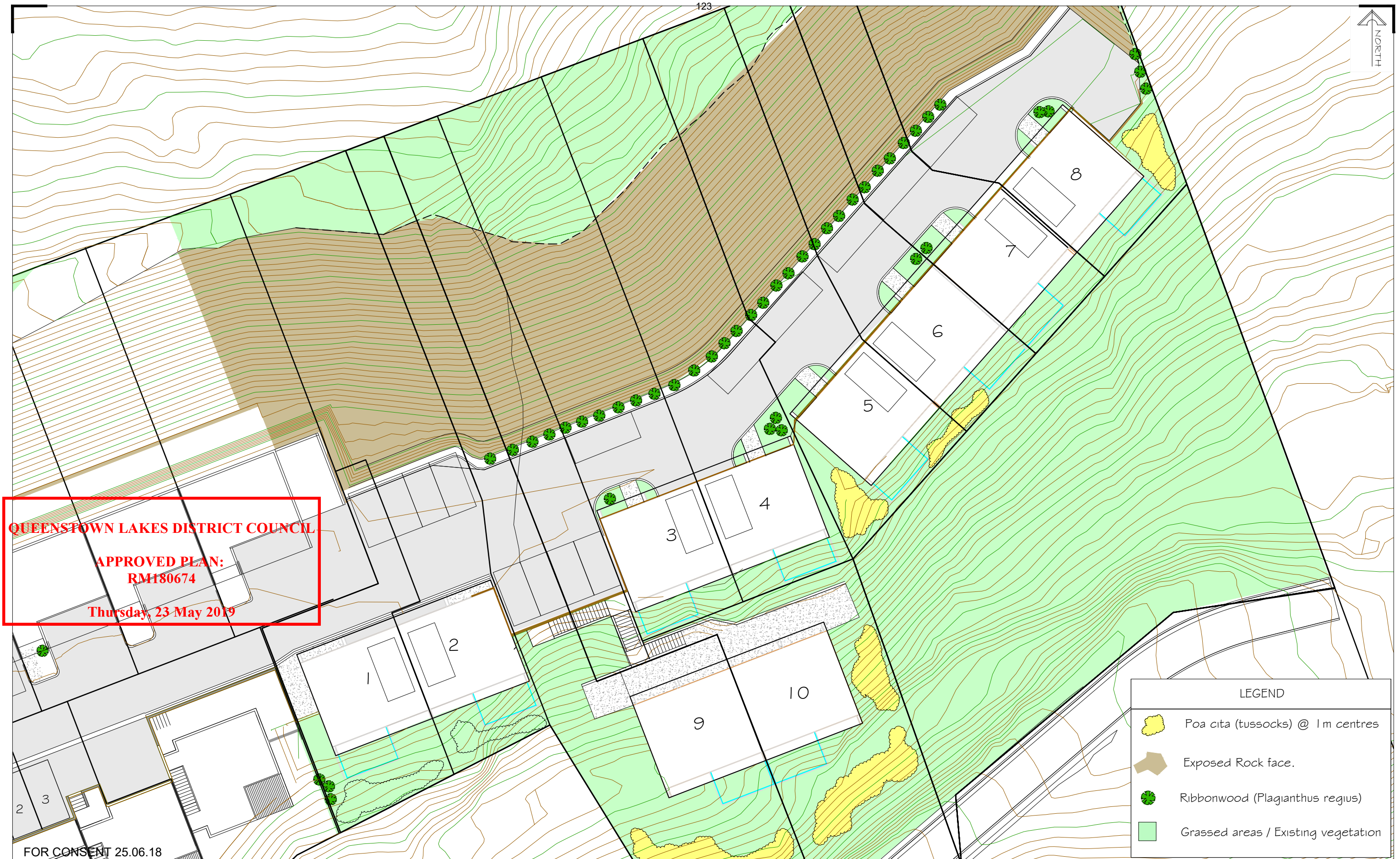


For Consent 29.03.19

Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
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**THE TIERS WOODS
PROPOSED EARTHWORKS ON
LOTS 5 & 100 RM 170614**

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
		-		-	12377	F003 Sheet 003
Drawn	RB	Signed		Date	Scale	1:125 @ A1 1:250 @ A3
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Rev.	Date	Revision Details	By
A	25.06.18	Update boundaries	RB

THE TIERS WOODS
LANDSCAPE PLAN

Plan only valid for landscape. For lot layout please refer scheme plan

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	F003
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.				Scale	Sheet 001
Drawn	Signed	Date	Datum & Level	1:150 @ A1	Rev.
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Designed	Signed	Date			
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DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104
RESOURCE MANAGEMENT ACT 1991

Applicant:	The Tiers Villas Limited
RM reference:	RM180470
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent to undertake short-term Visitor Accommodation for up to six (6) persons for up to 365 nights per year within two proposed residential units
Location:	Future Lots 6 & 9, Potters Hill Drive, Queenstown
Legal Description:	Lot 10 Deposited Plan 490069 held in Computer Freehold Register 706713
Operative District Plan Zoning:	Low Density Residential
Proposed District Plan (Stage 1 Decisions Version) Zoning:	Lower Density Suburban Residential
Activity Status:	Restricted Discretionary
Date	16 July 2018

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 3 of this report. This decision is made by Erin Stagg, Senior Planner, on 16 July 2018 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. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Erin Stagg, Senior Planner as delegate for the Council.

1.0 PROPOSAL AND SITE DESCRIPTION

Consent is sought to undertake short-term Visitor Accommodation within two proposed residential units for 365 days per year. The applicant has proposed no minimum stay, with no maximum length of stay at Unit 6 and Unit 9 located on Lot 10 DP 490069, Potters Hill, Queenstown. The maximum number of guests at any one time is proposed to be six (6) people per unit; and the application makes no physical changes to the proposed building.

The residential units which the application is proposed to operate within, were consented under RM160718, which approved a Comprehensive Residential Development with 12 residential units that breached maximum height, transportation standards and outdoor living space, and in addition consented the subdivision of the site into 12 allotments. Resource Consent RM170614 later varied the original consent, and added an addition two units and a residential flat to the Comprehensive Residential Development, increasing the development and subdivision to 14 allotments and associated units. It is noted that these effects were appropriately assessed within RM160718 and RM170614. It is further understood that RM160718 and RM170614 also consented a subdivision, although this has yet to be registered on the Title for the units on Lot 10 DP 490069 as the development is yet to be completed.

It is further understood that a variation application has been submitted to Council in regards the amendment of the plans approved under RM170614, and various other land-use and subdivision conditions. The decision regarding this application is yet to be issued, although it is noted that there are no discrepancies between the plans consented under RM170614 and those proposed under RM180834 in regards to Units 6 and 9. It is noted that there is a boundary adjustment proposed for Unit 6, however this is not anticipated to change the floor plans for this site, and will only add two additional tandem car parks on the site, along with further outdoor space.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section 1.0 of the report entitled *Visitor Accommodation – The Tiers Villas Limited – The Tiers, Potters Hill Drive, Queenstown*, prepared by Nick Geddes of Clark Fortune McDonald & Associates, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report with the following additions:

The subject site is situated on a land parcel which slopes down from North-West to South-East and is located at the top of Potters Hill, off Woods Lane. Existing residential units – mostly apartments – are present to the South-East and South, however these are located further down Potters Hill Drive. The site itself is zoned Low Density Residential, although several sites are utilised for Visitor Accommodation purposes.

The applicant has also provided a Management Plan for both Unit 6 and 9 which details the use of the site for guests with respect to the property manager's contact information, house rules and noise considerations (Appendix 3 and 4).

It is noted that there are a number of consented Visitor Accommodation activities which have been granted for neighbouring sites, to be used as short term commercial rentals. These properties are located further south of the application site – down Highlands Close – and include 9, 14 and 16 Highlands Close, as well as Unit 32 and Unit 33/716 Frankton Road. These properties have been identified in relation to the application site on Figure 2 below.

It is also understood that Resource Consent for future Lot 8 (Unit 8) on Lot 10 DP 490069 has recently been approved. This decision will be able to be taken into consideration, and an assessment of the cumulative effects of the existing Visitor Accommodation activities along with those proposed, will be appropriately assessed.

In addition to the above, it is further understood that there are currently four applications which have been submitted for the operation of Visitor Accommodation for up to 365 nights in the vicinity of Lot 10. These applications are to be contained within units which are yet to be constructed, but obtain consent to be built on Lot 10 DP 490069, and Lot 15 and Lot 16 DP 512588. Although it is understood that these consents are currently being processed, the effects of these proposals cannot be considered due to the decision which is yet to be issued.

To clarify the location of the application site and specifically that of Unit 2, and the neighbouring Visitor Accommodation activities, refer to the aerial image in Figures 1 and 2 below.



Figure 1: Aerial depicting the application site location and the approximate location of Unit 6 ● and Unit 9 ●

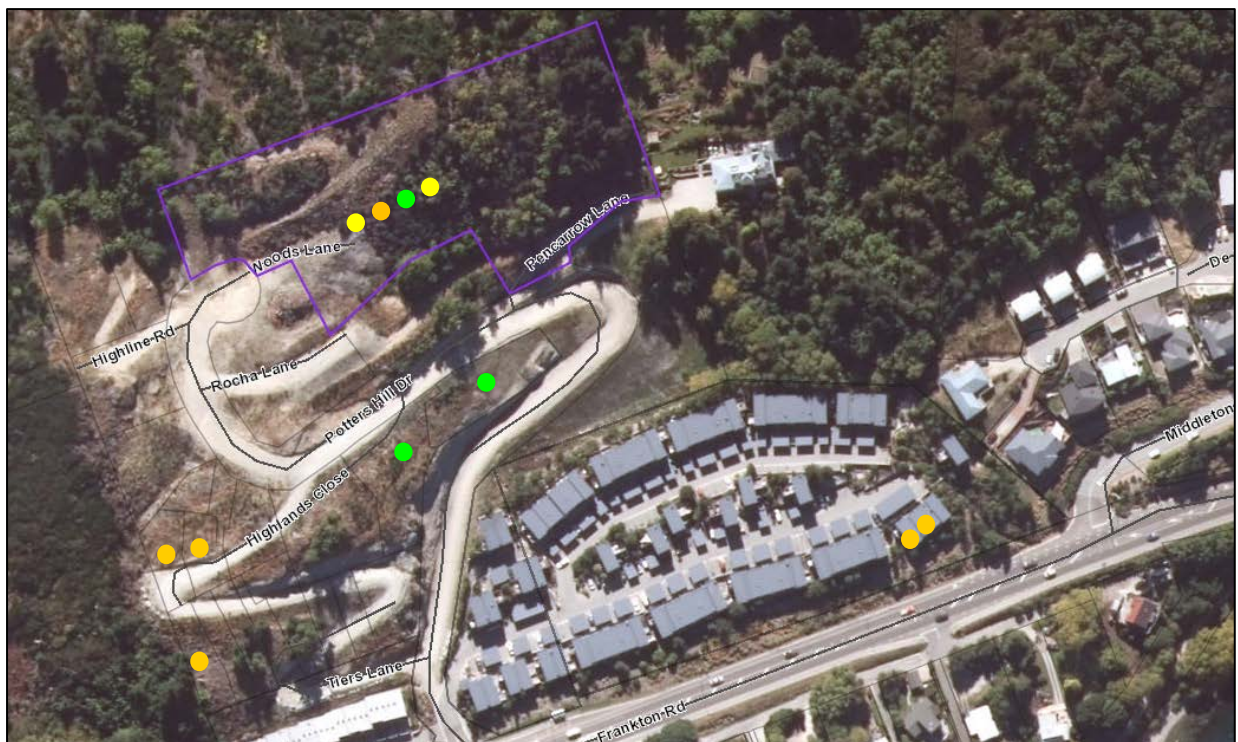


Figure 2: Aerial depicting the application site location and the neighbouring consented Visitor Accommodation activities ● and the current Visitor Accommodation applications ● and the location of the application sites ●

2.0 ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Low Density Residential and the proposed activity requires resource consent for the following reasons:

- A **Restricted Discretionary** activity resource consent pursuant to Rule 7.5.3.4 (i) for the proposed operation of Visitor Accommodation in the Low Density Residential zone for up to 365 nights for up to a maximum of six (6) guests. The proposal is specifically designated to be contained within Units 6 and 9 on Lot 10 DP 490069. Council has restricted its discretion in respect to:
 - (a) The location, external appearance and design of buildings;
 - (b) The location, nature and scale of activities on site;
 - (c) The location of parking and buses and access;
 - (d) Noise, and
 - (e) Hours of operation
- A **Restricted Discretionary** activity pursuant to Rule 7.5.3.4(vi) as the proposal breaches site standard 7.5.6.2(iii)(f) in regard to internal setbacks, which are required to be 4m. It is proposed to undertake visitor accommodation in two units with no setback from the adjacent units. Council's discretion is restricted to this matter.
- A **Restricted Discretionary** activity resource consent pursuant to Rule 7.5.6.2 (iii)(f) for the proposed operation of Visitor Accommodation in the Low Density Residential zone, where no part of any building which is to be used for Visitor Accommodation shall be permitted to be located within 4 meters of an internal boundary, where the site(s) adjoining that internal boundary is zoned residential.
- A **Restricted Discretionary** activity pursuant to Rule 14.2.4 as the proposal breaches site standard 14.2.4.2 (iv) in regards to the sight distances which are required for a Visitor Accommodation activity. This is due to proposed Units 6 & 9 not obtaining a minimum sight distance of 80 metres for the operation of Visitor Accommodation.

Overall, the application is considered to be a **Restricted Discretionary** activity.

PROPOSED DISTRICT PLAN

Council notified Stage 1 of the Proposed District Plan on 26 August 2015 and Stage 2 on 23 November 2017. Stage 2 contained new proposed Visitor Accommodation provisions; in this case, there are no rules that have immediate legal effect that are relevant to the application.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

3.0 SECTION 95A NOTIFICATION

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 in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The applicant does not include 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, a restricted discretionary or discretionary subdivision or a residential activity, or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB and public notification is not precluded.

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

Therefore, public notification is not precluded by Step 2, and Step 3 applies.

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 under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.1 below:

3.3.1 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (S95D)

3.3.2 MANDATORY EXCLUSIONS FROM ASSESSMENT (S95D)

- 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) (the permitted baseline, refer section 3.3.3 below).*
- C: *The activity is a **restricted discretionary** activity, so that adverse effects which do not relate to a matter of **discretion** have been disregarded (s95D(c)).*
- D: *Trade competition and the effects of trade competition (s95D(d)).*

To clarify the location of the application site, and the neighbouring sites, refer to the aerial image in Figure 3 below.



Figure 3: Aerial depicting the application site location and that of the direct neighbours

3.3.3 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 the permitted baseline includes residential occupation of the residential unit, and associated effects such as car parking demand, traffic generation, noise and impact on privacy. Visitor Accommodation that could feasibly take place as a permitted activity are:

- A single annual let for one or two nights.
- Homestay accommodation for up to 5 guests in a Registered Homestay.

The effects mentioned above may be of some relevance to this application; however, it is noted that any Visitor Accommodation Activity requires Resource Consent in the Low Density Zone as specified in Section 7 *Residential Areas* of the Operative District Plan. This is due to Visitor Accommodation being classed as a commercial activity, rather than a residential activity, due to the increased scale and potential for higher intensity accommodation, than what is permitted under a registered holiday home or homestay.

It is also noted that the application site is not defined as a stand-alone or duplex residential unit, whereby Resource Consent would need to be obtained in order to operate Visitor Accommodation regardless of the zoning.

As such, the permitted baseline is not a relevant consideration and has not been applied in this instance.

3.3.4 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Taking into account sections 3.3.2 and 3.3.3 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor. The Assessment of Effects provided in section 5.0 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted in part for the purposes of this report with the following additions:

The relevant assessment matters are found in Section 7.7.2 (vii) *Discretionary Activity – Visitor Accommodation*, Section 14.3.2 (iii) *Parking and Loading* and Section 14.3.2 (v) *Access* of the District Plan and have been considered in the assessment below.

It has been noted that the applicant – The Tiers Villas Limited – is also the owner of the larger development.

The use of the site for short-term visitors has the potential to result in a loss of residential amenity and character, a loss of social cohesion and noise effects.

Character and Amenity

The proposal would allow for up to six (6) guests to stay within one unit at any one time, for a total of two units on Lot 10 DP 490069. Given the potential number of guests, it is considered that the scale of the visitor accommodation proposal would not be significantly greater than a typical permitted residential activity. Any differences between the use of the property for permitted activities compared to visitor accommodation proposed would not be overly noticeable provided suitable mitigating conditions are applied to the consent.

Unit 8 on Lot 10 DP 490069 has recently been granted consent for the operation of year round visitor accommodation for up to six (6) guests. The location of this particular unit in relation to the application sites (Units 6 and 9) is depicted in Figure 2. The use of these units collectively has the potential to cause cumulative effects in regards to the operation of Visitor Accommodation for the surrounding development, such as the degradation of the character and amenity of the area, noise effects, and visual effects such as the encroachment of privacy and the overlooking of residential units. However it is noted that applicant is the owner of the wider development, and therefore it is not considered that these effects would be perceivable from outside of what is considered to be the application site.

As such, any adverse effects on the environment in respect to character and amenity are anticipated to be less than minor.

Noise

To mitigate amenity and nuisance effects the applicant has proposed that no more than six (6) persons could reside on site at any one time (two persons per room), and that the apartment shall be professionally managed by a short-term letting agency. The Management Plan (Appendices 3 & 4) restricts use of outdoor areas between 10pm and 7am, with all guests being made aware of noise restrictions between those times; and guests are to show consideration to neighbours at all times. The name and contact for the property manager is also provided. It is accepted that these measures will help to mitigate nuisance effects from noise and any associated loss of amenity thereby reducing adverse amenity effects. Conditions are recommended with respect to these matters. In this regard adverse effects from noise and amenity on the surrounding environment are considered to be less than minor.

Access and Parking

The proposal is a change of use associated within proposed residential units, and on a property that will have established landscaping and car parking when the development is completed. Although it is noted that the underlying resource consent approved shortfalls of car parking dimensions and aisle widths. This is not relevant to this application, as there is an internal double garage available for both Units 6 and 9, which obtains compliant car parking is available for the use of guests on the property that can accommodate parking by class 2 users. Therefore potential effects on the wider environment can be mitigated through the utilisation of these car parks, which will enable the transport used to be adequately screened and off common access ways.

Council's Resource Management Engineer, Mr Cameron Jones, has reviewed the application with regard to access and parking and is satisfied that the existing parking quantity/demand remains unchanged from that consented and makes no engineering recommendations. Mr Jones has further addressed the minimum sight distance breach, and his comments are below:

The 80 metre sight distance required by Rule 14.2.4.2(iv) is not achieved, but I am satisfied that this will not result in any adverse traffic outcomes, as traffic volumes and speeds will be very low at this location.

As such, Mr Jones is satisfied that the proposal will not result in any unsafe traffic outcomes and makes no recommendations. No changes to the location, external appearance or design of the dwelling are proposed. Therefore, there will be no adverse effects on the environment that would affect the transport or visual amenity values of the locality.

Rubbish and Waste

Both of the underlying consents for Lot 10 DP 490069 – RM160718 and RM170614 – have an easement marked as ‘H’ on the approved survey plan, which identifies a ‘right to store rubbish’ easement which is to be registered on all titles for the proposed development. As such, all owners/occupiers of any residential unit shall that rubbish and recycling bins are located in immediate proximity to their residential units and on their own sites, or within this easement. This is to be monitored through a Consent Notice which is to be registered on all future lots. As a result, the effects in regards to rubbish and recycling are anticipated to be less than minor.

Summary

The proposed use of both Units 6 and 9 is of a similar scale in terms of the number of guests as the permitted residential use. The same number of people could live on the property when in residential use and generate the same number of movements. Potential adverse effects associated with Visitor Accommodation activities such as noise and the use of outdoor areas can be appropriately mitigated and addressed through conditions of consent. In this regard, it is considered that the development has the capacity to absorb the some non-residential use, without creating a minor or more than minor adverse effect with respect to residential cohesion, character and amenity within the surrounding residential area.

Overall, and given recommended conditions, adverse effects of the nature and scale of the activity on residential amenity, character and cohesion in terms on the environment, are considered to be less than minor.

3.3.5 DECISION: EFFECTS ON THE ENVIRONMENT (S95A(2))

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.

4.0 EFFECTS ON PERSONS (s95B)

Section 95B(1) requires a decision 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.

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.

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity.

4.3 STEP 3: IF NOT PRECLUDED BY STEP 2, CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED

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.

The effects of the proposal on owners of allotments with infringed boundaries are assessed in section 4.3.1 below and will be less than minor.

The proposal therefore falls into the 'any other activity' category and the effects of the proposal on any persons are assessed in accordance with section 95E in section 4.3.1 below to determine if limited notification is required.

4.3.1 ASSESSMENT OF EFFECTS ON PERSONS (S95E)

4.3.2 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 3.3.3 above and in this case is not relevant.

4.3.3 ASSESSMENT: EFFECTS ON PERSONS

Taking into account the exclusions in section 95E(2) and (3) and 4.3.2 (Permitted Baseline) 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:

Character and Amenity

The proposal would allow for up to six (6) guests to stay within one unit at any one time. Given the potential number of guests, it is considered that the scale of the visitor accommodation proposal would not be significantly greater than a typical permitted residential activity. The change of use proposed has the potential to impact on matters that provide for residential character and amenity, including compatibility with residential activities and neighbourhood cohesion.

The proposal has the potential to produce adverse effects in relation to the character and amenity of the surrounding units. However as all the units are currently in one ownership, that of the applicant's, it is considered that these adverse effects can be disregarded.

It is understood that there is currently one other application for the operation of visitor accommodation activities which have been submitted for a neighbouring unit, for Lot 7. However, this Resource Consent has not had a decision issued, and therefore the proposed visitor accommodation activity will be disregarded. In addition to the above, Unit 8 has been consented for the operation of year round visitor accommodation activities. As the owner of the lot has provided their approval, the effects on the surrounding development is therefore disregarded, and no adverse effects are anticipated. These non-residential activities are said to not have caused enough of a noticeable impact in regards to residential cohesion.

As such, any adverse effects in respect to character and amenity are anticipated to be less than minor.

Loss of Privacy

In terms of privacy, the outdoor spaces on the balcony and courtyard areas of Units 6 and 9 do not overlook the Eastern, Southern or Western neighbours due to the containment of outdoor spaces by their positioning at the application site. This is due to the enclosed nature of the terraces on site, in addition to the orientation of the house and outdoor living areas, as well as the topography of the site and neighbouring properties. Similarly, views from the application sites are obstructed by the building itself, which provides a physical separation between the properties helping to preserve these neighbours sense of privacy and amenity.

Therefore it has been determined that any effects on neighbours in terms of privacy is considered to be less than minor.

Traffic Generation

The dwellings along Potters Hill are typical of a Low Density Residential area, and are accustomed to low to medium volumes of traffic at slow speeds. This is unlikely to increase with the introduction of Visitor Accommodation as the scale of the activity is no more than what is expected from a residential activity. The frequency of movements is likely to increase and it is anticipated that this could potentially result in adverse effects in regards to the neighbouring sites. However, as discussed above, all units are currently owned by the applicant. The additional traffic movements will not have a noticeable effect on the functioning of the road beyond the site. Therefore adverse effects in this regard on are considered to be less than minor.

The proposed visitor accommodation activity is to occur within existing residential dwellings, which both have adequate on site car parking. There are two available off street parking spaces available for the guests of both Units 6 and 9; which are contained within a double garage located on the ground floor of the unit. These parking spaces meet the required standard for the proposed activity, and are seen to provide adequate off-street car parking for the operation of Visitor Accommodation.

Overall, it is considered that the effects on any persons from traffic generation are considered to be less than minor.

Noise

Given the sites are to be actively managed via a professional letting agency and that all adjoining neighbours will be notified of the restriction of both noise and outdoor use between 10pm and 7am, it is considered that adverse effects on any other neighbour, including the properties to the North-East, South and South-West can be suitably mitigated. Conditions are recommended to ensure that the noise and outdoor restrictions are made available to all persons using the site, and that all neighbours are advised accordingly. Further, a review condition is recommended such that should the activity result in adverse effects, or result in complaints, the activity can be further reviewed at a future time.

As a result it is considered that any effects in relation to noise are considered to be less than minor.

Summary

Overall, and given the recommended conditions, it is that any adverse effects on persons with respect to overall amenity, loss of privacy and noise would be similar to a residential situation and therefore less than minor.

As such, no person is considered to be adversely affected by the proposal.



Figure 4: *South-Eastern elevation of the application site, illustrating Units 1 and 2;* and **Figure 5:** *South-Western view of the application site from Potters Hill Drive*

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

Special circumstances do not apply that require limited notification.

5.0 OVERALL NOTIFICATION DETERMINATION

Given the decisions made above in sections 3 and 4 above, the application is to be processed on a non-notified basis.

6.0 S104 ASSESSMENT

6.1 EFFECTS (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 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 assessment matters are found in Section 7 (Residential Areas) and Section 14 (Transport) of the District Plan and have been considered. These seek to maintain and preserve the dominant Low Density Residential development and associated amenity values whilst recognising and providing for compatible non-residential activity within residential areas (Part 7), and to provide for sufficient parking facilities that cater to anticipated demands of specific activities (Part 14).

Having considered the actual and potential effects of the proposal against the objectives and policies of the District Plan, the proposed activity is considered compatible with the intent of the surrounding residential area, and the parking arrangements adequate for the intended use. Therefore it is considered the proposed development is consistent with the relevant provisions in the District Plan.

Proposed District Plan

Council notified the Proposed District Plan on 26th August 2015 which did not include any Visitor Accommodation provisions. Council notified the second stage of the District Plan on 23 November 2017 which contained new proposed Visitor Accommodation provisions. The objectives and policies contained within the Proposed District Plan must therefore be taken into consideration with this application. However as the plan has only recently been notified and is still open for submissions. As the plan has not been tested, very little weight can be afforded to the objectives and policies.

The relevant objectives and policies seek to manage Visitor Accommodation so that residential amenity is retained, and to ensure that residential units are predominantly used for residential activities. It is considered that the proposed use would be inconsistent with Policies 7.2.8.2 and 7.2.9.3, as well as Objective 7.2.9, which seeks to restrict Visitor Accommodation in the Low Density Residential Zone and ensure that residential use is the predominant use. However, given that Stage 2 of the Proposed District Plan has not yet been subject to any testing, it is considered that very little weight can be given to these objectives and policies.

Therefore, while the proposal is inconsistent with the objectives and policies of Proposed District Plan, given that little weight can be given to these provisions at this time, and the proposal is consistent with the objectives and policies of the Operative District Plan, the proposed use is considered to be appropriate in this instance.

6.3 PART 2 OF THE RMA

As in this case the relevant District Plan provisions are valid, have complete coverage and are certain, the above assessment under s104 matters, which give substance to the principles of Part 2, illustrates that the proposed activity accords with Part 2 of the Act.

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

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

7.0 OTHER MATTERS

7.0 OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to application under the RMA for certification pursuant to section 224(c).

Please contact the Council if you require a Development Contribution Estimate.

Payment will be due prior to commencement of the consent, except where a Building Consent is required when payment shall be due prior to the issue of the code of compliance certificate.

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 consent to build under the Building Act 2004. A consent under this Act 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 Resource Management Act 1991.

If you have any enquiries please contact Alex Jamieson on phone (03) 441 0499 or email alex.jamieson@qldc.govt.nz.

Report prepared by



Alex Jamieson
PLANNER

Decision made by



Erin Stagg
SENIOR PLANNER

- APPENDIX 1** – Consent Conditions
- APPENDIX 2** – Applicant's AEE
- APPENDIX 3** – Management Plan (Unit 6)
- APPENDIX 4** – Management Plan (Unit 9)

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Proposed Units on Lot 10 DP 490069* – Job No. 12377, Drawing No. 08 (Rev C),
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Lots 1-14 & 100 Being a Subdivision of Lot 10 DP 490069 Staging* – Job No. 12377, Drawing No. 07 (Rev E),
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *The Tiers Villas, Landscaping & Outdoor Living Spaces* – Job No. 12377, Drawing No. 09 (Rev C),
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Proposed Units on Lot 10 DP 490069 Height Infringements* – Job No. 12377, Drawing No. 08 (Rev C),
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Lots 1-14 & 100 Being a Subdivision of Lot 10 DP 490069* – Job No. 12377, Drawing No. 07 (Rev E),
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Lots 1-14 & 100 Being a Subdivision of Lot 10 DP 490069* – Job No. 12377, Drawing No. 07 (Rev E),
 - WJ Cadzow & Associates Ltd: *The Pavillion Villas – Block B, Floor Plans* – Sheet: RC-B-01,
 - WJ Cadzow & Associates Ltd: *The Pavillion Villas – Block B, Elevations* – Sheet: RC-B-03,

stamped as approved on 16 July 2018

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.

Operational Conditions

4. The consent holder shall ensure the Visitor Accommodation activity is undertaken in accordance with the approved site management plans (RM180470, Appendix 3 & 4), and the following Conditions (5 – 12).

Advice Note: The management plan may be updated from time to time, this shall be certified by Council's Planning and Development department prior to implementation and shall demonstrate the management techniques that will be used to ensure conditions (5 – 12) are met, and shall include the contact details of the property manager available for any complaints.

5. The property shall be rented to a maximum of one (1) group at any one time, for a maximum of 365 nights per year.
6. The maximum number of persons within each unit in association with the Visitor Accommodation use shall be restricted to six (6) persons at any one time.
7. Regarding the use of outdoor space:
 - a) The use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am.
 - b) Two (2) signs (minimum A4 size) shall be erected on site to remind guests that they are in a residential area, and that the use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am. One sign shall be installed in the kitchen of each unit and weatherproof signs (e.g. laminated) shall be installed within the outdoor area.

- c) Upon installation, and prior to the use of the property for Visitor Accommodation, the consent holder shall submit photographs of these signs to the Council Monitoring Department for monitoring purposes. The signs shall be retained on site as long as the Visitor Accommodation activity is undertaken.
- 8. The consent holder shall maintain a record of all tenancies in the form of a register containing the number of occupants and the number of days/nights of occupancy. This register shall be made available for inspection by the Council at all times.

Please note: While the consent holder is responsible for there being an up to date register, the register may be completed by a letting agent / property manager.
- 9. The consent holder shall ensure that all vehicles associated with the short term Visitor Accommodation use of the unit shall be parked in the allocated parking spaces on site. Specifically, the consent holder shall ensure guests only park in the carparks which are designated to the unit. The consent holder must advise all guests of this condition.
- 10. The consent holder shall ensure that no coaches are to service the authorised activity.
- 11. Prior to the operation of the residential unit for visitor accommodation, the consent holder shall provide to the Council the name and contact details of the Visitor Accommodation Manager. If these are to change, updated details shall be provided to the Council.
- 12. All rubbish and recycling shall be disposed of appropriately. Where there is kerbside collection, rubbish and recycling shall only be placed on the street the day of or day prior to collection.

Review

- 13. Within six months of the date of this decision; and/or upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
 - c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
 - d) The purpose of this review is in relation to effects on any person in relation to nuisance (including but not limited to noise and rubbish/recycling).
- 14. As part of the review clause stated in Condition 13 of this consent, the Council may have the Visitor Accommodation Management Plans / Noise Management Plans audited at the consent holder's expense.

Advice Notes

- 1. The consent holder is advised that there may be ongoing implications for alternative rating of the property from the use of the property for Visitor Accommodation. As of the time this consent was granted, increased rates from a residential use are generated for Visitor Accommodation use over 180 days in any one calendar year. For further information contact the Council Rates department.

2. An additional development contribution will be required for the change in use from residential to Visitor Accommodation. It is recommended the applicant contact the Council DCN officer for an estimate.
3. The consent holder is advised that there may be further requirements to using a residential unit for Visitor Accommodation, including but not limited to health and safety, income tax and GST.

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 – APPLICANT’S AEE

Information and Assessment of Effects on the Environment

Land Use Consent

Visitor Accommodation

The Tiers Villas Limited

The Tiers, Potters Hill Drive, Queenstown

May 2018

Prepared by: Nick Geddes

CLARK FORTUNE MCDONALD & ASSOCIATES
REGISTERED LAND SURVEYORS, LAND DEVELOPMENT & PLANNING CONSULTANTS



1.0 A DETAILED DESCRIPTION OF THE PROPOSAL

1.1 Site Description

The subject site is located at Lot 10, The Tiers, Potters Hill Drive, Queenstown. It is legally identified as Lot 10 DP 490069, contained within computer freehold register CFR 706713; see Figure 1 below for detail.



Figure 1: Subject site

Units 6 and 9, 11-14 which are the subject of this application, were created under RM170614 which was a variation to RM160718 which originally saw 12 units and subsequent lots approved for this site. RM170614 included an additional 2 lots and units (Lot/Unit 6 being one of them) and several changes to the subdivision layout and volume of earthworks.

Consent has been approved for these two lots under the above consent to erect three level developments with a GFA of 212m², supporting three bedrooms with carparking located on the ground floor level. This consent also approved associated earthworks and subdivision amendments/ approval for the wider development.

A copy of the title documents are contained in Appendix A to this application.

1.2 The Proposal

The Applicant is seeking consent to utilise proposed Units 6 & 9, 11-14 (approved under RM170614) for Visitor Accommodation (VA).

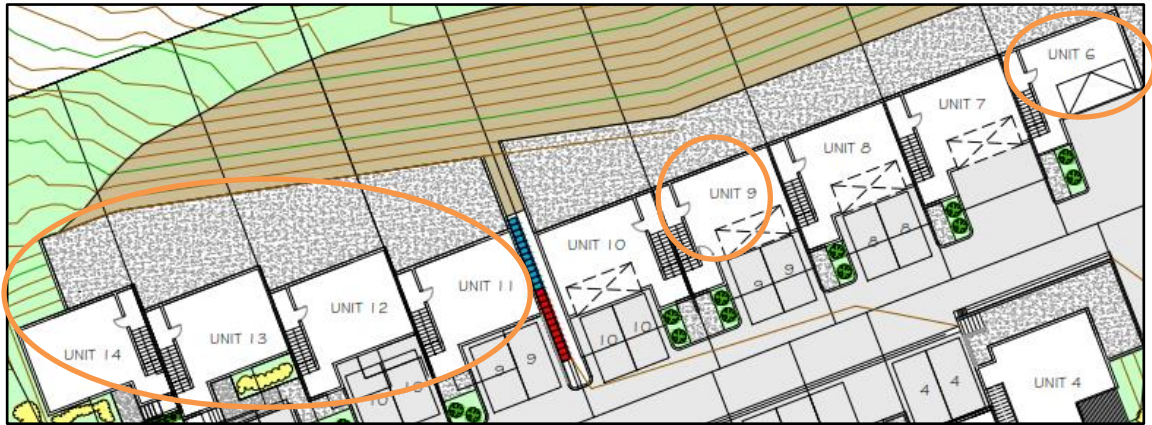


Figure 1: Units 9 and 9, 11-14

The units will each be built over three levels and will have three bedrooms accommodating a maximum of six guests at any one time. Pedestrian access is to be provided adjacent the vehicle access/ internal garage along the buildings southern façade. A north facing deck on the top level will provide for a sunny outdoor living/ entertaining area off the main living, see Appendix B and C for detail.

The units are yet to be developed with work to commence as per that approved under RM160718 and RM170614. It is noted that no changes to that approved under (RM160718 and RM170614) are proposed as part of this application.

The approved development resulted in a number of district plan breaches including to the 7m height limit and outdoor living areas. These matters in terms of their bulk and scale have been considered through the underlying consent process. All units have adequate outdoor living to their north and on site parking within the double garages at ground level. The proposal includes check in times restricted between 9am and 9pm and a condition of consent is expected to enforce this. It is also proposed to restrict the use of any of outdoor decks to the hours of 7am to 10pm.

A Visitor Accommodation Management Plan has been provided in Appendix D as required for all proposed units.

Suitable services have been considered and approved as part of the underlying land use approval. There is no need to alter any of these as a result of the VA being sought by this application. The applicant anticipates that the Council will levy a development contribution as part of a separate process for the VA activity to cater for the increase in demand on Council infrastructure.



1.3 Statutory Provisions

1.3.1 Queenstown Lakes District Plan

The application site is located within the Low Density Residential zone of the Queenstown Lakes District Plan. The District Plan requires consent for the following:

- A Restricted Discretionary Activity pursuant to Rule 7.5.3.4 (i) for Visitor Accommodation in the Low Density Residential. The proposal includes the use of proposed Units 9 and 6, Units 11-14 for VA.

Overall the application is a Restricted Discretionary Activity.

1.3.2 National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

All applications for resource consent need to be determined if they apply under the 'National Environmental Standard for Assessing and Managing Contaminates in Soil to Protect Human Health' (NES).

Under these regulations, land is considered to be actually or potentially contaminated if an activity or industry on the Hazardous Activities or Industries List (HAIL) has been, or is more likely than not to have been, undertaken on that land. Therefore, the NES only applies to land that is potentially or actually affected by contaminants because of its historical and/or current use and the types of activities previously undertaken on the site.

The land use history is therefore the trigger for determining whether the land is considered by the NES. Subclauses (2) below prescribes the methods that the person may use for establishing whether or not a piece of land is as described in regulation 5(7).

Part 6(2):

One method is by using information that is the most up-to-date information about the area where the piece of land is located that the territorial authority—

(a) holds on its dangerous goods files, property files, or resource consent database or relevant registers; or

(b) has available to it from the regional council.



The NES was considered under RM160718 and it was found that the NES does not apply. In addition, the site has been zoned for residential purposes for many years. Numerous residential dwellings have been established in this vicinity.

Overall, it is highly unlikely that there would be a risk to human health. The land for which resource consent is being sought is not considered as being HAIL land under sub-clause (7) section 5 of the NES. Accordingly, consent is not required.

2.0 ASSESSMENT OF THE ACTIVITY'S EFFECTS ON THE ENVIRONMENT:

The proposed development will provide for Visitor Accommodation in six consented residential units. The units, their design and subsequent bulk and scale effects, have been considered and approved under RM160718 and RM170614.

The change in use from residential to VA will not exacerbate any visual adverse effects over and above those effects considered and approved under the previous consents. Given there are no proposed changes to the units as part of this application, the proposed Visitor Accommodation will not alter the appearance, or bulk and scale of the development as viewed from the road or from any adjoining site.

Utilising the units for Visitor Accommodation, however, does have the potential to adversely affect surrounding amenity values primarily in respect to noise levels. The conditions of consent, however, will restrict noise levels to those permitted in the residential environment as well as restricting any use of outdoor living / entertaining areas between the hours of 7am and 10pm. Further to this, the surrounding neighbourhood consists of a mix of residential and VA ensuring that the proposed development will not be out of character with existing activity in this area. Given the above, and the mitigation proposed in respect to the hours of operation (check in and out times) and the restrictions on outdoor living areas, it is considered that any adverse effects on surrounding amenity values due to noise levels as a result of this proposal will be negligible.

In respect to vehicle movements the units will provide for sufficient on site carparking and manoeuvrability to ensure safe and efficient vehicle movements between the site and road boundary. The design of the access and parking has been considered and consented under the previous consent. With the restricted check in and out times prior to 9pm, the change to Visitor Accommodation is unlikely to generate additional effects due to vehicle movements (in respect to noise levels) over and above those effects anticipated as a residential activity. Furthermore, the site is in close proximity to



Queenstown's town centre, enabling pedestrian access to town, as well as public transport options along Frankton Road.

Under the District Plan VA is only required to have 1.5 car parks per unit so with two internal car parks the development will meet this standard. As a result it is considered, that the car parks as approved under RM170614 will be adequate to enable adequate on site parking and safe and efficient movement between the garage and the road boundary.

As a Restricted Discretionary Activity Visitor Accommodation (VA) is an anticipated activity in the Low Density Residential Zone subject to its effects on the environment being no more than minor. The District Plan restricts consideration to the following:

- (a) The location, external appearance and design of buildings;*
- (b) The location, nature and scale of activities on site;*
- (c) The location of parking and buses and access;*
- (d) Noise, and*
- (e) Hours of operation*

The above matters have all been considered and compliance with consent conditions regarding hours of operations, use of outdoor space and on site car parking, will ensure any adverse effects on the surrounding environment and on adjacent residential neighbours generated by the activity will be negligible.

3.0 DISTRICT PLAN: OBJECTIVES AND POLICIES ASSESSMENT

The relevant objectives and policies of the OQLDP are found in Part 7 - *Residential Areas*, and Part 14 - *Transport*.

In the Residential zone under Part 7 the objectives and policies seek to protect a level of amenity appropriate for this zone and provide for adequate servicing / infrastructure. As discussed above, the effects of the proposed built form have been considered and approved under the previous approval. The use of the units for Visitor Accommodation will continue to safeguard anticipated amenity values over and above those effects considered under RM170614. Restriction on check in and check out times and on use of the outdoor living areas will ensure any noise effects will be mitigated and in line with those levels permitted in the residential zone. Furthermore, given the residential zoning of this land, servicing of these lots has been anticipated and provided for by Council insofar as its reticulated services. As such, the development is considered consistent with the relevant objectives and policies of the residential zone.



Section 14 relates to the transport provisions of the district and seeks to ensure that all activities continue to allow for the safe and efficient functioning of the roading network. As outlined above, each unit will support two carparks that have been assessed as appropriate under RM170614 and will provide for adequate on site manoeuvrability.

Overall the proposal is considered to be in accordance with the relevant objectives and policies of the QLODP.

In respect to the QLPDP, VA is not provided for in the LDRZ given its non complying activity status. Specifically, Objective 7.2 of the PDP and its supporting policies seek to restrict visitor accommodation in the LDR Zone to ensure the zone primarily retains a residential character. The submission period for Stage 2 of the PDP, however, has recently closed and a significant number of submissions have been received by Council in opposition to the proposed changes to VA in the District. As a result, it is considered that little weight can be afforded these new, more restrictive proposed provisions.

4.0 RESOURCE MANAGEMENT ACT 1991: PART 2

The proposal aligns with the Low Residential Zone requirements for Visitor Accommodation. This development will promote sustainable management of natural and physical resources within the site, whilst ensuring that social, economic, and cultural well-being is provided for. The proposal will avoid, remedy and mitigate adverse effects of activities on the environment.

Overall, the proposal is in keeping with the purpose and principles of the RMA.

AEE prepared by **Nick Geddes**

CLARK FORTUNE MCDONALD & ASSOCIATES

April 2018

Amended 23 May 2018

APPENDIX 3 – VISITOR ACCOMMODATION MANAGEMENT PLAN (UNIT 6)

VISITOR ACCOMMODATION MANAGEMENT PLAN

This management plan applies to the use of the property at Lot 6 RM170614, Potters Hill Drive, Queenstown, being Unit 6 of RM170614 on parent title Lot 10 DP 490069 for its use as Visitor Accommodation (VA) in accordance with RM (TBA)...

Section 1: Property Management Details:

The property manager of the visitor accommodation is: TBA

Email: TBA

Contact: TBA

Section 2: Property Manager Responsibilities:

2.1 On check in of guests:

- To provide guests a copy of House Rules;
- To check the number of guests does not exceed 6;
- To have all adult guests to read the full terms of the tenancy agreement;
- To ensure the onsite compendium contains a list of the House Rules.

2.2 On Servicing and other visits:

- That rubbish has been placed in the appropriate rubbish bin or recycling bin for disposal on the applicable day;
- To check that the number of guests does not exceed 6 (the maximum occupancy).

Section 3: House Rules

3.1 House Rules

- There shall be no more than 4 guests at any time;
- There shall be no guests on balconies from 10pm to 7am;
- Vehicles should be parked in the allocated car parks on site;
- Be courteous to neighbours and keep noise levels down from 9pm onwards.

APPENDIX 4 – VISITOR ACCOMMODATION MANAGEMENT PLAN (UNIT 9)

VISITOR ACCOMMODATION MANAGEMENT PLAN

This management plan applies to the use of the property at Lot 9 RM170614, Potters Hill Drive, Queenstown, being Unit 9 of RM170614 on parent title Lot 10 DP 490069 for its use as Visitor Accommodation (VA) in accordance with RM (TBA)...

Section 1: Property Management Details:

The property manager of the visitor accommodation is: TBA

Email: TBA

Contact: TBA

Section 2: Property Manager Responsibilities:

2.1 On check in of guests:

- To provide guests a copy of House Rules;
- To check the number of guests does not exceed 6;
- To have all adult guests to read the full terms of the tenancy agreement;
- To ensure the onsite compendium contains a list of the House Rules.

2.2 On Servicing and other visits:

- That rubbish has been placed in the appropriate rubbish bin or recycling bin for disposal on the applicable day;
- To check that the number of guests does not exceed 6 (the maximum occupancy).

Section 3: House Rules

3.1 House Rules

- There shall be no more than 4 guests at any time;
- There shall be no guests on balconies from 10pm to 7am;
- Vehicles should be parked in the allocated car parks on site;
- Be courteous to neighbours and keep noise levels down from 9pm onwards.

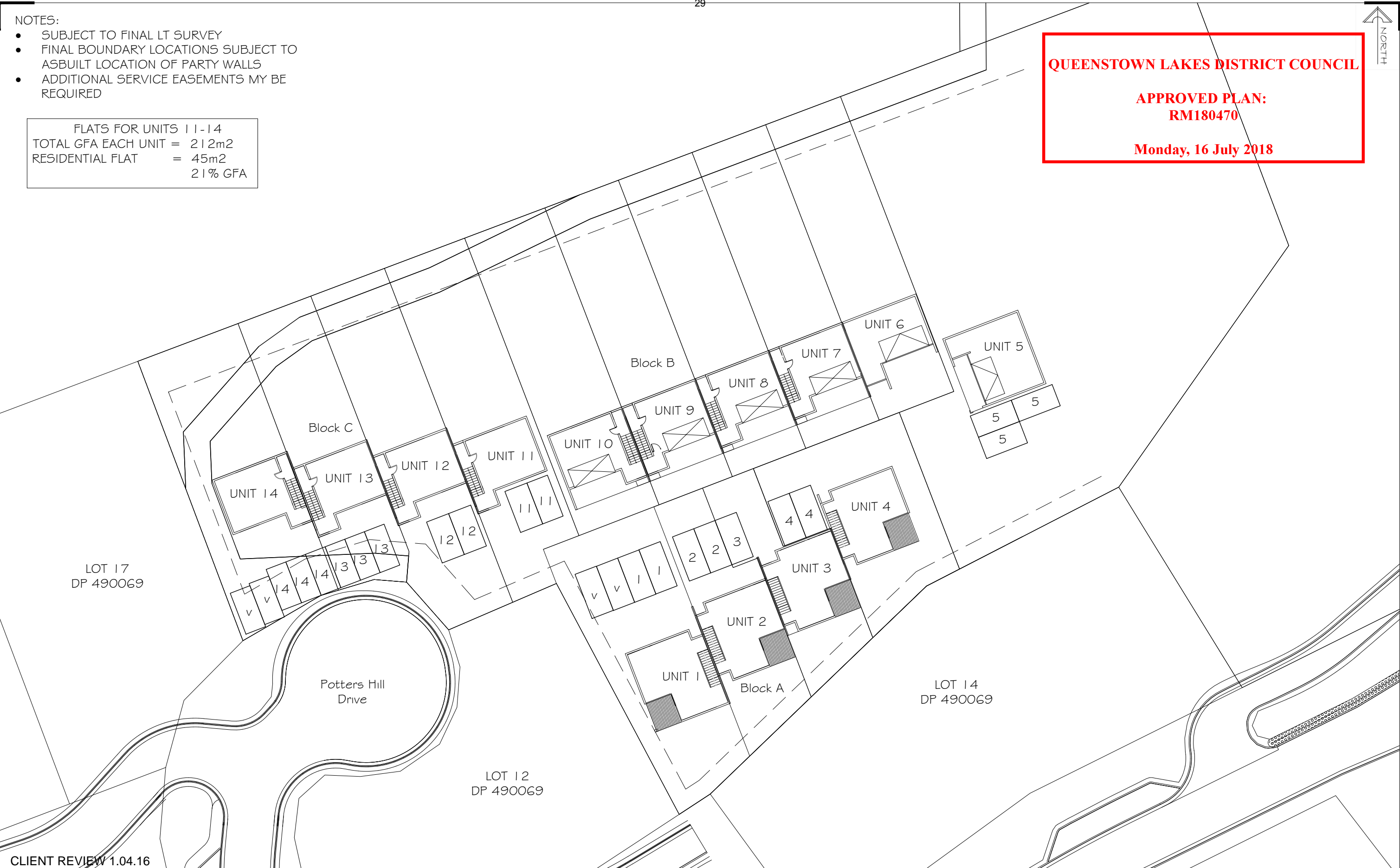
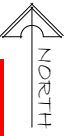
- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

FLATS FOR UNITS 11-14
TOTAL GFA EACH UNIT = 212m2
RESIDENTIAL FLAT = 45m2
21% GFA


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470

Monday, 16 July 2018



CLIENT REVIEW 1.04.16



Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors • Land Development • Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

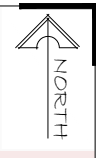
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
B	26.09.16	Add carparks	RB
C	17.04.17	Add Extra units	RB

PROPOSED UNITS ON LOT 10 DP 490069

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
	Drawn	Signed	Date	Scale	Sheet 001
	RWB	-	-	1:200 @ A1	
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	C

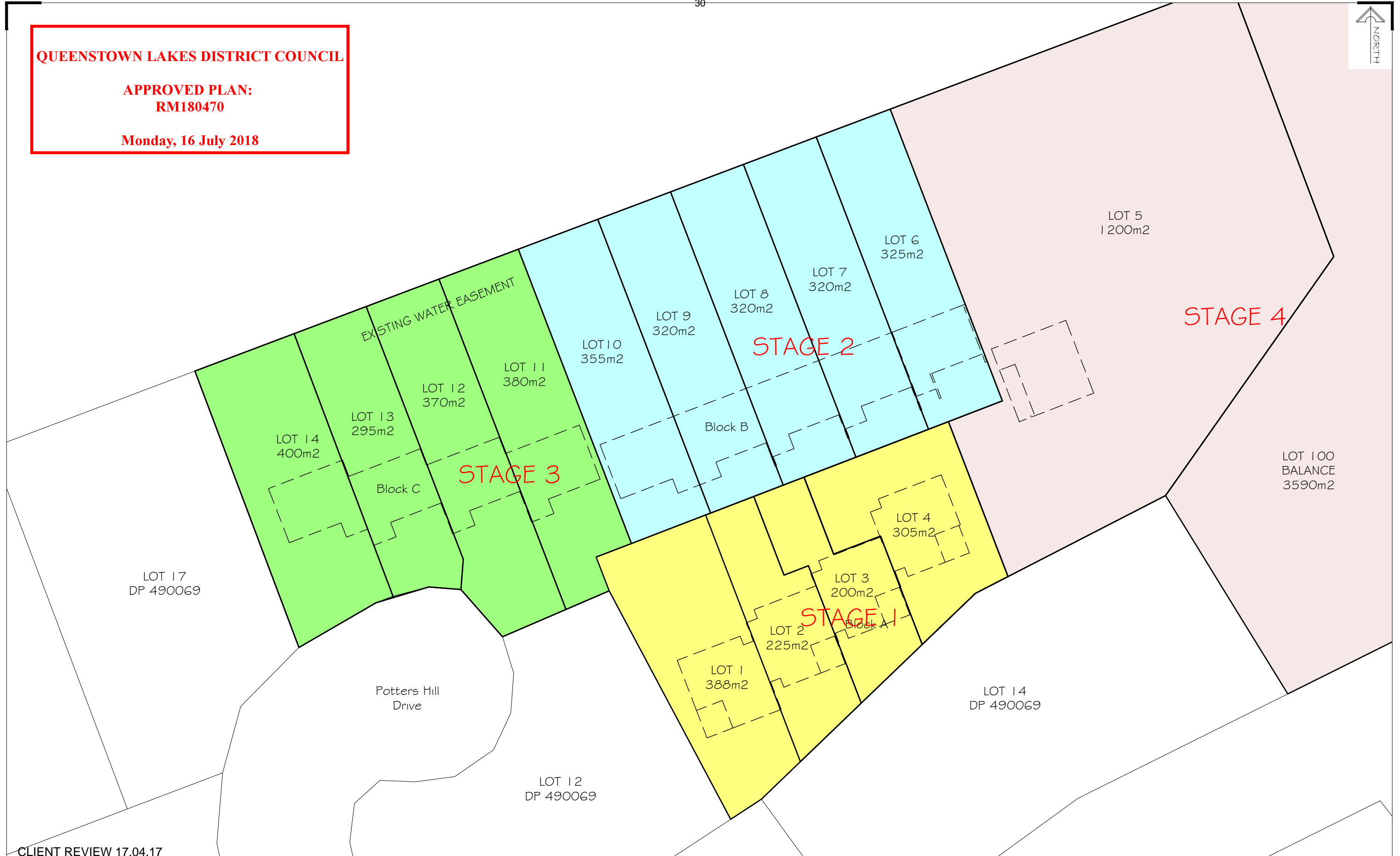
Notes:
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- Ensuring the information is the most recent issue.
- Copyright on this drawing is reserved.



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470

Monday, 16 July 2018



CLIENT REVIEW 17.04.17

 **Clark Fortune McDonald & Associates**
Licensed Cadastral Surveyors • Land Development • Planning Consultants
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Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
E	14.04.17	Revise to add additional lots.	RB

LOTS 1 - 14 & 100 BEING A SUBDIVISION OF
LOT 10 DP 490069
STAGING

Client	ALPHA PROPERTIES LTD	Surveyed	Signed	Date	Job No.	Drawing No.
		-	-	-	12377	07
		Drawn	Signed	Date	Scale	Sheet 002
		RWB	-	-	1:200 @ A1	
		Designed	Signed	Date	Datum & Level	Rev.
		-	-	-	Mt Nic 2000 & MSL	E

Notes:
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- Copyright on this drawing is reserved.

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470

Monday, 16 July 2018



CLIENT REVIEW 27.07.16

LEGEND

- Poa cita (tussocks) @ 1m centres
- Exposed rock face (washed)
- Broadleaf (Griselinia Littoralis) @ 1.5m centres in plot
- Ribbonwood (Plagianthus regius)

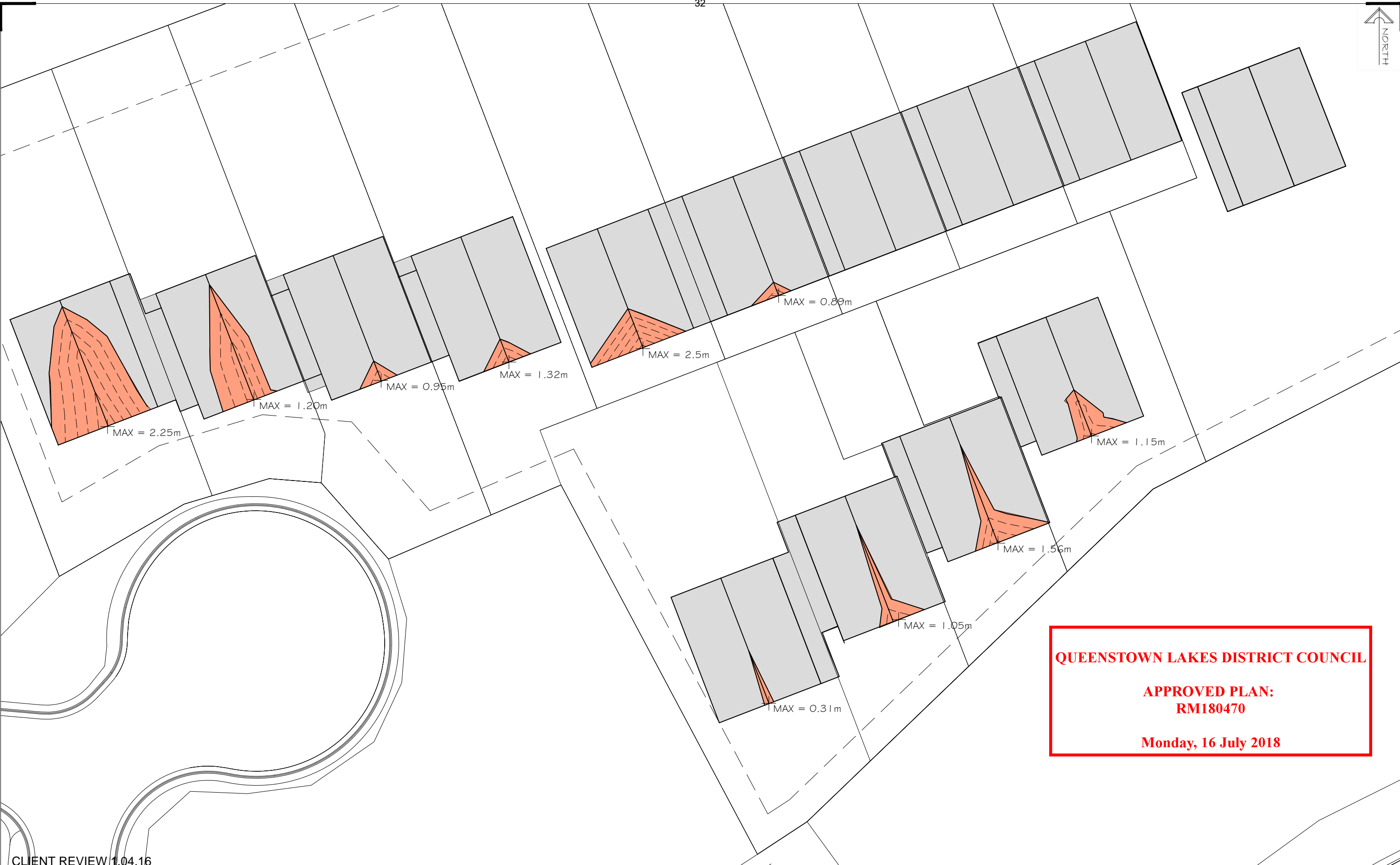
**Clark Fortune McDonald & Associates**
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Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

THE TIERS VILLAS
LANDSCAPING & OUTDOOR LIVING SPACES

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	09
				Scale	Sheet 001
				1:150 @ A1	
				1:300 @ A3	
Notes: All dimensions shown are in meters unless shown otherwise. Any person using Clark Fortune McDonald drawings and other data accepts the risk of: - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions. - Ensuring the information is the most recent issue. - Copyright on this drawing is reserved.	Drawn	Signed	Date	Datum & Level	Rev.
	RWB	-	-	-	-
	Designed	Signed	Date	-	-
	-	-	-	Mt Nic 2000 & MSL	C

C:\CFMA Jobs\12377\acad\12377_09_Landscape Plan_REVC.dwg Plotted: 18.04.2017



CLIENT REVIEW 1.04.16

Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
C	17.04.17	Add Extra units	RB

**PROPOSED UNITS ON LOT 10 DP 490069
HEIGHT INFRINGEMENTS**

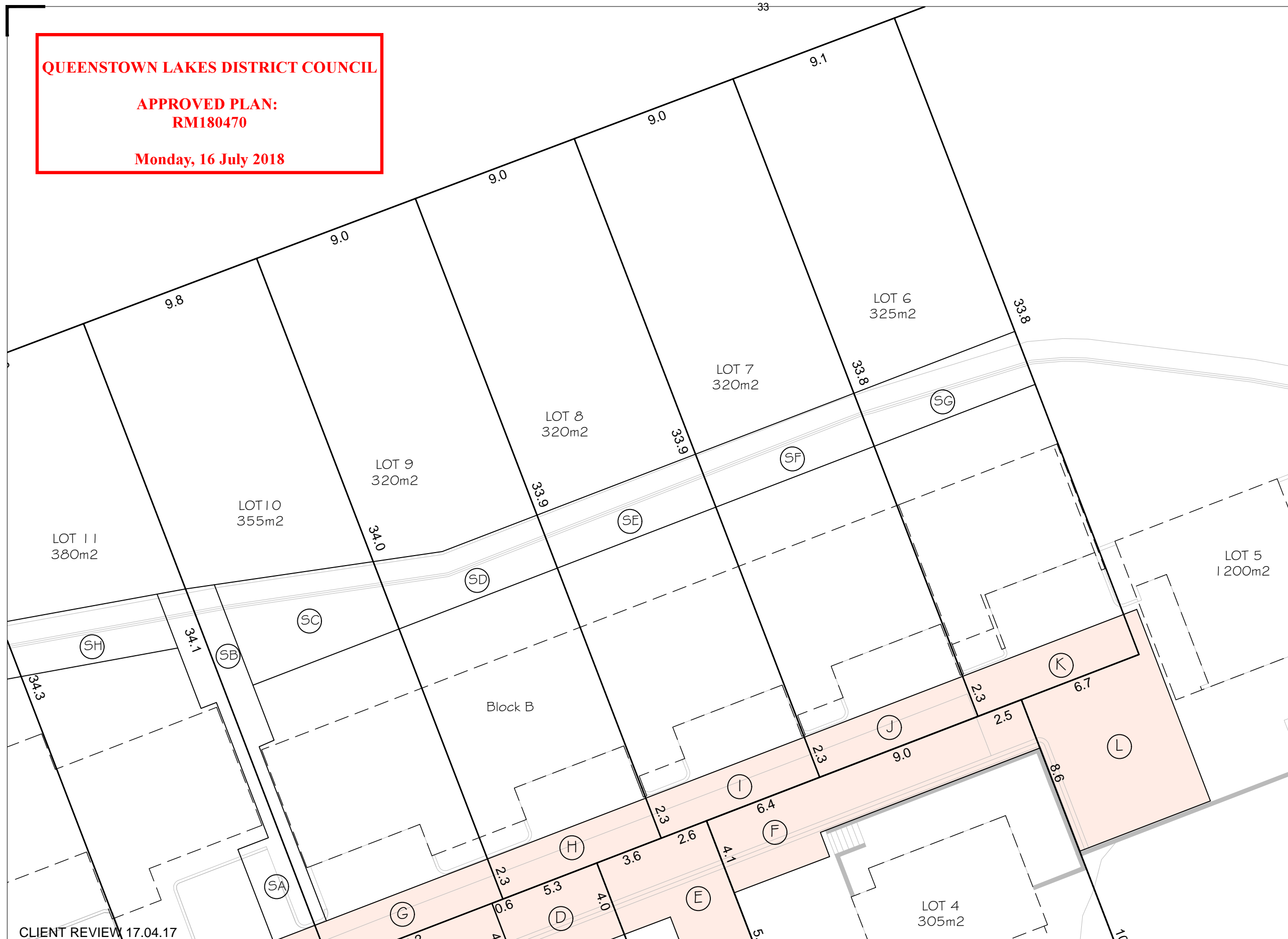
Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
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	RWB	-	-	1:125 @ A1 1:250 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	C

C:\CFMA Jobs\12377\acad\12377_08_The Tiers villas_Proposed units_REVC.dwg Plotted: 17.04.2017

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470


Monday, 16 July 2018



PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way	A	Lot 12 Hereon	Lot 1 - 13 Hereon
	B	Lot 11 Hereon	Lot 1 - 10 & 12 Hereon
	C	Lot 1 Hereon	Lot 2 - 12 Hereon
	D	Lot 2 Hereon	Lot 1 & 3 - 12 Hereon
	E	Lot 3 Hereon	Lot 1, 2 & 4 - 12 Hereon
	F	Lot 4 Hereon	Lot 1 - 5 & 5 - 12 Hereon
	G	Lot 10 Hereon	Lot 3 - 9, 11 & 12
	H	Lot 9 Hereon	Lot 1 - 6 & 10 - 12 Hereon
	I	Lot 8 Hereon	Lot 1 - 7 & 9 - 12 Hereon
Right to Park	J	Lot 7 Hereon	Lot 1 - 6 & 8 - 12 Hereon
	K	Lot 6 Hereon	Lot 1 - 5 & 7 - 12 Hereon
	L	Lot 5 Hereon	Lot 1 - 4 & 6 - 12 Hereon
	M	Lot 1 Hereon	Lots 1 - 12 Hereon
	N	Lot 10 Hereon	Lots 12 & 13 Hereon
	A	Lot 12 Hereon	Lot 1 - 11, 13 & 10 Hereon
	H	Lot 9 Hereon	Lots 1 - 6 Hereon
	I	Lot 8 Hereon	Lots 1 - 7 Hereon
	J	Lot 7 Hereon	Lot 1 - 6 Hereon
Right to Drain Stormwater	K	Lot 6 Hereon	Lot 1 - 5 Hereon
	Q	Lot 1 Hereon	Lot 2 - 4 Hereon
	P	Lot 2 Hereon	Lot 3 & 4 Hereon
	Q	Lot 3 Hereon	Lot 4 Hereon
	SG	Lot 6 Hereon	Lot 5 Hereon
	SF	Lot 7 Hereon	Lot 5 & 6 Hereon
	SE	Lot 8 Hereon	Lot 7 - 5 Hereon
	SD	Lot 9 Hereon	Lot 5 - 8 Hereon
	SC	Lot 10 Hereon	Lot 5 - 9 Hereon
Right to Drain Sewage	C, SB	Lot 10 Hereon	Lot 5 - 9 & 11 - 14 Hereon
	B, SA	Lot 11 Hereon	Lots 5 - 10 & 12 - 14 Hereon
	SH	Lot 11 Hereon	Lots 12 - 14 Hereon
	SI	Lot 12 Hereon	Lot 13 & 14 Hereon
	SJ	Lot 13 Hereon	Lot 14 Hereon
	A	Lot 12 Hereon	Lot 5 - 13 Hereon
	B	Lot 11 Hereon	Lot 5 - 10 Hereon
	G	Lot 10 Hereon	Lot 5 - 9 Hereon
	H	Lot 9 Hereon	Lot 1 - 8 Hereon
Right to Convey Water	I	Lot 8 Hereon	Lots 1 - 7 Hereon
	J	Lot 7 Hereon	Lot 1 - 6 Hereon
	K	Lot 6 Hereon	Lot 1 - 5 Hereon
	Q	Lot 1 Hereon	Lot 2 - 4 Hereon
	P	Lot 2 Hereon	Lot 3 & 4 Hereon
	Q	Lot 3 Hereon	Lot 4 Hereon
	A	Lot 12 Hereon	
	B	Lot 11 Hereon	
	C	Lot 1 Hereon	

PROPOSED MEMORANDUM OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Right to Convey Water	A	Lot 12 Hereon	QDC
	B	Lot 11 Hereon	
	C	Lot 1 Hereon	
	D	Lot 2 Hereon	
	E	Lot 3 Hereon	
	F	Lot 4 Hereon	

NOTE - ADDITIONAL SERVICE EASEMENTS MAY BE REQUIRED
FINAL EASEMENT BOUNDARIES ARE SUBJECT TO LOCATION OF FINAL ASBUILT SERVICES



Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev. Date Revision Details By

E	14.04.17	Revise to add additional lots.	RB

CLIENT REVIEW 17.04.17

Shotover Design Limited trading as

LOTS 1 - 14 & 100 BEING A SUBDIVISION OF
LOT 10 DP 490069

Client

ALPHA PROPERTIES LTD

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Client	Surveyed	Signed	Date	Job No.	Drawing No.
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	Drawn	Signed	Date	Scale	Sheet 004
	RWB	-	01.01.14	1:100 @ A1	1:200 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	E

C:\CFMA Jobs\12377\acad\12377_07_The Tiers villas_Scheme plan_REVE.dwg Plotted: 17.04.2017

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470

Monday, 16 July 2018

PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way	A	Lot 12 Hereon	Lot 1 - 11 Hereon
	B	Lot 11 Hereon	Lot 1 - 10 & 12 Hereon
	C	Lot 3 Hereon	Lot 2 - 12 Hereon
	D	Lot 2 Hereon	Lot 1 & 3 - 12 Hereon
	E	Lot 3 Hereon	Lot 1, 2 & 4 - 12 Hereon
	F	Lot 4 Hereon	Lot 1 - 5 & 6 - 12 Hereon
	G	Lot 10 Hereon	Lot 1 - 9, 11 & 12
	H	Lot 9 Hereon	Lot 1 - 8 & 10 - 12 Hereon
	I	Lot 8 Hereon	Lot 1 - 7 & 9 - 12 Hereon
	J	Lot 7 Hereon	Lot 1 - 6 & 8 - 12 Hereon
Right to Park	K	Lot 6 Hereon	Lot 1 - 5 & 7 - 12 Hereon
	L	Lot 5 Hereon	Lot 1 - 4 & 6 - 12 Hereon
	M	Lot 1 Hereon	Lots 1 - 12 Hereon
	N	Lot 13 Hereon	Lots 12 & 13 Hereon
	A	Lot 12 Hereon	Lot 1 - 11 - 13 & 14 Hereon
	H	Lot 9 Hereon	Lots 1 - 8 Hereon
	I	Lot 8 Hereon	Lots 1 - 7 Hereon
	J	Lot 7 Hereon	Lot 1 - 6 Hereon
	K	Lot 6 Hereon	Lot 1 - 5 Hereon
	Q	Lot 1 Hereon	Lot 2 - 4 Hereon
Right to Drain Stormwater	P	Lot 2 Hereon	Lot 3 & 4 Hereon
	Q	Lot 3 Hereon	Lot 4 Hereon
	SG	Lot 6 Hereon	Lot 5 Hereon
	SF	Lot 7 Hereon	Lot 5 & 6 Hereon
	SE	Lot 8 Hereon	Lot 7 - 5 Hereon
	SD	Lot 9 Hereon	Lot 5 - 8 Hereon
	SC	Lot 10 Hereon	Lot 5 - 9 Hereon
	C, SB	Lot 10 Hereon	Lot 5 - 9 & 11 - 14 Hereon
	B, SA	Lot 11 Hereon	Lots 5 - 10 & 12 - 14 Hereon
	SA	Lot 11 Hereon	Lots 12 - 14 Hereon
Right to Drain Sewage	SI	Lot 12 Hereon	Lot 13 & 14 Hereon
	SJ	Lot 13 Hereon	Lot 14 Hereon
	A	Lot 12 Hereon	Lot 5 - 11 Hereon
	B	Lot 11 Hereon	Lot 5 - 10 Hereon
	G	Lot 10 Hereon	Lot 5 - 9 Hereon
	H	Lot 9 Hereon	Lots 1 - 8 Hereon
	I	Lot 8 Hereon	Lots 1 - 7 Hereon
	J	Lot 7 Hereon	Lot 1 - 6 Hereon
	K	Lot 6 Hereon	Lot 1 - 5 Hereon
	O	Lot 1 Hereon	Lot 2 - 4 Hereon
	P	Lot 2 Hereon	Lot 3 & 4 Hereon
	Q	Lot 3 Hereon	Lot 4 Hereon

PROPOSED MEMORANDUM OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
Rights to Convey Water	A	Lot 17 Hereon	QLDC
	B	Lot 11 Hereon	
	C	Lot 3 Hereon	
	D	Lot 2 Hereon	
	E	Lot 3 Hereon	
	F	Lot 4 Hereon	

NOTE - ADDITIONAL SERVICE EASEMENTS MAY BE REQUIRED

FINAL EASEMENT BOUNDARIES ARE SUBJECT TO LOCATION OF FINAL ASBUILT SERVICES

CLIENT REVIEW 17.04.17

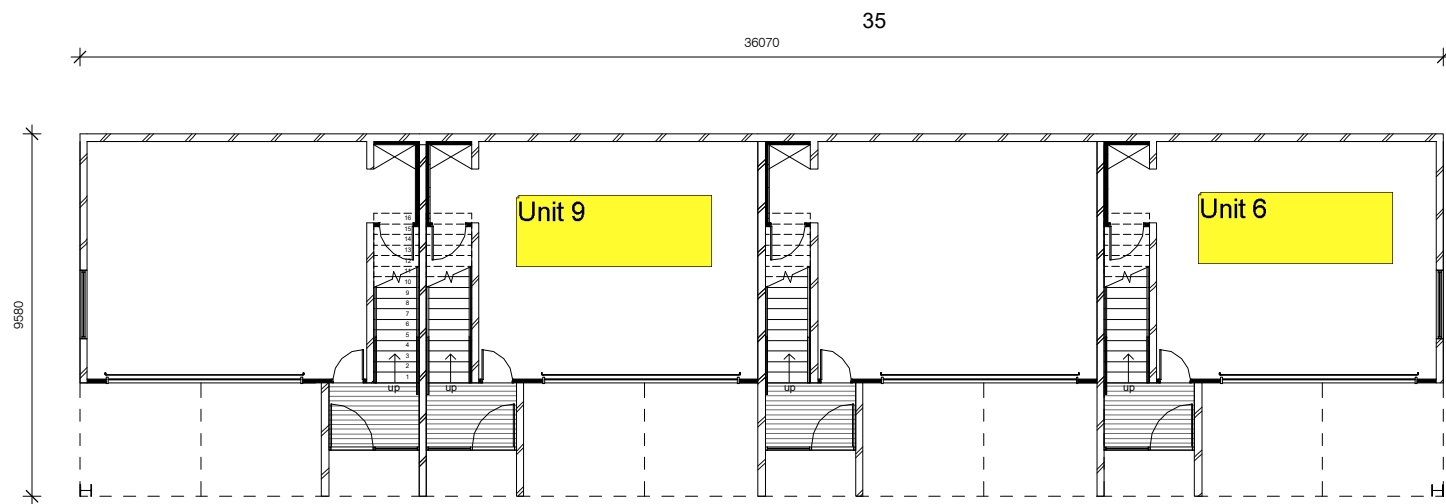
Clark Fortune McDonald & Associates
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Rev.	Date	Revision Details	By
E	14.04.17	Revise to add additional lots.	RB

LOTS 1 - 14 & 100 BEING A SUBDIVISION OF
LOT 10 DP 490069

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	07
	Drawn	Signed	Date	Scale	Sheet
	RWB	-	01.01.14	1:100 @ A1	005
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	E

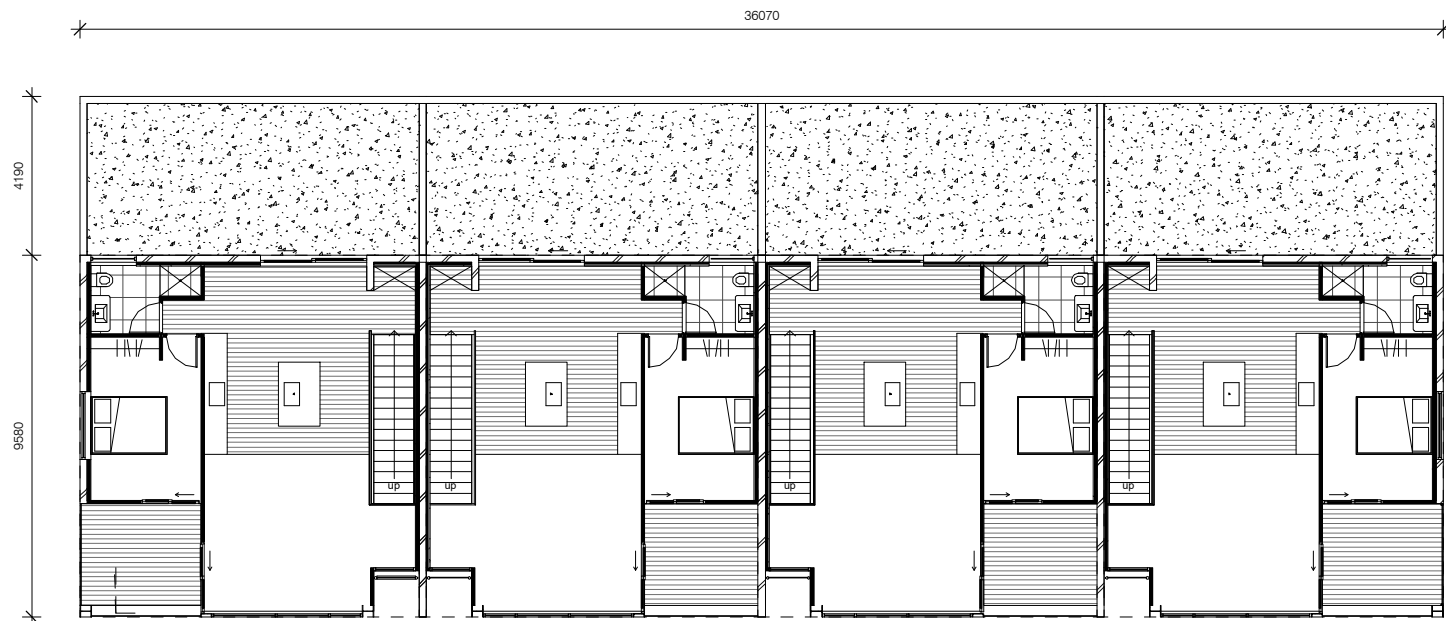
C:\CFMA Jobs\12377\acad\12377_07_The Tiers villas_Scheme plan_REVE.dwg Plotted: 17.04.2017



Block B Ground FFL
1 : 100



Block B 1st FFL
1 : 100



Block B 2nd FFL
1 : 100

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470

Monday, 16 July 2018



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract:
THE PAVILION VILLAS
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

Drawn : **PH** Date: 07/07/16
A1 Scales: **1 : 100** A1 Scales: **1:200**

Sheet Title :
Block B - Floor Plans

Contract: **16010** Sheet: **RC-B-01**
CAD File Name: Or
Revision: For Approval **A1**

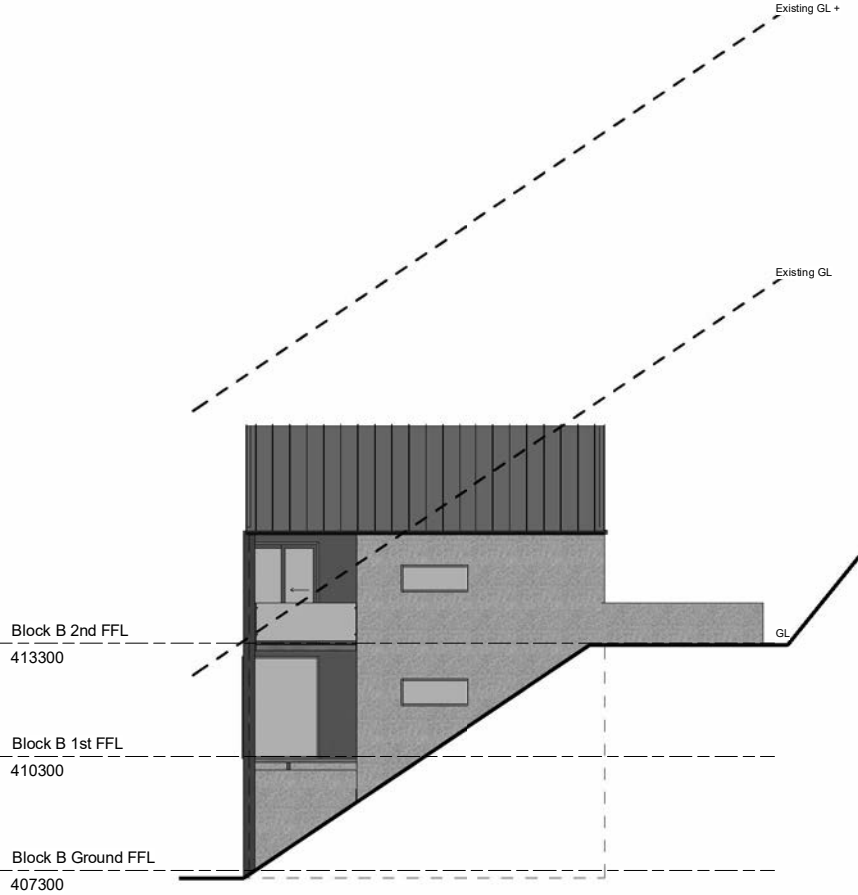
**PRELIMINARY
RESOURCE CONSENT**



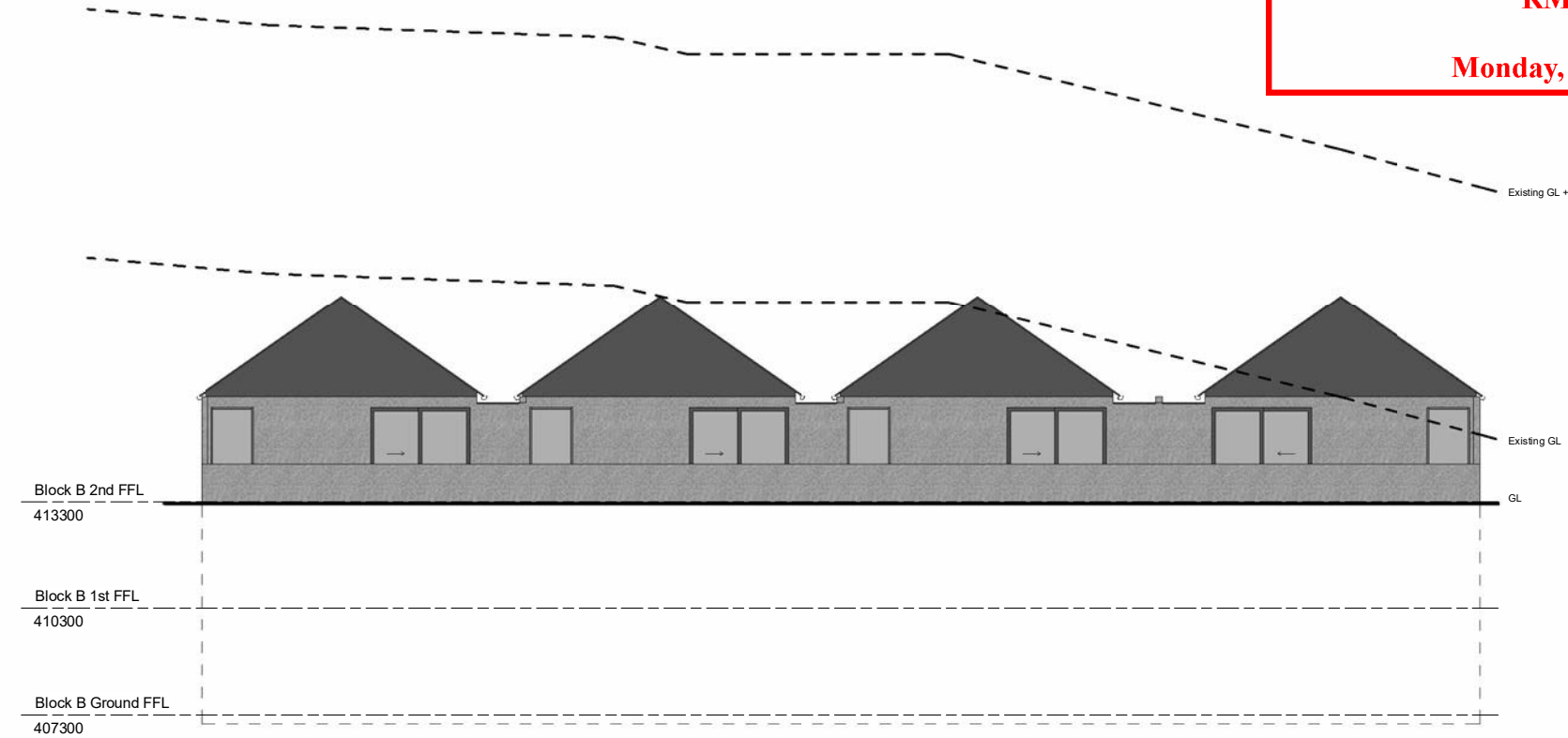
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180470

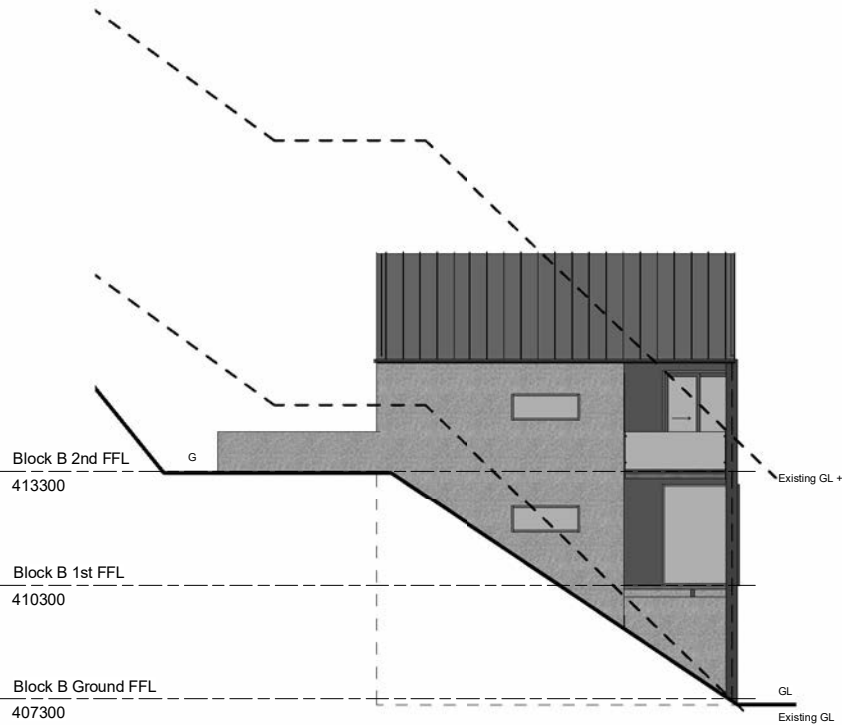
Monday, 16 July 2018



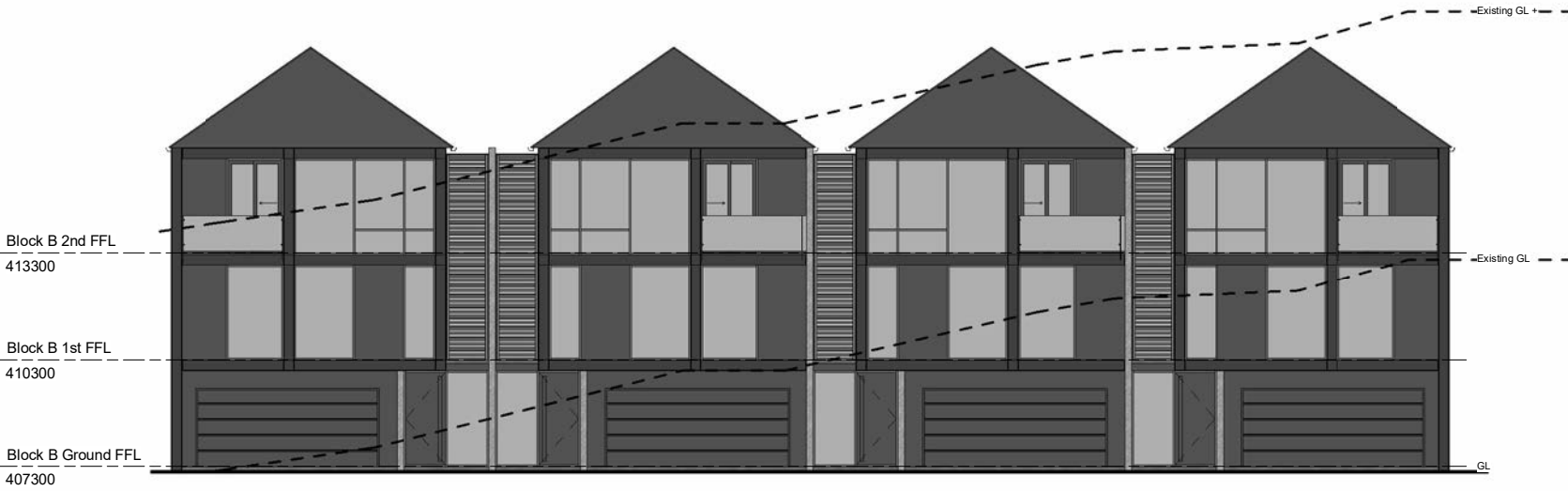
Block B East Elevation
1 : 100



Block B North Elevation
1 : 100



Block B West Elevation
1 : 100



Block B South Elevation
1 : 100

Phone: (03) 489 4196
Fax: (03) 489 6078
12 Thames Street
Mosgiel 9024
New Zealand

Building Design and Draughting Services

Date	Revision Description	No.

Do Not Scale From These Drawings.
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Contract:
THE PAVILION VILLAS
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

Drawn :
PH

Date:
07/07/16

A1 Scales:
1 : 100

A3 Scales:
1:200

Sheet Title :
Block B - Elevations

Contract:
16010

Sheet:
RC-B-03

CAD File Name:

Revision:

For Approval

A1

**PRELIMINARY
RESOURCE CONSENT**





DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
NOTIFICATION UNDER s95A AND S95B AND DETERMINATION UNDER s104
RESOURCE MANAGEMENT ACT 1991

Applicant:	S Reinert
RM reference:	RM180800
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent to undertake short-term Visitor Accommodation for up to six (6) persons for up to 365 nights per year within a proposed residential units
Location:	Future Lot 8, Potters Hill Drive, Queenstown
Legal Description:	Lot 10 Deposited Plan 490069 held in Computer Freehold Register 706713
Operative District Plan Zoning:	Low Density Residential
Proposed District Plan (Stage 1 Decisions Version) Zoning:	Low Density Suburban Residential
Activity Status:	Restricted Discretionary
Date	10 July 2018

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 3 of this report. This decision is made by Erin Stagg, Senior Planner, on 10 July 2018 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. The consent only applies if the conditions outlined are met. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Erin Stagg, Senior Planner as delegate for the Council.

1.0 PROPOSAL AND SITE DESCRIPTION

Consent is sought to undertake short-term visitor accommodation within a proposed residential unit for 365 days per year. The applicant has proposed no minimum stay, with no maximum length of stay at Unit 8 located on Lot 10 DP 490069, Highlands Close, Queenstown. The maximum number of guests at any one time is proposed to be six (6) people; and the application makes no physical changes to the building.

The residential unit which the application is proposed to operate within were consented under RM160718, which approved the construction of a Comprehensive Residential Development with 12 residential units that breached maximum height, transportation standards and outdoor living space, and in addition consented the subdivision of the site into 12 allotments. Resource Consent RM170614 later varied the original consent, and added an addition two units and a residential flat to the Comprehensive Residential Development, increasing the development and subdivision to 14 allotments and associated units. It is noted that these effects were appropriately assessed within RM160718 and RM170614. It is further understood that RM160718 and RM170614 also consented a subdivision, although this has yet to be registered on the Title for the units on Lot 10 DP 490069 as the development is yet to be completed.

It is further understood that a variation application has been submitted to Council in regards the amendment of the plans approved under RM170614, and various other land-use and subdivision conditions. The decision regarding this application is yet to be issued, although it is noted that there are no discrepancies between the plans consented under RM170614 and those proposed under RM180834 in regards to Unit 8.

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history in Section 1.0 of the report entitled *Visitor Accommodation – The Tiers Villas Limited – The Tiers, Potters Hill Drive, Queenstown*, prepared by Karen Page of Clark Fortune McDonald & Associates, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report with the following additions:

The subject site is situated on a land parcel which slopes down from North-West to South-East and is located at the top of Potters Hill, off Woods Lane (Figure 1). Existing residential units – mostly apartments – are present to the South-East and South, however these are located further down Potters Hill Drive. The site itself is zoned Low Density Residential, along with the surrounding environment, although several sites are utilised for Visitor Accommodation purposes.

The applicant has also provided a Management Plan for Unit 8 which details the use of the site for guests with respect to the property manager's contact information, house rules and noise considerations (Appendix 3).

It is noted that there are a number of consented Visitor Accommodation activities which have been granted for neighbouring sites, to be used as short term commercial rentals. These properties are located further south of the application site – down Highlands Close – and include 9, 14 and 16 Highlands Close, as well as Unit 32 and Unit 33/716 Frankton Road. These properties have been identified in relation to the application site on Figure 2 below.

In addition to the above, it is understood that there are currently four applications which have been submitted for the operation of Visitor Accommodation for up to 365 nights in the vicinity of Lot 10. These applications are to be contained within units which are yet to be constructed, but obtain consent to be built on Lot 10 DP 490069, and Lot 15 and Lot 16 DP 512588. Although it is understood that these consents are currently being processed, the effects of these proposals cannot be considered due to the decision which is yet to be issued.

To clarify the location of the application site and specifically that of Unit 2, and the neighbouring Visitor Accommodation activities, refer to the aerial image in Figures 1 and 2 below.



Figure 1: Aerial depicting the application site location and the approximate location of Unit 8 ●



Figure 2: Aerial depicting the application site location and the neighbouring consented Visitor Accommodation activities ● and the current Visitor Accommodation applications ● and the application site ●

Relevant Site History

The applicant has provided a detailed description of the proposal, the site and locality and the relevant site history's in Section(s) 1.1 and 1.2 of the report entitled *Visitor Accommodation – The Tiers Villas Limited – The Tiers, Potters Hill Drive, Queenstown*, prepared by Karen Page of Clark Fortune McDonald & Associates, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted for the purpose of this report.

2.0 ACTIVITY STATUS

2.1 THE DISTRICT PLAN

OPERATIVE DISTRICT PLAN

The subject site is zoned Low Density Residential and the proposed activity requires resource consent for the following reasons:

- A **Restricted Discretionary** activity resource consent pursuant to Rule 7.5.3.4 (i) for the proposed operation of Visitor Accommodation in the Low Density Residential zone for up to 365 nights for up to a maximum of six (6) guests. The proposal is specifically designated to be contained within Unit 8 on Lot 10 DP 490069. Council has restricted its discretion in respect to:
 - a) The location, external appearance and design of buildings;
 - b) The location, nature and scale of activities on site;
 - c) The location of parking and buses and access;
 - d) Noise, and
 - e) Hours of operation
- A **Restricted Discretionary** activity resource consent pursuant to Rule 7.5.6.2 (iii)(f) for the proposed operation of Visitor Accommodation in the Low Density Residential zone, where no part of any building which is to be used for Visitor Accommodation shall be permitted to be located within 4 meters of an internal boundary, where the site(s) adjoining that internal boundary is zoned residential.
- A **Restricted Discretionary** activity pursuant to Rule 14.2.4 as the proposal breaches site standard 14.2.4.2 (iv) in regards to the sight distances which are required for a Visitor Accommodation activity. This is due to the proposal not obtaining a minimum sight distance of 80 metres for the operation of Visitor Accommodation.

Overall, the application is considered to be a **Restricted Discretionary** activity.

PROPOSED DISTRICT PLAN

Council notified Stage 1 of the Proposed District Plan on 26 August 2015 and Stage 2 on 23 November 2017. Stage 2 contained new proposed Visitor Accommodation provisions; in this case, there are no rules that have immediate legal effect that are relevant to the application.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

3.0 SECTION 95A NOTIFICATION

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 in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The applicant does not include 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, a restricted discretionary or discretionary subdivision or a residential activity, or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB and public notification is not precluded.

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

Therefore, public notification is not precluded by Step 2, and Step 3 applies.

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 under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.1 below:

3.3.1 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (S95D)

3.3.2 MANDATORY EXCLUSIONS FROM ASSESSMENT (S95D)

- 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) (the permitted baseline, refer section 3.3.3 below)).*
- c) *The activity is a **restricted discretionary** activity, so that adverse effects which do not relate to a matter of **discretion** have been disregarded (s95D(c)).*
- d) *Trade competition and the effects of trade competition (s95D(d)).*
- e) *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)
The Tiers Villas Limited (Will Taylor, Director)	Lot 10 DP 490069 – All units

To clarify the location of the application site, and the neighbouring sites, refer to the aerial image in Figure 3 below.



Figure 3: Aerial depicting the application site location and that of the direct neighbours

3.3.3 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 the permitted baseline includes residential occupation of the residential unit, and associated effects such as car parking demand, traffic generation, noise and impact on privacy. Visitor Accommodation that could feasibly take place as a permitted activity are:

- A single annual let for one or two nights.
- Homestay accommodation for up to 5 guests in a Registered Homestay.

The effects mentioned above may be of some relevance to this application; however, it is noted that any Visitor Accommodation Activity requires Resource Consent in the Low Density Zone as specified in Section 7 *Residential Areas* of the Operative District Plan. This is due to Visitor Accommodation being classed as a commercial activity, rather than a residential activity, due to the increased scale and potential for higher intensity accommodation, than what is permitted under a registered holiday home or homestay.

It is also noted that the application site is not defined as a stand-alone or duplex residential unit, whereby Resource Consent would need to be obtained in order to operate Visitor Accommodation regardless of the zoning.

As such, the permitted baseline is not a relevant consideration and has not been applied in this instance.

3.3.4 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Taking into account sections 3.3.2 and 3.3.3 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor. The Assessment of Effects provided in section 5.0 of the applicant's AEE, is comprehensive and is considered accurate. It is therefore adopted in part for the purposes of this report with the following additions:

The relevant assessment matters are found in Section 7.7.2 (vii) *Discretionary Activity – Visitor Accommodation*, Section 14.3.2 (iii) *Parking and Loading* and Section 14.3.2 (v) *Access* of the District Plan and have been considered in the assessment below.

The use of the site for short-term visitors has the potential to result in a loss of residential amenity and character, a loss of social cohesion and noise effects.

Character and Amenity

The proposal would allow for up to six (6) guests to stay within Unit 8 at any one time. Given the potential number of guests, it is considered that the scale of the Visitor Accommodation proposal would not be significantly greater than a typical permitted residential activity. Any differences between the use of the property for permitted activities compared to Visitor Accommodation proposed would not be overly noticeable provided suitable mitigating conditions are applied to the consent. As such, any adverse effects on the environment in respect to character and amenity are anticipated to be less than minor.

Noise

To mitigate amenity and nuisance effects the applicant has proposed that no more than six (6) persons could reside on site at any one time (two persons per room), and that the apartment shall be professionally managed by a short-term letting agency. The Management Plan (Appendix 3) restricts use of outdoor areas between 10pm and 7am, with all guests being made aware of noise restrictions between those times; and guests are to show consideration to neighbours at all times. The name and contact for the property manager is also to be provided. It is accepted that these measures will help to mitigate nuisance effects from noise and any associated loss of amenity thereby reducing adverse amenity effects. Conditions are recommended with respect to these matters. In this regard adverse effects from noise and amenity on the surrounding environment are considered to be less than minor.

Access and Parking

The proposal is a change of use associated within proposed residential unit, and on a property that will obtain established landscaping and car parking when the development is completed. Although it is noted that in the previous resource consent which granted the residential unit, shortfalls of car parking dimensions and aisle widths were approved. This is not relevant to this application, as there is a double garage for Unit 8, which obtains compliant car parking is available for the use of guests on the property that can accommodate parking by class 2 users. Therefore potential effects on the wider environment can be mitigated through the utilisation of these car parks, which will enable the transport used to be adequately screened and off common access ways.

Council's Resource Management Engineer, Mr Cameron Jones, has reviewed the application with regard to access and parking and is satisfied that the existing parking quantity/demand remains unchanged from that consented and makes no engineering recommendations. Mr Jones has further addressed the minimum sight distance breach, and his comments are below:

The 80 metre sight distance required by Rule 14.2.4.2(iv) is not achieved, but I am satisfied that this will not result in any adverse traffic outcomes, as traffic volumes and speeds will be very low at this location.

As such, Mr Jones is satisfied that the proposal will not result in any unsafe traffic outcomes and makes no recommendations.

No changes to the location, external appearance or design of the dwelling are proposed. Therefore, there will be no adverse effects on the environment that would affect the transport or visual amenity values of the locality.

Rubbish and Waste

Both of the underlying consents for Lot 10 DP 490069 – RM160718 and RM170614 – obtain an easement marked as 'H' on the approved survey plan, which identifies a 'right to store rubbish' easement which is to be registered on all titles for the proposed development. As such, all owners/occupiers of any residential unit shall that rubbish and recycling bins are located in immediate proximity to their residential units and on their own sites, or within this easement. This is to be monitored through a Consent Notice which is to be registered on all future lots. As a result, the effects in regards to rubbish and recycling are anticipated to be less than minor.

Summary

The proposed use is of a similar scale in terms of the number of guests as the permitted residential use. The same number of people could live on the property when in residential use and generate the same number of movements. As such, potential adverse effects associated with Visitor Accommodation activities such as noise and the use of outdoor areas can be appropriately mitigated and addressed through conditions of consent. In this regard, it is considered that the development has the capacity to absorb the some non-residential use, without creating a minor or more than minor adverse effect with respect to residential cohesion, character and amenity within the surrounding residential area.

Overall, and given recommended conditions, adverse effects of the nature and scale of the activity on residential amenity, character and cohesion in terms on the environment, are considered to be less than minor.

3.3.5 DECISION: EFFECTS ON THE ENVIRONMENT (S95A(2))

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.

4.0 EFFECTS ON PERSONS (s95B)

Section 95B(1) requires a decision 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.

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.

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity.

4.3 STEP 3: IF NOT PRECLUDED BY STEP 2, CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED

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.

The effects of the proposal on owners of allotments with infringed boundaries are assessed in section 4.3.1 below and will be less than minor.

The proposal therefore falls into the 'any other activity' category and the effects of the proposal on any persons are assessed in accordance with section 95E in section 4.3.1 below to determine if limited notification is required.

4.3.1 ASSESSMENT OF EFFECTS ON PERSONS (S95E)

4.3.2 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 3.3.3 above and in this case is not relevant.

4.3.3 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)
The Tiers Villas Limited (Will Taylor, Director)	Lot 10 DP 490069 – All units

4.3.4 ASSESSMENT: EFFECTS ON PERSONS

Taking into account the exclusions in section 95E(2) and (3) and 4.3.2 (Permitted Baseline) 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:

Character and Amenity

The proposal would allow for up to six (6) guests to stay on site at any one time. Given the potential number of guests, it is considered that the scale of the Visitor Accommodation proposal would not be significantly greater than a typical permitted residential activity. The change of use proposed has the potential to impact on matters that provide for residential character and amenity, including compatibility with residential activities and neighbourhood cohesion.

The proposal has the potential to produce adverse effects in relation to the character and amenity of the surrounding units. As Affected Party Approval (APA) has been given by all units in the vicinity, all effects in relation to the reduction of character and amenity on the neighbouring sites are disregarded.

It is understood that there are currently two other applications for the operation of Visitor Accommodation activities which have been submitted for the neighbouring units, one for Lot 7, and another application for both Lots 6 and 9. However, neither of these Resource Consents have had their decisions issued, and therefore the proposed Visitor Accommodation activity will be disregarded. These non-residential activities are said to not have caused enough of a noticeable impact in regards to residential cohesion.

As such, any adverse effects in respect to character and amenity are anticipated to be less than minor.

Loss of Privacy

In terms of privacy, the outdoor spaces on the balcony and courtyard areas of Unit 8 do not overlook the Eastern, Southern or Western neighbours due to the containment of outdoor spaces by their positioning at the application site. This is due to the enclosed nature of the terraces on site, in addition to the orientation of the house and outdoor living areas, as well as the topography of the site and neighbouring properties. Similarly, views from the application site are obstructed by the building itself, which provides a physical separation between the properties helping to preserve these neighbours sense of privacy and amenity.

Therefore it has been determined that any effects on neighbours in terms of privacy is considered to be less than minor.

Traffic Generation

The dwellings along Potters Hill are typical of a Low Density Residential area, and are accustomed to low to medium volumes of traffic at slow speeds. This is unlikely to increase with the introduction of Visitor Accommodation as the scale of the activity is no more than what is expected from a residential activity. The frequency of movements is likely to increase as there is a proposed use of Visitor Accommodation for 365 nights per year; and it is anticipated that this could potentially result in adverse effects in regards to the neighbouring sites. As the adjacent properties have provided Affected Party Approval, all effects on these units are therefore disregarded.

The proposed Visitor Accommodation activity is to occur within an existing residential dwelling, which obtains adequate on site car parking. There are two available off street parking spaces available for guests; which are contained within a double garage located on the ground floor of the unit. These parking spaces meet the required standard for the proposed activity, and are seen to provide adequate off-street car parking for the operation of Visitor Accommodation.

Overall, it is considered that the effects on people from traffic generation are considered to be less than minor.

Noise

Given the site is to be actively managed via a professional letting agency and that all adjoining neighbours will be notified of the restriction of both noise and outdoor use between 10pm and 7am, it is considered that adverse effects on any other neighbour, including the properties to the North-East, South and South-West can be suitably mitigated. Conditions are recommended to ensure that the noise and outdoor restrictions are made available to all persons using the site, and that all neighbours are advised accordingly. Further, a review condition is recommended such that should the activity result in adverse effects, or result in complaints, the activity can be further reviewed at a future time.

As a result it is considered that any effects in relation to noise are considered to be less than minor.

Summary

Overall, and given the recommended conditions, it is that any adverse effects on persons with respect to overall amenity, loss of privacy and noise would be similar to a residential situation and therefore less than minor.

As such, no person is considered to be adversely affected by the proposal.



Figure 4: *Western elevation of the application site*

4.3.4 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

Special circumstances do not apply that require limited notification.

5.0 OVERALL NOTIFICATION DETERMINATION

Given the decisions made above in sections 3 and 4 above, the application is to be processed on a non-notified basis.

6.0 S104 ASSESSMENT

6.1 EFFECTS (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 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 assessment matters are found in Section 7 (Residential Areas) and Section 14 (Transport) of the District Plan and have been considered. These seek to maintain and preserve the dominant Low Density Residential development and associated amenity values whilst recognising and providing for compatible non-residential activity within residential areas (Part 7), and to provide for sufficient parking facilities that cater to anticipated demands of specific activities (Part 14).

Having considered the actual and potential effects of the proposal against the objectives and policies of the District Plan, the proposed activity is considered compatible with the intent of the surrounding residential area, and the parking arrangements adequate for the intended use. Therefore it is considered the proposed development is consistent with the relevant provisions in the District Plan.

Proposed District Plan

Council notified the Proposed District Plan on 26th August 2015 which did not include any Visitor Accommodation provisions. Council notified the second stage of the District Plan on 23 November 2017 which contained new proposed Visitor Accommodation provisions. The objectives and policies contained within the Proposed District Plan must therefore be taken into consideration with this application. However as the plan has only recently been notified and is still open for submissions. As the plan has not been tested, very little weight can be afforded to the objectives and policies.

The relevant objectives and policies seek to manage Visitor Accommodation so that residential amenity is retained, and to ensure that residential units are predominantly used for residential activities. It is considered that the proposed use would be inconsistent with Policies 7.2.8.2 and 7.2.9.3, as well as Objective 7.2.9, which seeks to restrict Visitor Accommodation in the Low Density Residential Zone and ensure that residential use is the predominant use. However, given that Stage 2 of the Proposed District Plan has not yet been subject to any testing, it is considered that very little weight can be given to these objectives and policies.

Therefore, while the proposal is inconsistent with the objectives and policies of Proposed District Plan, given that little weight can be given to these provisions at this time, and the proposal is consistent with the objectives and policies of the Operative District Plan, the proposed use is considered to be appropriate in this instance.

6.3 PART 2 OF THE RMA

As in this case the relevant District Plan provisions are valid, have complete coverage and are certain, the above assessment under s104 matters, which give substance to the principles of Part 2, illustrates that the proposed activity accords with Part 2 of the Act.

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

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

7.0 OTHER MATTERS

7.0 OTHER MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to application under the RMA for certification pursuant to section 224(c).

Please contact the Council if you require a Development Contribution Estimate.

Payment will be due prior to commencement of the consent, except where a Building Consent is required when payment shall be due prior to the issue of the code of compliance certificate.

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 consent to build under the Building Act 2004. A consent under this Act 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 Resource Management Act 1991.

If you have any enquiries please contact Alex Jamieson on phone (03) 441 0499 or email alex.jamieson@qldc.govt.nz.

Report prepared by



Alex Jamieson
PLANNER

Decision made by



Erin Stagg
SENIOR PLANNER

APPENDIX 1 – Consent Conditions
APPENDIX 2 – Applicant's AEE
APPENDIX 3 – Management Plan (Unit 8)

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - Clark Fortune McDonald & Associates: Alpha Properties Ltd – *Proposed Units on Lot 10 DP 490069* – Job No. 12377, Drawing No. 08, Sheet: 001, Rev: C,
 - WJ Cadzow & Associates Ltd: The Pavillion Villas – *Block B, Floor Plans* – Sheet: RC-B-01,
 - WJ Cadzow & Associates Ltd: The Pavillion Villas – *Block B, Elevations* – Sheet: RC-B-03,

stamped as approved on 10 July 2018

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.

Operational Conditions

4. The consent holder shall ensure the Visitor Accommodation activity is undertaken in accordance with the approved site management plan (RM180800, Appendix 3), and the following conditions (5 – 12).

Advice Note: The management plan may be updated from time to time, this shall be certified by Council's Planning and Development department prior to implementation and shall demonstrate the management techniques that will be used to ensure conditions (5 – 12) are met, and shall include the contact details of the property manager available for any complaints.

5. The property shall be rented to a maximum of one (1) group at any one time, for a maximum of 365 nights per year.
6. The maximum number of persons on site in association with the Visitor Accommodation use shall be restricted to six (6) persons at any one time.
7. Regarding the use of outdoor space:
 - a) The use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am.
 - b) Two (2) signs (minimum A4 size) shall be erected on site to remind guests that they are in a residential area, and that the use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am. One sign shall be installed in the kitchen of each unit and weatherproof signs (e.g. laminated) shall be installed within the outdoor area.
 - c) Upon installation, and prior to the use of the property for Visitor Accommodation, the consent holder shall submit photographs of these signs to the Council Monitoring Department for monitoring purposes. The signs shall be retained on site as long as the Visitor Accommodation activity is undertaken.

8. The consent holder shall maintain a record of all tenancies in the form of a register containing the number of occupants and the number of days/nights of occupancy. This register shall be made available for inspection by the Council at all times.

Please note: While the consent holder is responsible for there being an up to date register, the register may be completed by a letting agent / property manager.

9. The consent holder shall ensure that all vehicles associated with the short term Visitor Accommodation use of the unit, shall be parked in the allocated parking spaces on site. Specifically, the consent holder shall ensure guests only park in the carparks which are designated to the unit. The consent holder must advise all guests of this condition.
10. The consent holder shall ensure that no coaches are to service the authorised activity.
11. Prior to the operation of the residential unit for visitor accommodation, the consent holder shall provide to the Council the name and contact details of the Visitor Accommodation Manager. If these are to change, updated details shall be provided to the Council.
12. All rubbish and recycling shall be disposed of appropriately. Where there is kerbside collection, rubbish and recycling shall only be placed on the street the day of or day prior to collection.

Review

13. Within six months of the date of this decision; and/or upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
 - c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
 - d) The purpose of this review is in relation to effects on any person in relation to nuisance (including but not limited to noise and rubbish/recycling).
14. As part of the review clause stated in Condition 13 of this consent, the Council may have the Visitor Accommodation Management Plans / Noise Management Plans audited at the consent holder's expense.

Advice Notes

1. The consent holder is advised that there may be ongoing implications for alternative rating of the property from the use of the property for Visitor Accommodation. As of the time this consent was granted, increased rates from a residential use are generated for Visitor Accommodation use over 180 days in any one calendar year. For further information contact the Council Rates department.
2. An additional development contribution will be required for the change in use from residential to Visitor Accommodation. It is recommended the applicant contact the Council DCN officer for an estimate.

3. The consent holder is advised that there may be further requirements to using a residential unit for Visitor Accommodation, including but not limited to health and safety, income tax and GST.

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 – APPLICANT’S AEE

APPLICATION FOR RESOURCE CONSENT

LUC / VA

Scott Reinert

**Unit 8
The Tiers Villas
Potters Drive**

Queenstown

May 2018

APPLICATION FOR RESOURCE CONSENT**Applicant:**

Scott Reinert seeks land use consent to utilise proposed Unit 8 / Lot 8 at the subject site for Visitor Accommodation for up to 365 days a year.

Site Locality:

Unit 8

The Tiers, Potters Drive, Queenstown

Lot 10 DP 490069

Address for Service:

Karen Page

Email: Karen_page1@hotmail.com

Cell: 0274147884

Address for Invoicing:

C/ - Elliot Goldman Legal

Email: elliot@goldmanlegal.co.nz

1.1 Overview

Consent is sought to utilise proposed Unit 8/ Lot 8 on site for Visitor Accommodation. No internal or external work is proposed over and above that which has been approved under RM160718 and RM170614 as discussed below.

2.0 DESCRIPTION OF THE PROPOSAL**2.1 Site Description and Location**

The subject site is a large residential site identified as Lot 10 DP 490069 and located off Potters Drive, Queenstown. Development has been approved for this site under RM170614 and RM160718 and is currently under construction for a block of 12 residential units to be identified as The Tiers Villas. Each unit is to be located on separate allotments with the subject site being proposed Unit and Lot 8.

Consent approved a three level development for this proposed unit with a floor area of approximately 212m², supporting three bedrooms and internal carparking on ground floor level, see Appendix B and D for detail.

A copy of the title document is included in Appendix A.

2.2 Description of the Proposed Development

Consent is sought to utilise proposed Lot 8 / Unit 8 for Visitor Accommodation for up to 365 days a year, see figure 1 below:



Figure 1 : Part Site Plan (RM160817)

The unit will consist of three bedrooms and two bathrooms with indoor and outdoor living provided on the upper floor. A deck off the main living area will have a north facing orientation located to the rear of the unit. Two internal car parks are to be provided at the ground floor via the shared driveway/ access. Pedestrian access will be through the internal garage and alongside the garage as a separate external access.

Appendix C includes a Visitor Accommodation Management Plan (VAMP) to be read in conjunction with this consent.

3.0 District Plan Provisions

The site is zoned Low Density Residential Zone under the Queenstown Lakes District Plan (QLDP).

Under the QLDOP the proposal requires the following:

A Restricted Discretionary Activity consent pursuant to Rule 7.5.3.4 (i) for Visitor Accommodation in the Low Density Residential Zone.

4.0 NES FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 do not apply to this proposal. The proposal does not involve removing or replacing a fuel storage system, sampling or disturbing soil, subdivision, or changing the use of a piece of land. Furthermore the NES was considered under RM160718 and it was found the NES does not apply.

5.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Visitor Accommodation is an anticipated activity in the Low Density Residential Zone subject to the imposition of appropriate conditions of consent. Any potential effects associated with this use will be of a character, scale and intensity that would be in keeping with the anticipated amenity of this environment.

The proposed development has been approved under RM160718, which considered the bulk and scale effects of the overall development on this local residential environment. The unit subject to this application is located in the middle of this underlying lot (Lot 10) and no changes are proposed in terms of its built form. As a result, there will be no visual effects generated by the proposed change in use from residential activity to Visitor Accommodation.

The proposed change in use will not compromise adjoining privacy values. The site has a small outdoor living area/ deck along its northern facade. It is not anticipated that the use of this area will compromise the privacy / amenity of any adjacent unit, over and above those effects that could be generated from a residential activity. Furthermore, conditions of consent will restrict its use outside the hours of 7am- 10pm ensuring night -time noise levels are kept to a minimum.

The existing development contains adequate parking in the way of a two vehicle internal garaging system on the ground level.

No additional measures on site are considered necessary to mitigate any potential noise emissions. Compliance with the "VAMP", see Appendix C for detail, and the conditions of this consent will

together ensure that all noise levels will continue to comply with those levels permitted in the LDRZ. Any noise generated from traffic flow to and from the site will be consistent with that of a typical residential dwelling. Furthermore, standard conditions of consent will ensure that the use of outdoor living areas are restricted after 10pm to mitigate any potential nuisance effects generated from noise on surrounding neighbours.

Further to the above, it is considered that any adverse effects on residential cohesion will be negligible given the location of the unit within this 12 lot / unit development and the nature of this immediate environment.

Overall it is considered that the proposed development and change in use will have negligible adverse effects on this environment. Accordingly, for reasons outlined above, no persons are considered affected by this proposal.

3.0 OBJECTIVES & POLICIES OF THE QLDP AND QLDPDP

Operative District Plan

Overall it is considered that the proposal will be consistent with the objectives and policies contained within Part 7 – Low Density Residential Zone which seeks to provide for residential development with a high level of amenity. VA is specifically provided for in this zone under Part 7 subject to consideration to effects on amenity as discussed above.

Proposed District Plan

Objective 7.2 of the PDP seeks to avoid VA activity in the low Density Residential Zone. Given the VA provisions have only just been notified (November 2017) and numerous submissions in opposition have been lodged with Council against them, it is considered little weight can be afforded to them.

4.0 PART 2 OF THE RMA

The proposed development will facilitate the use of a residential dwelling for Visitor Accommodation. This will benefit the property owners' social and economic well being, whilst providing housing for future generations. As such, it is considered that the proposal will be consistent with Part 2 of the Act.

5.0 SUMMARY

Land use consent is sought from the Queenstown Lakes District Council to provide for Visitor Accommodation in a proposed unit.

As a Restricted Discretionary Activity visitor accommodation is an anticipated use in this zone subject to its effects. The unit will be one of a dozen units in this overall development providing for a high level of on and off site amenity. The effects of this activity are specifically provided for under the District Plan and as a result it is considered that consent can be granted subject to the appropriate imposition of condition of consent.

APPENDIX A – CERTIFICATE OF TITLE / CN

APPENDIX B – APPROVED PLANS

APPENDIX C – VISITOR ACCOMMODATION MANAGEMENT PLAN

APPENDIX D – RM160718 and RM170614

APPENDIX 3 – MANAGEMENT PLAN

VISITOR ACCOMMODATION MANAGEMENT PLAN

This management plan applies to the use of the property at Lot 8 RM160718, Potters Hill Drive, Queenstown, being Unit 8 of RM160718 on parent title Lot 10 DP 490069 for its use as Visitor Accommodation (VA) in accordance with RM (TBA)...

Section 1: Property Management Details:

The property manager of the visitor accommodation is: TBA

Email: TBA

Contact: TBA

Section 2: Property Manager Responsibilities:

2.1 On check in of guests:

- To provide guests a copy of House Rules;
- To check the number of guests does not exceed 6;
- To have all adult guests to read the full terms of the tenancy agreement;
- To ensure the onsite compendium contains a list of the House Rules.

2.2 On Servicing and other visits:

- That rubbish has been placed in the appropriate rubbish bin or recycling bin for disposal on the applicable day;

Section 3: House Rules

3.1 House Rules

- There shall be no more than 6 guests at any time;
- There shall be no guests on balconies from 10pm to 7am;
- Vehicles should be parked in the allocated car parks on site;
- Be courteous to neighbours and keep noise levels down from 9pm onwards.

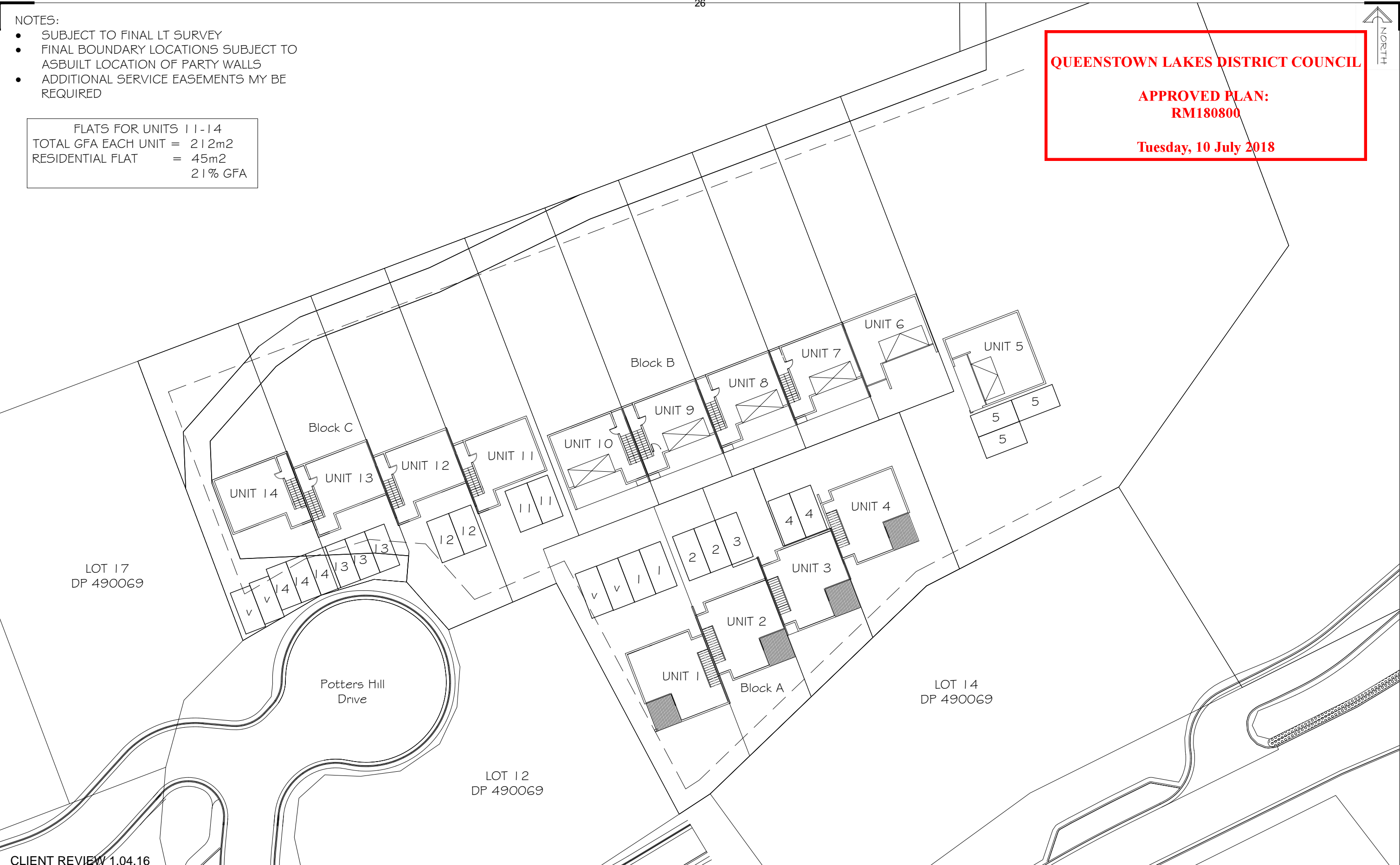
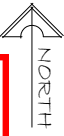
- NOTES:
- SUBJECT TO FINAL LT SURVEY
 - FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
 - ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

FLATS FOR UNITS 11-14
TOTAL GFA EACH UNIT = 212m2
RESIDENTIAL FLAT = 45m2
21% GFA


QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180800

Tuesday, 10 July 2018



CLIENT REVIEW 1.04.16



Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors • Land Development • Planning Consultants
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz

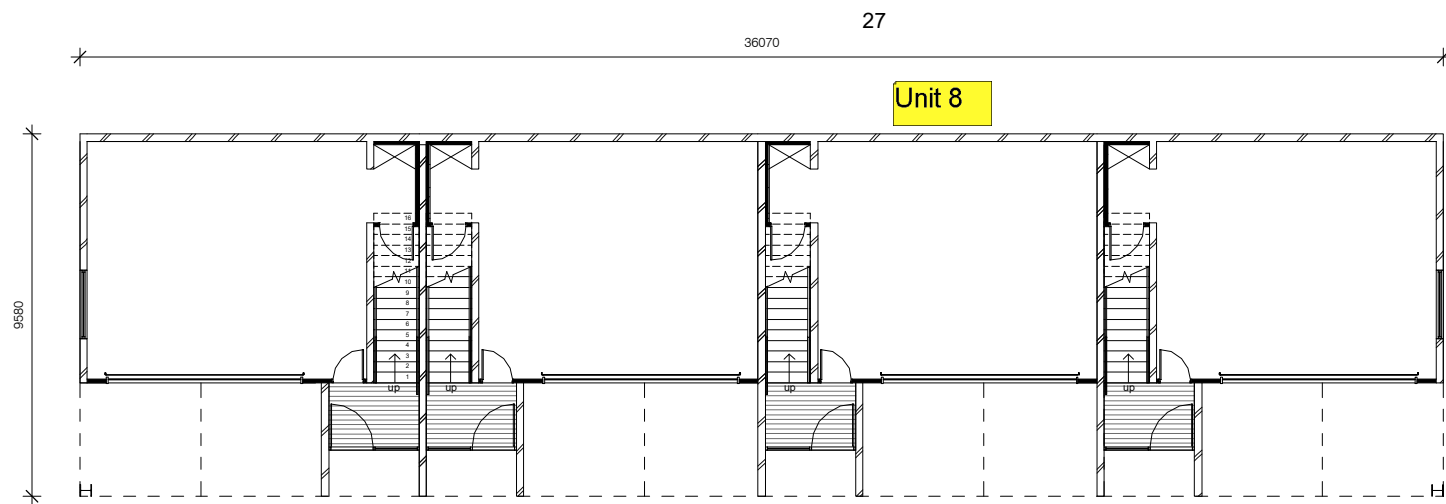
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
B	26.09.16	Add carparks	RB
C	17.04.17	Add Extra units	RB

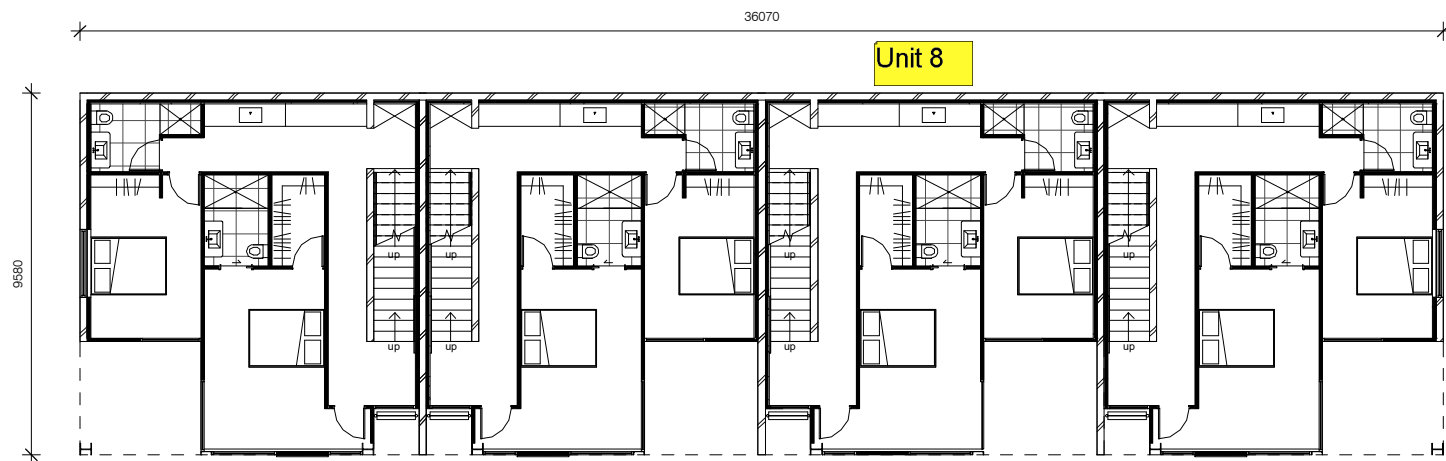
PROPOSED UNITS ON LOT 10 DP 490069

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
	Drawn	Signed	Date	Scale	Sheet
	RWB	-	-	1:200 @ A1	001
	Designed	Signed	Date	Datum & Level	Rev.
	-	-	-	Mt Nic 2000 & MSL	C

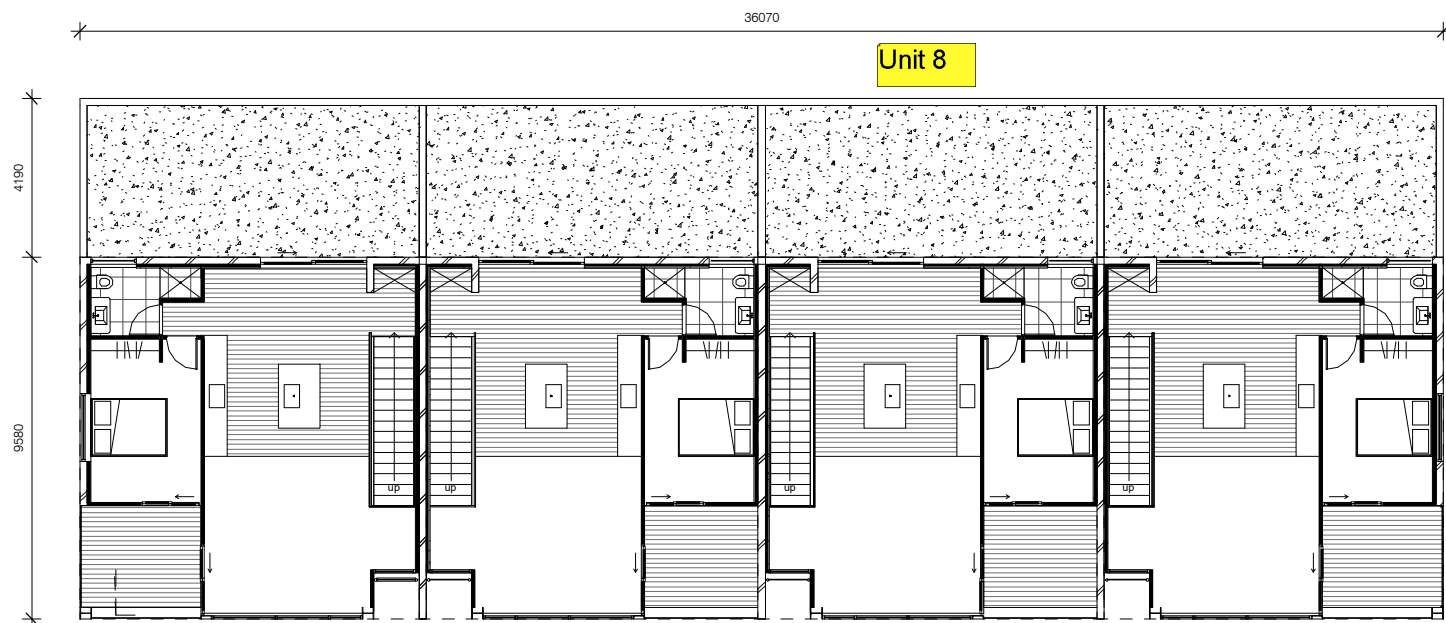
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- Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions.
- Ensuring the information is the most recent issue.
- Copyright on this drawing is reserved.



Block B Ground FFL
1 : 100



Block B 1st FFL
1 : 100



Block B 2nd FFL
1 : 100

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180800

Tuesday, 10 July 2018



Date	Revision Description	No.

Do Not Scale From These Drawings.
Use Figured Dimensions Only.

Contract:
THE PAVILION VILLAS
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

Drawn : PH Date: 07/07/16
AT Scales: 1 : 100 A3 Scales: 1:200

Sheet Title:
Block B - Floor Plans

Contract: 16010 Sheet: **RC-B-01**
CAD File Name: Or
Revision: For Approval **A1**

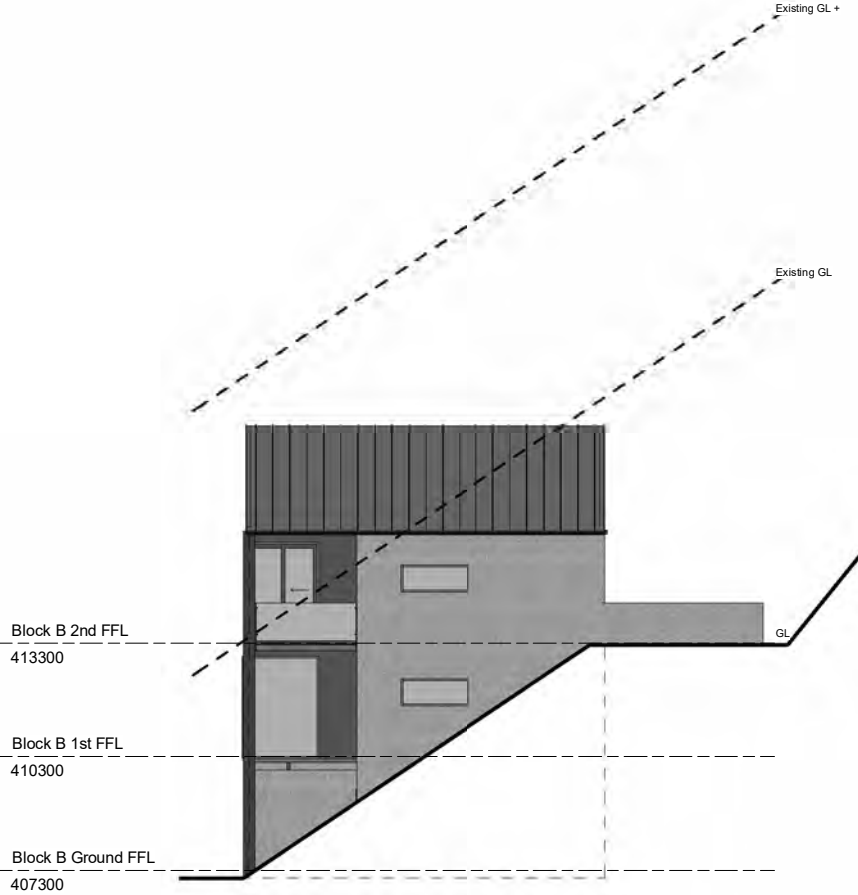
PRELIMINARY
RESOURCE CONSENT



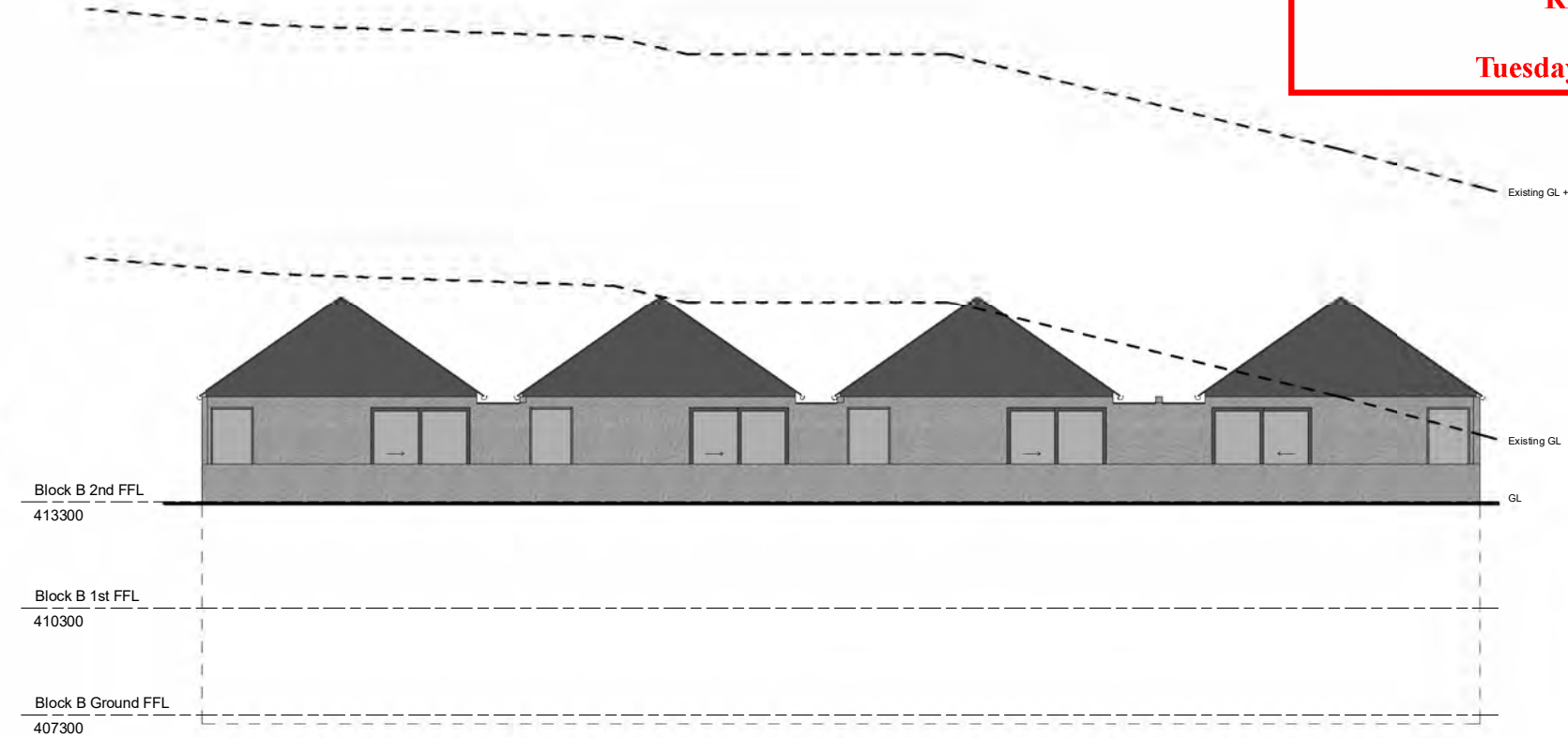
QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180800

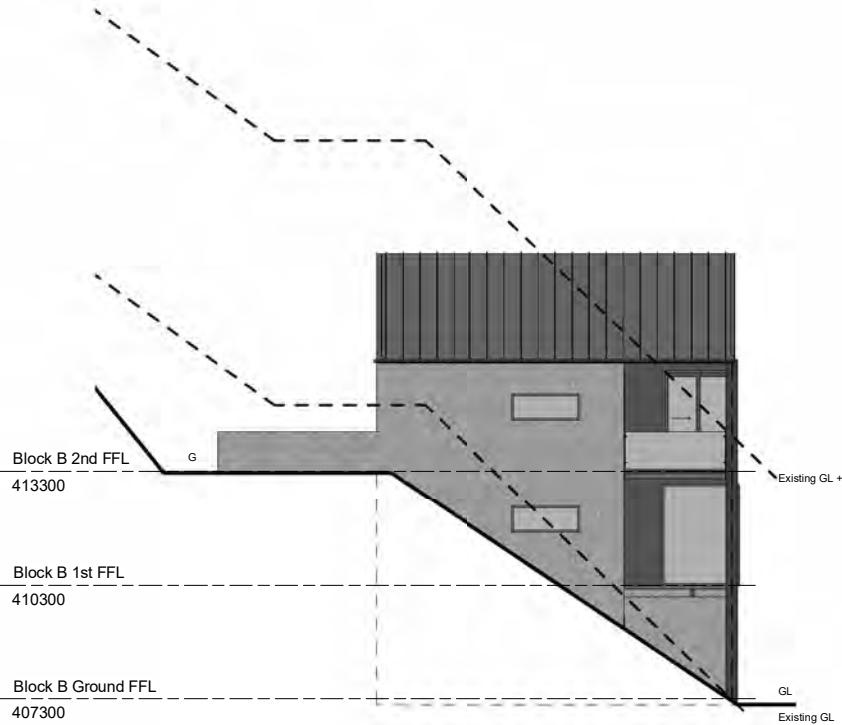
Tuesday, 10 July 2018



Block B East Elevation
1 : 100



Block B North Elevation
1 : 100



Block B West Elevation
1 : 100



Block B South Elevation
1 : 100

Phone: (03) 480 4188
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New Zealand

WJ
CADZOW
ARCHITECTS
LIMITED

Building Design and Draughting Services

Date	Revision Description	No.

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Contract:
THE PAVILION VILLAS
For : ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

Drawn :
PH

Date:
07/07/16

A1 Scales:
1 : 100

A3 Scales:
1:200

Sheet Title :
Block B - Elevations

Contract:
16010

Sheet:
RC-B-03

CAD File Name:

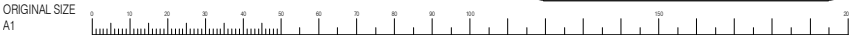
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Revision:

For Approval

A1

PRELIMINARY
RESOURCE CONSENT





DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

NOTIFICATION UNDER s95A AND s95B AND DETERMINATION UNDER s104

OF THE RESOURCE MANAGEMENT ACT 1991

Applicant:	P Remedios and C Yee
RM reference:	RM180782
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for land use consent to undertake short-term Visitor Accommodation for up to six (6) persons for up to 365 nights per year within a proposed residential unit
Location:	Unit 7 RM160718, Potters Hill Drive
Legal Description:	Lot 10 Deposited Plan 490069 held in Computer Freehold Register 706713
Operative Zoning:	Low Density Residential
Proposed Zoning (Stage 1 – Decisions Version 2018):	Lower Density Suburban Residential
Activity Status:	Restricted Discretionary
Date:	18 December 2018

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 3 of this report. This decision is made by Erin Stagg, Senior Planner, on 18 December 2018 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. 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 Erin Stagg, Senior Planner as delegate for the Council.

1.0 SUMMARY OF PROPOSAL AND SITE DESCRIPTION

Consent is sought to undertake short-term Visitor Accommodation within a proposed residential unit for 365 days per year. The applicant has proposed no minimum stay, with no maximum length of stay at Unit 7 located on Lot 10 DP 490069, Potters Hill, Queenstown. The maximum number of guests at any one time is proposed to be six (6) people; and the application makes no physical changes to the proposed building.

The residential units which the application is proposed to operate within, were consented under RM160718, which approved a Comprehensive Residential Development with 12 residential units that breached maximum height, transportation standards and outdoor living space, and in addition consented the subdivision of the site into 12 allotments. Resource Consent RM170614 later varied the original consent, and added an addition two units and a residential flat to the Comprehensive Residential Development, increasing the development and subdivision to 14 allotments and associated units. It is noted that these effects were appropriately assessed within RM160718 and RM170614. It is further understood that RM160718 and RM170614 also consented a subdivision, although this has yet to be registered on the Title for the units on Lot 10 DP 490069 as the development is yet to be completed.

It is further understood that a variation application has been recently approved in regards to the amendment of the plans approved under RM170614, and various other land-use and subdivision conditions. The decision regarding this application was re-issued on the 2 November 2018, and it is understood that there were discrepancies between the plans consented under RM170614 and those proposed under RM180834 in regards to Unit 7. It is noted that there were minor changes approved under RM180834, which modified the floor plan on the second floor, to extend, and also amend the kitchen and bathroom layout. The variation also approved an additional bedroom, however it has been confirmed by the agent that the proposal remains to be for six (6) guests only.

The applicant has provided a description of the proposal, the site and locality and the relevant site history in Sections 2.1 and 2.2 of the report entitled '*Application for Resource Consent – LUC/VA – P Remedies and C Yee: Unit 7, The Tiers Vilas, Potters Drive*', prepared by Karen Page, and submitted as part of the application (hereon referred to as the applicant's AEE and attached as Appendix 2). This description is considered accurate and is adopted in part for the purpose of this report with the following additions:

The subject site is situated on a land parcel which slopes down from North-West to South-East and is located at the top of Potters Hill, off Woods Lane. Existing residential units – mostly apartments – are present to the South-East and South, however these are located further down Potters Hill Drive. The site itself is zoned Low Density Residential, although several sites are utilised for Visitor Accommodation purposes.

The applicant has also provided a Management Plan for Unit 7 which details the use of the site for guests with respect to the property manager's contact information, house rules and noise considerations (Appendix 3).

It is noted that there are a number of consented Visitor Accommodation activities which have been granted for neighbouring sites, to be used as short term commercial rentals. These properties are located further south of the application site – down Highlands Close – and include 9, 14 and 16 Highlands Close, Lot 16 DP 512588 as well as Units 5, 8, 14, 21, 32, 33, 39 and Unit 51/716 Frankton Road. These properties have been identified in relation to the application site on Figure 2 below.

It is also understood that Resource Consent to operate Visitor Accommodation for future Lots 6 (Unit 6), 8 (Unit 8) and 9 (Unit 9) on Lot 10 DP 490069 have recently been approved. This decision will be able to be taken into consideration, and an assessment of the cumulative effects of the existing Visitor Accommodation activities along with those proposed, will be appropriately assessed.

In addition to the above, it is further understood that there is currently one application which has been submitted for the operation of Visitor Accommodation for up to 365 nights in the vicinity of Lot 10. This application is proposed to occur at both 1 and 3 Highlands Close. Although it is understood that these consents are currently being processed, the effects of these proposals cannot be considered due to the decision which is yet to be issued.

To clarify the location of the application site and specifically that of Unit 2, and the neighbouring Visitor Accommodation activities, refer to the aerial image in Figures 1 and 2 below.








Figure 1: Aerial depicting the location of Unit 7 



Figure 2: Aerial depicting the application site location  and the location of the application site (Unit 7) , and the neighbouring consented Visitor Accommodation activities , and the current Visitor Accommodation applications 

2.0 ACTIVITY STATUS

The proposal requires consent for the following reasons:

OPERATIVE DISTRICT PLAN (ODP)

The subject site is zoned Low Density Residential in the ODP and the proposed activity requires resource consent for the following reasons:

- A **restricted discretionary** activity resource consent pursuant to Rule 7.5.3.4 (i) for the proposed operation of Visitor Accommodation in the Low Density Residential zone for up to 365 nights for up to a maximum of six (6) guests. The proposal is specifically designated to be contained within Units 7 on Lot 10 DP 490069. Council has restricted its discretion in respect to:
 - (a) The location, external appearance and design of buildings;
 - (b) The location, nature and scale of activities on site;
 - (c) The location of parking and buses and access;
 - (d) Noise, and
 - (e) Hours of operation
- A **restricted discretionary** activity resource consent pursuant to Rule 7.5.3.4 (vi) as the proposal breaches site standard 7.5.6.2 (iii)(f) for the proposed operation of Visitor Accommodation in the Low Density Residential zone, where no part of any building which is to be used for Visitor Accommodation shall be permitted to be located within 4 meters of an internal boundary, where the site(s) adjoining that internal boundary is zoned residential.

PROPOSED DISTRICT PLAN - STAGE 1 DECISIONS

Council notified its decisions on Stage 1 of the Proposed District Plan (Stage 1 Decisions Version 2018) on 5 May 2018. The subject site is zoned Lower Density Suburban Zone by the Stage 1 Appeals Version 2018 however the Visitor Accommodation provisions have been removed from all Stage 1 Chapters and therefore no rules are triggered.

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 zoned Lower Density Suburban Zone by the Stage 2 Notified Version 2017. While the objectives and policies of the PDP have immediate legal effect pursuant to s86A(2) of the Act, the PDP contains no rules with immediate legal effect which are relevant to this proposal.

Overall, the application is considered to be a **restricted discretionary** activity under the ODP and the Stage 1 Appeals Version 2018.

2.2 NATIONAL ENVIRONMENTAL STANDARD FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

Based on the applicant's review of Council records, the piece of land to which this application relates is not a HAIL site, and therefore the NES does not apply.

3.0 SECTION 95A – PUBLIC NOTIFICATION

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 in terms of refusal to provide further information or refusal of the commissioning of a report under section 92(2)(b) of the Act (s95A(3)(b)).

The applicant does not include 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, a restricted discretionary or discretionary subdivision or a residential activity, or a restricted discretionary, discretionary or non-complying boundary activity as defined by section 87AAB and public notification is not precluded.

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

Therefore, public notification is not precluded by Step 2, and Step 3 applies.

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 under s95D(8)(b) that the activity will have or is likely to have adverse effects on the environment that are more than minor (s95A(2)(a)). An assessment in this respect is therefore made in section 3.3.1 below:

3.3.1 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT (S95D)

3.3.2 MANDATORY EXCLUSIONS FROM ASSESSMENT (S95D)

- 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)) (the permitted baseline, refer section 3.3.3 below).*
- C: *The activity is a **restricted discretionary** activity, so that adverse effects which do not relate to a matter of **discretion** have been disregarded (s95D(c)).*
- D: *Trade competition and the effects of trade competition (s95D(d)).*
- E: *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
The Tiers Villas Limited (William Taylor)	Lot 10 DP490069 – All units on Lot 10

3.3.3 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 the permitted baseline includes residential occupation of the residential unit, and associated effects such as car parking demand, traffic generation, noise and impact on privacy. Visitor Accommodation that could feasibly take place as a permitted activity are:

- A single annual let for one or two nights.
- Homestay accommodation for up to 5 guests in a Registered Homestay.

The effects mentioned above may be of some relevance to this application; however, it is noted that any Visitor Accommodation Activity requires Resource Consent in the Low Density Zone as specified in Section 7 *Residential Areas* of the Operative District Plan. This is due to Visitor Accommodation being classed as a commercial activity, rather than a residential activity, due to the increased scale and potential for higher intensity accommodation, than what is permitted under a registered holiday home or homestay.

It is also noted that the application site is not defined as a stand-alone or duplex residential unit, whereby Resource Consent would need to be obtained in order to operate Visitor Accommodation regardless of the zoning.

As such, the permitted baseline is not a relevant consideration and has not been applied in this instance.

3.3.4 ASSESSMENT: EFFECTS ON THE ENVIRONMENT

Taking into account sections 3.3.2 and 3.3.3 above, the following assessment determines whether the activity will have, or is likely to have, adverse effects on the environment that are more than minor. The Assessment of Effects provided in section 5.0 of the applicant's AEE, is considered accurate. It is therefore adopted in part for the purposes of this report with the following additions:

The relevant assessment matters are found in Section 7.7.2 (vii) *Discretionary Activity – Visitor Accommodation* of the District Plan and have been considered in the assessment below.

The use of the site for short-term visitors has the potential to result in a loss of residential amenity and character, a loss of social cohesion and adverse noise effects.

Character and Amenity

The proposal would allow for up to six (6) guests to stay within one unit on Lot 10 DP 490069. Given the potential number of guests, it is considered that the scale of the visitor accommodation proposal would not be significantly greater than a typical permitted residential activity. Any differences between the use of the property for permitted activities compared to visitor accommodation proposed would not be overly noticeable provided suitable mitigating conditions are applied to the consent.

Units 6, 8 and 9 on Lot 10 DP 490069 have recently been granted consent for the operation of year round visitor accommodation for up to six (6) guests. The location of these units in relation to the application site (Unit 7) is depicted in Figure 2. The use of these units collectively has the potential to cause cumulative effects in regards to the operation of Visitor Accommodation for the surrounding development, such as the degradation of the character and amenity of the area, noise effects, and visual effects such as the encroachment of privacy and the overlooking of residential units. However it is noted that owner of the wider development – William Taylor – has provided affected party approval in respect of the proposed Visitor Accommodation activity, and therefore it is not considered that these effects would be perceivable from outside of what is considered to be the application site.

As such, any adverse effects on the environment in respect to character and amenity are anticipated to be less than minor.

Noise

To mitigate amenity and nuisance effects the applicant has proposed that no more than six (6) persons could reside on site at any one time (two persons per room), and that the apartment shall be professionally managed by a short-term letting agency. The Management Plan (Appendix 3) restricts use of outdoor areas between 10pm and 7am, with all guests being made aware of noise restrictions between those times; and guests are to show consideration to neighbours at all times. It is accepted that these measures will help to mitigate nuisance effects from noise and any associated loss of amenity thereby reducing adverse amenity effects. Conditions are recommended with respect to these matters. In this regard adverse effects from noise and amenity on the surrounding environment are considered to be less than minor.

Access and Parking

The proposed Visitor Accommodation activity is to be accessed via Potters Hill Drive. The access obtains a legal width of 20 metres, which has been approved through the original resource consent (RM160718) for the comprehensive development. Two car parking spaces are provided on site, within the double garage. It is noted that the applicant has confirmed the dimensions of these car parks to be 2.6m x 5m which are compliant with the District Plan transport provisions for class 2 users.

Council's Land Development Engineer Mr Cameron Jones assessed the application and his comments are as follows:

I've assessed the proposal to undertake visitor accommodation in Unit 7 on Potters Hill Drive (being Unit/Lot 7 of RM160718; presently part of Lot 10 DP 490069) with regard to access and parking. After checking the underlying consent, I am satisfied that the parking spaces provided in the double garage on the site will comply with Council's requirements with regard to size for Class 2 users. Similarly, the aisle width provided is more than adequate, as per Table 1 of Appendix 7 of the District Plan. I make no recommendations with regard to parking.

Access to the unit is via a shared right-of-way from the end of Potters Hill Drive. I am satisfied that the formation of this access will be in accordance with Council's requirements for the number of units served (currently 12). I am satisfied that the traffic generated by the proposed VA use is unlikely to result in any adverse traffic outcomes, as the number of vehicle movements is likely to be similar to the number from residential use. I make no recommendations with regard to access.

In addition to the above, it is considered that there is no need for buses or coaches to access the site. Given that the property is accessed via a shared access that is not designed for bus access, a condition of consent has been imposed to ensure that buses or coaches do not service the site.

As such, it can be determined that any effects in respect of access or parking are considered to be less than minor.

Rubbish and Waste

All of the underlying consents for Lot 10 DP 490069 – RM160718, RM170614 and RM180834 – have an easement marked as 'H' on the approved survey plan, which identifies a 'right to store rubbish' easement which is to be registered on all titles for the proposed development. As such, all owners/occupiers of any residential unit shall that rubbish and recycling bins are located in immediate proximity to their residential units and on their own sites, or within this easement. This is to be monitored through a Consent Notice which is to be registered on all future lots. As a result, the effects in regards to rubbish and recycling are anticipated to be less than minor.

Summary

The proposed use of both Units 6 and 9 is of a similar scale in terms of the number of guests as the permitted residential use. The same number of people could live on the property when in residential use and generate the same number of movements. Potential adverse effects associated with Visitor Accommodation activities such as noise and the use of outdoor areas can be appropriately mitigated and addressed through conditions of consent. In this regard, it is considered that the development has the capacity to absorb the some non-residential use, without creating a minor or more than minor adverse effect with respect to residential cohesion, character and amenity within the surrounding residential area.

Overall, and given recommended conditions, adverse effects of the nature and scale of the activity on residential amenity, character and cohesion in terms on the environment, are considered to be less than minor.

3.3.5 DECISION: EFFECTS ON THE ENVIRONMENT (S95A(2))

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.

4.0 LIMITED NOTIFICATION (s95B)

Section 95B(1) requires a decision 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.

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.

Limited notification is not precluded under Step 2 as the proposal is not a controlled activity or is not a prescribed activity.

4.3 STEP 3: IF NOT PRECLUDED BY STEP 2, CERTAIN OTHER AFFECTED PERSONS MUST BE NOTIFIED

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.

The effects of the proposal on owners of allotments with infringed boundaries are assessed in section 4.3.1 below and will be less than minor.

The proposal therefore falls into the 'any other activity' category and the effects of the proposal on any persons are assessed in accordance with section 95E in section 4.3.1 below to determine if limited notification is required.

4.3.1 AFFECTS 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 3.3.3 above and in this case is not relevant.

4.3.1.2 PERSONS WHO HAVE PROVIDED THEIR 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
The Tiers Villas Limited (William Taylor)	Lot 10 DP490069 – All units on Lot 10

4.3.2 ASSESSMENT: EFFECTS ON PERSONS

Taking into account the exclusions in section 95E(2) and (3) and 4.3.2 (Permitted Baseline) 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:

Character and Amenity

The proposal would allow for up to six (6) guests to stay within a singular unit at any one time. Given the potential number of guests, it is considered that the scale of the Visitor Accommodation proposal would not be significantly greater than a typical permitted residential activity. The change of use proposed has the potential to impact on matters that provide for residential character and amenity, including compatibility with residential activities and neighbourhood cohesion.

The proposal has the potential to produce adverse effects in relation to the character and amenity of the surrounding units. However as all the units are currently in one ownership, and the developer (The Tiers Limited) has provided affected party approval, it is considered that these adverse effects can be disregarded.

It is understood that Units 6, 8 and 9 have been consented for the operation of year round Visitor Accommodation activities. As the owner of the lot has provided their approval, the effects on the surrounding development is therefore disregarded, and no adverse effects are anticipated. These non-residential activities are said to not have caused enough of a noticeable impact in regards to residential cohesion.

As such, any adverse effects in respect to character and amenity are anticipated to be less than minor.

Loss of Privacy

In terms of privacy, the outdoor spaces on the balcony and courtyard areas of Unit 7 do not overlook the Eastern, Southern or Western neighbours due to the containment of outdoor spaces by their positioning at the application site. This is due to the enclosed nature of the terraces on site, in addition to the orientation of the house and outdoor living areas, as well as the topography of the site and neighbouring properties. Similarly, views from the application sites are obstructed by the building itself, which provides a physical separation between the properties helping to preserve these neighbours sense of privacy and amenity.

In addition to the above, the site has a small outdoor living space along the Southern façade. This area will overlook the units constructed within stage 1 of the comprehensive residential development; however given the large degree of separation it is unlikely that the use of this outdoor area will compromise the privacy of the units opposite the application site. Conditions of consent will ensure potential adverse effects from differences between the use of the outdoor space by long term residents and visitors are sufficiently mitigated by controlling the use of the area with respect to guest numbers and hours of use.

Therefore it has been determined that any effects on neighbours in terms of privacy is considered to be less than minor.

Traffic Generation

The dwellings along Potters Hill are typical of a Low Density Residential area, and are accustomed to low to medium volumes of traffic at slow speeds. This is unlikely to increase with the introduction of Visitor Accommodation as the scale of the activity is no more than what is expected from a residential activity. The frequency of movements is likely to increase and it is anticipated that this could potentially result in adverse effects in regards to the neighbouring sites. However, as discussed above, affected party approval has been provided from the developer, who remains as the proprietor for Lot 10, until it is later subdivided. The additional traffic movements will not have a noticeable effect on the functioning of the road beyond the site. Therefore adverse effects in this regard on are considered to be less than minor.

The proposed visitor accommodation activity is to occur within existing residential dwellings, which both have adequate on site car parking. There are two available off street parking spaces available for the guests of Unit 7; which are contained within a double garage located on the ground floor of the unit. These parking spaces meet the required standard for the proposed activity, and are seen to provide adequate off-street car parking for the operation of Visitor Accommodation.

Overall, it is considered that the effects on any persons from traffic generation are considered to be less than minor.

Noise

Given the sites are to be actively managed via a professional letting agency and that all adjoining neighbours will be notified of the restriction of both noise and outdoor use between 10pm and 7am, it is considered that adverse effects on any other neighbour, including the properties to the North-East, South and South-West can be suitably mitigated. Conditions are recommended to ensure that the noise and outdoor restrictions are made available to all persons using the site, and that all neighbours are advised accordingly. Further, a review condition is recommended such that should the activity result in adverse effects, or result in complaints, the activity can be further reviewed at a future time.

As a result it is considered that any effects in relation to noise are considered to be less than minor.

Summary

Overall, and given the recommended conditions, it is that any adverse effects on persons with respect to overall amenity, loss of privacy and noise would be similar to a residential situation and therefore less than minor.

As such, no person is considered to be adversely affected by the proposal.

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

Special circumstances do not apply that require limited notification.

5.0 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.

6.0 S104 ASSESSMENT

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

Actual and potential effects on the environment have been outlined in sections 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 assessment matters are found in Section 7 (Residential Areas) of the District Plan and have been considered. These seek to maintain and preserve the dominant Low Density Residential development and associated amenity values whilst recognising and providing for compatible non-residential activity within residential areas.

Having considered the actual and potential effects of the proposal against the objectives and policies of the District Plan, the proposed activity is considered compatible with the intent of the surrounding residential area, and the parking arrangements adequate for the intended use. Therefore it is considered the proposed development is consistent with the relevant objectives and policies in the Operative District Plan.

Proposed District Plan (PDP) – Stages 1 and 2

Council notified Stage 1 of the Proposed District Plan on 26th August 2015 which did not include any Visitor Accommodation provisions. Council notified the second stage of the District Plan on 23 November 2017 which contained new proposed Visitor Accommodation provisions. The objectives and policies contained within the Proposed District Plan must therefore be taken into consideration with this application.

The relevant objectives and policies seek to manage Visitor Accommodation so that residential amenity is retained, and to ensure that residential units are predominantly used for residential activities. It is considered that the proposed use would be inconsistent with Policies 7.2.8.2 and 7.2.9.3, as well as Objective 7.2.9, which seeks to restrict Visitor Accommodation in the Low Density Residential Zone and ensure that residential use is the predominant use. However, given that Stage 2 of the Proposed District Plan has not yet been subject to any testing, it is considered that very little weight can be given to these objectives and policies.

Therefore, while the proposal is inconsistent with the objectives and policies of Proposed District Plan, given that little weight can be given to these provisions at this time, and the proposal is consistent with the objectives and policies of the Operative District Plan, the proposed use is considered to be appropriate in this instance.

6.3 PART 2 OF THE RMA

The application as proposed, is considered to be consistent with the purpose and principles set out in Part 2 of the RMA, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

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

Consent is **granted** to operate year round visitor accommodation for up to six (6) persons subject to the conditions outlined in *Appendix 1* of this decision report imposed pursuant to Section 108 of the RMA.

7.0 DEVELOPMENT CONTRIBUTIONS AND ADMINISTRATIVE MATTERS

Local Government Act 2002: Development Contributions

In granting this resource consent, pursuant to the Local Government Act 2002 and the Council's Policy on Development Contributions the Council has identified that a Development Contribution is required. Payment will be due prior to any application for certification pursuant to section 224(c) of the RMA.

Please contact the Council if you require a Development Contribution Estimate.

Payment will be due prior to commencement of the consent, except where a Building Consent is required when payment shall be due prior to the issue of the code of compliance certificate.

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 Alex Jamieson on phone (03) 441 0499 or email alex.jamieson@qldc.govt.nz.

Report prepared by



Alex Jamieson
SENIOR PLANNER/PLANNER

Decision made by



Erin Stagg
SENIOR PLANNER

- APPENDIX 1** – Consent Conditions
- APPENDIX 2** – Applicant's AEE
- APPENDIX 3** – Visitor Accommodation Management Plan

APPENDIX 1 – CONSENT CONDITIONS

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
 - WJ Cadzow & Associates Limited: The Tiers Villas – *Part Site Plan* – Date: 03/04/14, Sheet No. A0-01, Rev. A1,
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Proposed Units on Lot 10 DP 490069* – Job No. 12377, Sheet No. 001, Drawing No. 08, Rev F,
 - WJ Cadzow & Associates Limited: The Tiers Villas – *Unit 7 - Typical Plans* – Date: 02/20/17, Sheet No. A1-071, Rev. A1,
 - WJ Cadzow & Associates Limited: The Tiers Villas – *Block B - Block & grid Layout Plans* – Date: 07/07/16, Sheet No. A0-02, Rev. A1,
 - Clark Fortune McDonald & Associates: Alpha Properties Limited – *Proposed Units on Lot 10 DP 490069 Section Views* – Job No. 12377, Sheet No. 003, Drawing No. 08, Rev E,

stamped as approved on 18 December 2018

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.

Operational Conditions

4. The consent holder shall ensure the Visitor Accommodation activity is undertaken in accordance with the approved site management plans (RM180782, Appendix 3), and the following Conditions (5 – 12).

Advice Note: The management plan may be updated from time to time, this shall be certified by Council's Planning and Development department prior to implementation and shall demonstrate the management techniques that will be used to ensure conditions (5 – 12) are met, and shall include the contact details of the property manager available for any complaints.

5. The unit shall be rented to a maximum of one (1) group at any one time, for a maximum of 365 nights per year.
6. The maximum number of persons associated with the Visitor Accommodation use shall be restricted to six (6) persons at any one time.
7. Regarding the use of outdoor space:
 - a) The use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am.
 - b) Two (2) signs (minimum A4 size) shall be erected on site to remind guests that they are in a residential area, and that the use of outdoor areas is prohibited between the hours of 10.00pm to 7.00am. One sign shall be installed in the kitchen of the residential unit and weatherproof signs (e.g. laminated) shall be installed within the outdoor area.
 - c) Upon installation, and prior to the use of the property for Visitor Accommodation, the consent holder shall submit photographs of these signs to the Council Monitoring Department for monitoring purposes. The signs shall be retained on site as long as the Visitor Accommodation activity is undertaken.

8. The consent holder shall maintain a record of all tenancies in the form of a register containing the number of occupants and the number of days/nights of occupancy. Details of all tenancies for at least the preceding 5 years shall be continually maintained. This register shall be made available for inspection by the Council at all times.

Please note: While the consent holder is responsible for there being an up to date register, the register may be completed by a letting agent / property manager.

9. The consent holder shall ensure that all vehicles associated with the short term Visitor Accommodation use of the unit shall be parked in the allocated parking spaces on site and such parking spaces be free from vehicle obstructions. Specifically, the consent holder shall ensure guests only park in the carparks which are designated to the unit. The consent holder must advise all guests of this condition.
10. The consent holder shall ensure that no coaches are to service the authorised activity.
11. Prior to the operation of the residential unit for visitor accommodation, the consent holder shall provide to the Council the name and contact details of the Visitor Accommodation Manager. If these are to change, updated details shall be provided to the Council.
12. All rubbish and recycling shall be disposed of appropriately. Where there is kerbside collection, rubbish and recycling shall only be placed on the street the day of or day prior to collection.

Review

13. Within six months of the date of this decision; and/or upon the receipt of information identifying non-compliance with the conditions of this consent, and/or within ten working days of each anniversary of the date of this decision, the Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this resource consent for any of the following purposes:
 - a) To deal with any adverse effects on the environment that may arise from the exercise of the consent which were not foreseen at the time the application was considered and which it is appropriate to deal with at a later stage.
 - b) To deal with any adverse effects on the environment which may arise from the exercise of the consent and which could not be properly assessed at the time the application was considered.
 - c) To avoid, remedy and mitigate any adverse effects on the environment which may arise from the exercise of the consent and which have been caused by a change in circumstances or which may be more appropriately addressed as a result of a change in circumstances, such that the conditions of this resource consent are no longer appropriate in terms of the purpose of the Resource Management Act 1991.
 - d) The purpose of this review is in relation to effects on any person in relation to nuisance (including but not limited to noise and rubbish/recycling).
14. As part of the review clause stated in Condition 14 of this consent, the Council may have the Visitor Accommodation Management Plans / Noise Management Plans audited at the consent holder's expense.

Advice Notes

1. The consent holder is advised that there may be ongoing implications for alternative rating of the property from the use of the property for Visitor Accommodation. As of the time this consent was granted, increased rates from a residential use are generated for Visitor Accommodation use over 180 days in any one calendar year. For further information contact the Council Rates Department.

2. An additional development contribution will be required for the change in use from residential to Visitor Accommodation. It is recommended the applicant contact the Council DCN officer for an estimate.
3. The consent holder is advised that there may be further requirements to using a residential unit for Visitor Accommodation, including but not limited to health and safety, income tax and GST.

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 – APPLICANT’S AEE

APPLICATION FOR RESOURCE CONSENT

LUC / VA

P Remedios and C Yee

**Unit 7
The Tiers Villas Potters
Drive**

Queenstown

May 2018

APPLICATION FOR RESOURCE CONSENT

Applicant:

P Remedios and C Yee seek land use consent to utilise proposed Unit 7 / Lot 7 for Visitor Accommodation for up to 365 days a year.

Site Locality:

Unit 7

The Tiers, Potters Drive, Queenstown

Lot 10 DP 490069

Address for Service:

Karen Page

Email: Karen_page1@hotmail.com

Cell: 0274147884

Address for Invoicing:

C/ - Elliot Goldman Legal

Email: elliot@goldmanlegal.co.nz

1.1 Overview

Consent is sought to utilise proposed Unit 7/ Lot 7 on site for Visitor Accommodation (VA). No internal or external work is proposed over and above that which has been approved under RM160718 and RM170614 as discussed below.

2.0 DESCRIPTION OF THE PROPOSAL

2.1 Site Description and Location

The subject site is a large residential site identified as Lot 10 DP 490069 and located off Potters Drive, Queenstown. Development has been approved for this site under RM170614 and RM160718 and is currently under construction for a block of 12 residential units to be identified as The Tiers Villas. Each unit is to be located on separate allotments with the subject site being proposed Unit and Lot

7. Consent approved a three level development for this proposed unit with a floor area of approximately 212m², supporting three bedrooms and internal carparking on ground floor level, see Appendix B and D for detail.

A copy of the title document is included in Appendix A.

2.2 Description of the Proposed Development

Consent is sought to utilise proposed Lot 7 / Unit 7 for Visitor Accommodation for up to 365 days a year, see figure 1 below:



Figure 1: Part Site Plan

The unit will consist of three bedrooms and two bathrooms with indoor and outdoor living provided on the upper floor. A deck off the main living area will have a north facing orientation located to the rear of the unit. Two internal car parks are to be provided at the ground floor via the shared driveway/ access. Pedestrian access will be through the internal garage and alongside the garage as a separate external access.

Appendix C includes a Visitor Accommodation Management Plan (VAMP) to be read in conjunction with this consent.

3.0 District Plan Provisions

The site is zoned Low Density Residential Zone under the Queenstown Lakes District Plan (QLDP).

Under the QLDOP the proposal requires the following:

A Restricted Discretionary Activity consent pursuant to Rule 7.5.3.4 (i) for Visitor Accommodation in the Low Density Residential Zone.

4.0 NES FOR ASSESSING AND MANAGING CONTAMINANTS IN SOIL TO PROTECT HUMAN HEALTH

The Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 do not apply to this proposal. The proposal does not involve removing or replacing a fuel storage system, sampling or disturbing soil, subdivision, or changing the use of a piece of land. Furthermore the NES was considered under RM160718 and it was found the NES does not apply.

5.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Visitor Accommodation is an anticipated activity in the Low Density Residential Zone subject to the imposition of appropriate conditions of consent. Any potential effects associated with this use on this site will be of a character, scale and intensity that would be in keeping with the anticipated amenity of this environment.

The proposed development has been approved under RM160718, which considered the bulk and scale effects of the overall development on this local residential environment. The unit subject to this application is located in the middle of this underlying lot (Lot 10) and no changes are proposed in terms of its built form. As a result, there will be no visual effects generated by the proposed change in use from residential activity to Visitor Accommodation.

The proposed change in use will not compromise adjoining privacy values. The site has a small outdoor living area/ deck along its northern facade. It is not anticipated that the use of this area will compromise the privacy / amenity of any adjacent unit, over and above those effects that could be generated from a residential activity. Furthermore, conditions of consent will restrict its use outside the hours of 7am- 10pm ensuring night -time noise levels are kept to a minimum.

The existing development contains adequate parking in the way of a two vehicle internal garaging system on the ground level.

No additional measures on site are considered necessary to mitigate any potential noise emissions. Compliance with the "VAMP", see Appendix C for detail, and the conditions of this consent will

together ensure that all noise levels will continue to comply with those levels permitted in the LDRZ. Any noise generated from traffic flow to and from the site will be consistent with that of a typical residential dwelling. Furthermore, standard conditions of consent will ensure that the use of outdoor living areas are restricted after 10pm to mitigate any potential nuisance effects generated from noise on surrounding neighbours.

Further to the above, it is considered that any effects on residential cohesion will be negligible given the location of the unit within this 12 lot / unit development and the nature of this immediate environment.

Overall it is considered that the proposed development and change in use will have negligible adverse effects on this environment. Accordingly, for reasons outlined above, no persons are considered affected by this proposal.

3.0 OBJECTIVES & POLICIES OF THE QLDP AND QLDPDP

Operative District Plan

Overall it is considered that the proposal will be consistent with the objectives and policies contained within Part 7 – Low Density Residential Zone which seeks to provide for residential development with a high level of amenity. VA is specifically provided for in this zone under Part 7 subject to consideration to effects on amenity as discussed above.

Proposed District Plan

Objective 7.2 of the PDP seeks to avoid VA activity in the low Density Residential Zone. Given the VA provisions have only just been notified (November 2017) and numerous submissions in opposition have been lodged with Council against them, it is considered little weight can be afforded to them.

4.0 PART 2 OF THE RMA

The proposed development will facilitate the use of a residential dwelling for Visitor Accommodation. This will benefit the property owners' social and economic well being, whilst providing housing for future generations. As such, it is considered that the proposal will be consistent with Part 2 of the Act.

5.0 SUMMARY

Land use consent is sought from the Queenstown Lakes District Council to provide for Visitor Accommodation in a proposed unit.

As a Restricted Discretionary Activity Visitor Accommodation is an anticipated use in this zone subject to its effects. The unit will be one of a dozen units in this overall development providing for a high level of on and off site amenity. The effects of this activity are specifically provided for under the District Plan and as a result it is considered that consent can be granted subject to the appropriate imposition of condition of consent.

APPENDIX A – CERTIFICATE OF TITLE / CN

APPENDIX B – APPROVED PLANS

APPENDIX C – VISITOR ACCOMMODATION MANAGEMENT PLAN

APPENDIX D – RM160718 and RM170614

APPENDIX 3 – VISITOR ACCOMMODATION MANAGEMENT PLAN

VISITOR ACCOMMODATION MANAGEMENT PLAN

This management plan applies to the use of the property at Lot 7 RM160718, Potters Hill Drive, Queenstown, being Unit 7 of RM160718 on parent title Lot 10 DP 490069 for its use as Visitor Accommodation (VA) in accordance with RM (TBA)...

Section 1: Property Management Details:

The property manager of the visitor accommodation is: TBA

Email: TBA

Contact: TBA

Section 2: Property Manager Responsibilities:

2.1 On check in of guests:

- To provide guests a copy of House Rules;
- To check the number of guests does not exceed 6;
- To have all adult guests to read the full terms of the tenancy agreement;
- To ensure the onsite compendium contains a list of the House Rules.

2.2 On Servicing and other visits:

- That rubbish has been placed in the appropriate rubbish bin or recycling bin for disposal on the applicable day;

Section 3: House Rules

3.1 House Rules

- There shall be no more than 6 guests at any time;
- There shall be no guests on balconies from 10pm to 7am;
- Vehicles should be parked in the allocated car parks on site;
- Be courteous to neighbours and keep noise levels down from 9pm onwards.

DRAWING INDEX

Sheet Number	Sheet Name	Current Revision Date	Current Revision
A0-01	Part Site Plan		
A0-02	Block B - Block & Grid Layout Plans		
A0-03	Block B - Drainage Connection Plan		
A1-061	Unit 6 - Typical Plans		
A1-062	Unit 6 - Typical Plans		
A1-063	Unit 6 - Concrete Plans		
A1-064	Unit 6 - Concrete Plans		
A1-065	Unit 6 - Reflected Ceiling Plans		
A1-066	Unit 6 - Roof Plans		
A1-071	Unit 7 - Typical Plans		
A1-072	Unit 7 - Concrete Plans		
A1-073	Unit 7 - Reflected Ceiling Plans		
A1-074	Unit 7 - Roof Plans		
A1-081	Unit 8 - Typical Plans		
A1-082	Unit 8 - Concrete Plans		
A1-083	Unit 8 - Reflected Ceiling Plan		
A1-084	Unit 8 - Roof Plans		
A1-091	Unit 9 - Typical Plans		
A1-092	Unit 9 - Concrete Plans		
A1-093	Unit 9 - Reflected Ceiling Plans		
A1-094	Unit 9 - Roof Plans		
A1-101	Unit 10 - Typical Plans		
A1-102	Unit 10 - Concrete Plans		
A1-103	Unit 10 - Reflected Ceiling Plans		
A1-104	Unit 10 - Roof Plans		
A1-110	Second Floor Deck Plans		
A2-01	Elevations		
A3-01	Sections		
A3-02	Sections		
A3-03	Sections		
A3-04	Stairs Section & Details		
A3-05	Patio Sections		
A4-01	Construction Details		
A4-02	Construction Details		
A4-03	Construction Details		
A4-04	Construction Details		
A4-05	Deck Structure		
A4-06	Deck Structure		
A6-01	Window Details		
A6-02	Window Details		
A6-03	Window Details		
A6-04	Window Details		
A6-05	Window Details		
A6-06	Door Details - Deck		
A6-07	Door Details - Patio		
A6-08	Door Details - Entry		
A6-09	Door Details - Garage		
A7-01	Unit 6 - Door/Window Schedule		
A7-02	Unit 7 - Door/Window Schedule		
A7-03	Unit 8 - Door/Window Schedule		
A7-04	Unit 9 - Door/Window Schedule		
A7-05	Unit 10 - Door/Window Schedule		
A8-02	Isometric Views		
A8-03	Isometric Views		
A8-04	Isometric Views		
A8-05	Isometric Views		

QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM180834**

Monday, 29 October 2018

**LEGAL DESCRIPTION**

650a Frankton Road, Frankton
 Lot 384 DP 430063
 Site Area 5426m²
 Building Footprint 495m²
 Site Coverage 12%
 Wind Zone VERY HIGH
 Altitude 403m (sub-alpine)

NOTE:
 Drawings to be read in conjunction with Clark
 Fortune McDonald & Associates Engineering
 Design Plans.
 Refer to CFMA design plans for Foul Drainage
 layout, Stormwater Drainage layout, Water
 Retention Layout & Gas Retention layout.

QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM180782**

Tuesday, 18 December 2018

Site Plan -

1:200

**PRELIMINARY
FOR APPROVAL**
 20/02/2018 9:44:37 AM



Date	Revision Description	No.

Do Not Scale From These Drawings
 Use Figure Dimensions Only

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Contract
THE TIERS VILLAS - Block B
 For: ALPHA PROPERTIES NZ LTD
 650a Frankton Road
 Queenstown

At Scale
 As indicated Date 03/04/14

Project No.
 Part Site Plan

Contract
 17030 Sheet
A0-01

Client Name
 CI

Revision
 FOR APPROVAL A1

OR SCALE SIZE
 A1

NOTES:

- SUBJECT TO FINAL LT SURVEY
- FINAL BOUNDARY LOCATIONS SUBJECT TO ASBUILT LOCATION OF PARTY WALLS
- ADDITIONAL SERVICE EASEMENTS MY BE REQUIRED

QUEENSTOWN LAKES DISTRICT COUNCIL

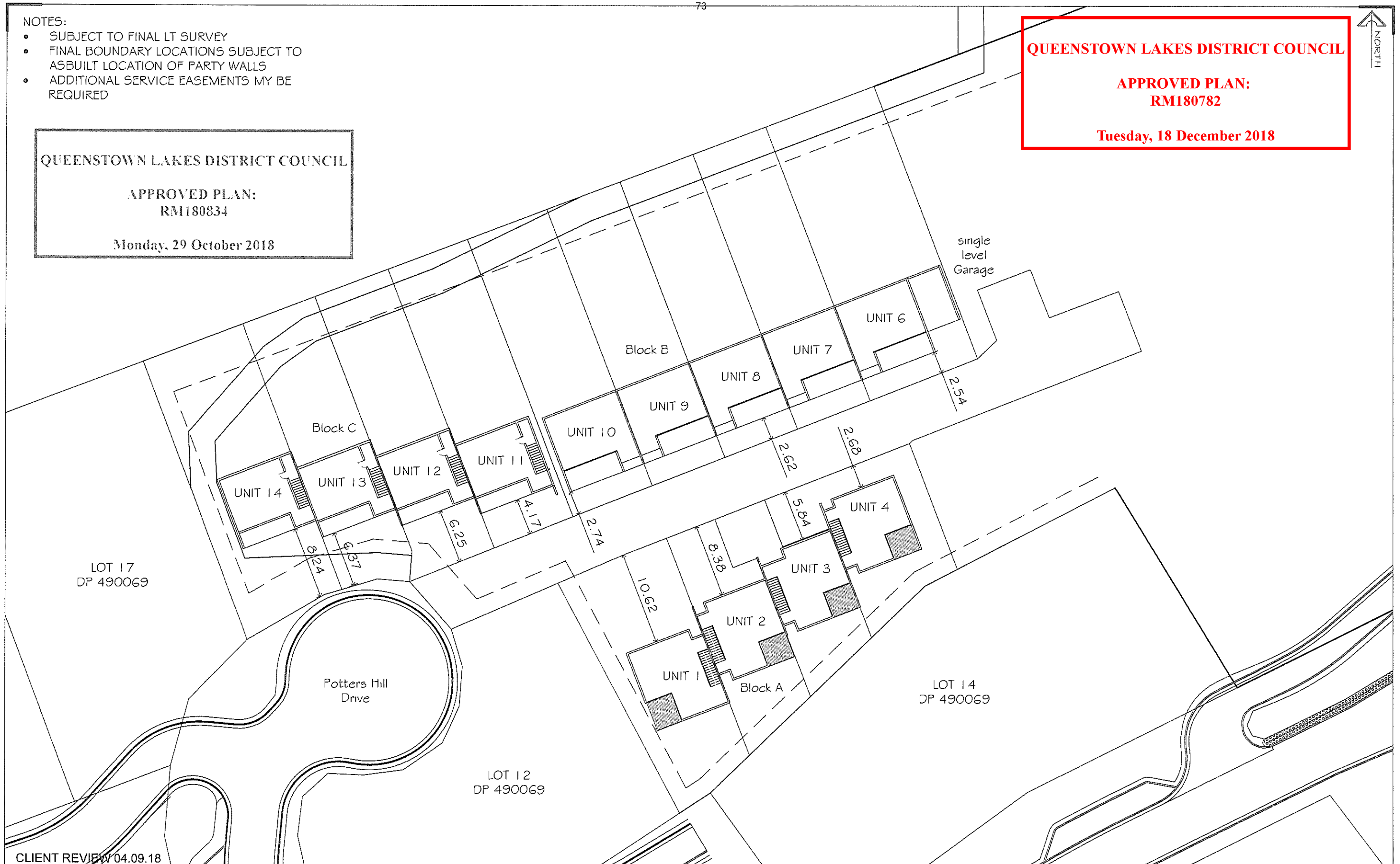
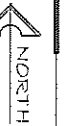
APPROVED PLAN:
RM180834

Monday, 29 October 2018

QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180782

Tuesday, 18 December 2018



CLIENT REVIEW 04.09.18

Clark Fortune McDonald & Associates
Chartered Surveyors & Engineers
 309 Lower Shotover Road, P.O.Box 553 Queenstown
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
 Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
 Tel. (03)470-1592, Fax (03)470-1583, Email admin@cfma.co.nz

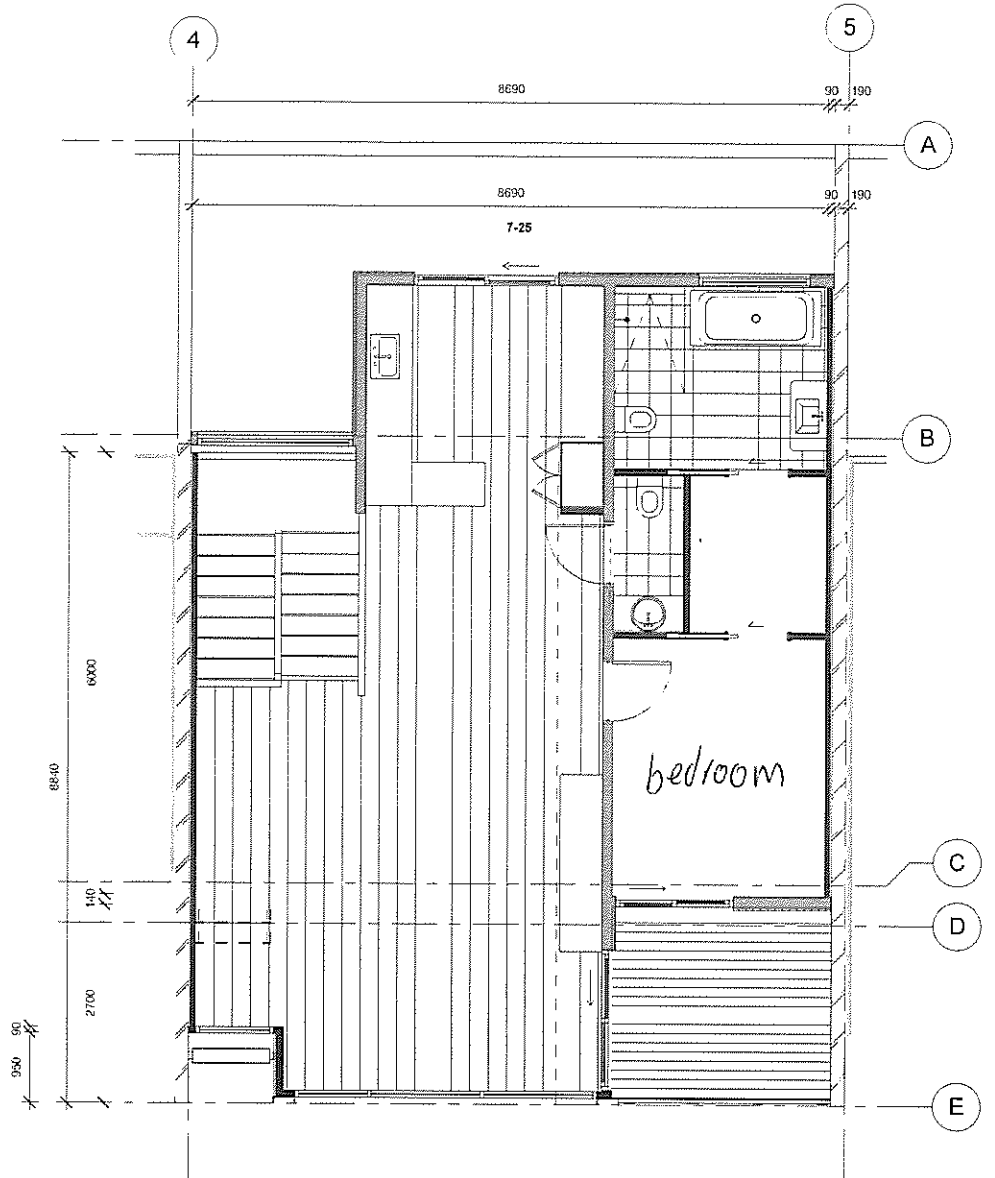
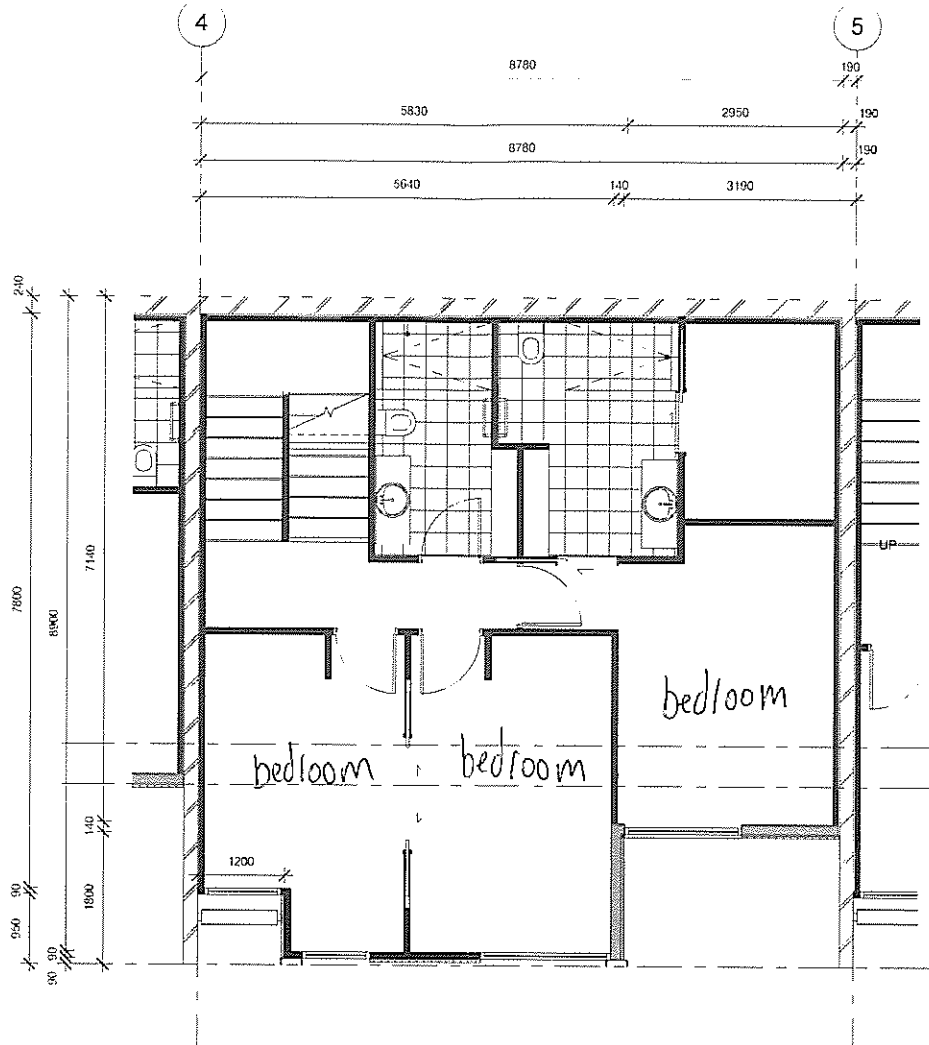
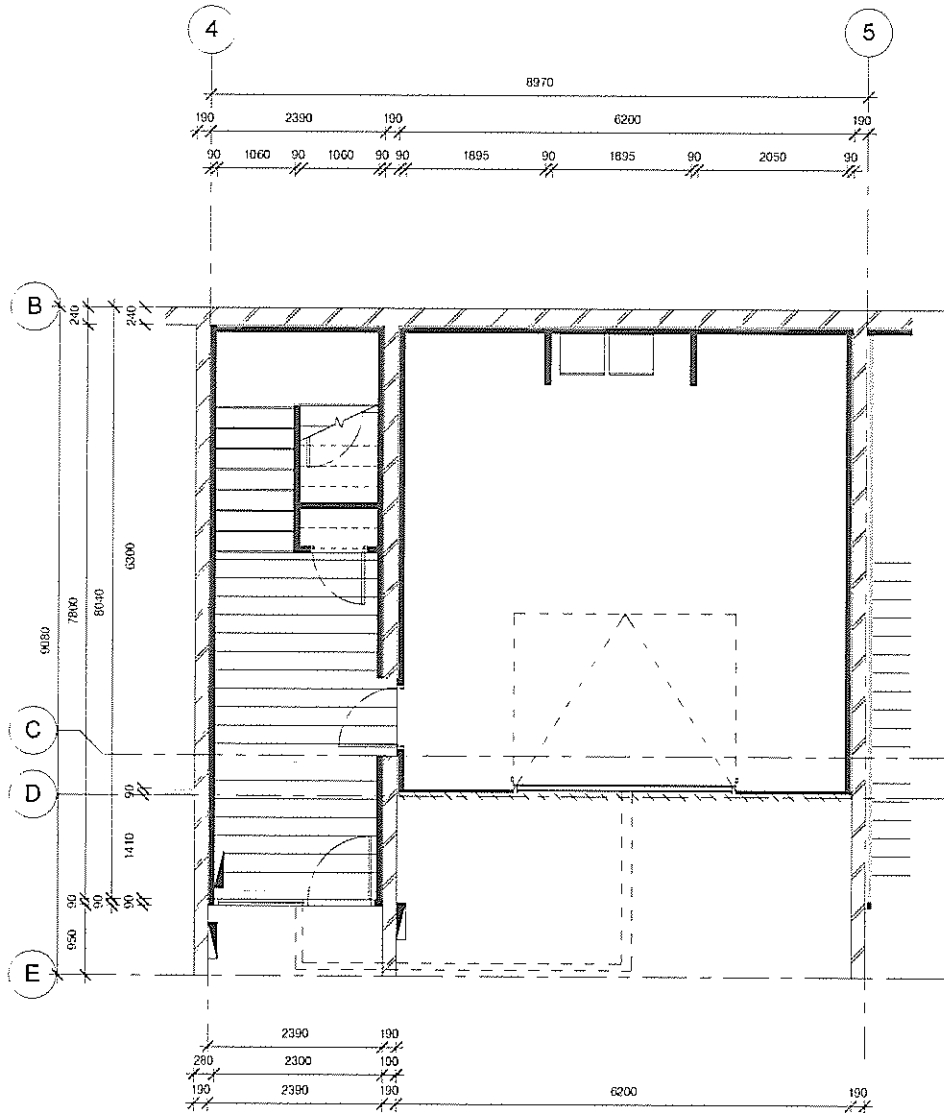
Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
B	26.09.16	Add carparks	RB
C	17.04.17	Add Extra units	RB
D	11.10.17	Update Block B location	RB
E	22.05.18	Update Unit 5 & remove 5	RB
F	04.09.18	Update boundaries	RB

PROPOSED UNITS ON LOT 10 DP 490069

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
					Sheet 001
	Drawn	Signed	Date	Scale	1:200 @ A1
					1:400 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
				Mt Nic 2000 & MSL	F

Notes:
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 - Ensuring the information is the most recent issue.
 - Copyright on this drawing is reserved.

S:\OBS\12300\12377\acad\12377_08_The Tiers villas_Proposed units_REV6.dwg Plotted 19.09.2018



Unit 7 Ground Floor Plan

1 50 GENERAL NOTES

- Stud spacings to all exterior framed walls to be 400mm unless noted otherwise
 - Stud spacings to all interior non-loadbearing walls to be 500mm unless noted otherwise
 - All bottom plates to exterior wall framing to be fixed to concrete slab with M12 galvaneasted anchor bolts @ 500mm c/s max. Bolts to be complete with 50x50x3mm washers
 - All bottom plates to internal framed walls to be fixed to concrete slab with M12 Tub bolts @ 500mm c/s max
 - All bottom plates to have a minimum of two fixings per plate
 - All top plates to be fixed to all studs in accordance with Table 8.16 NZS3904 2011. Fixing Type B (250x15 end nails + 2 wire dogs)
 - All timber joists to top storey to be fixed in accordance with Fig. 8.12 NZS3904 2011 for concrete slab and with strap to joist / stud connection
 - All trimmer studs to joists to be in accordance with Fig. 8.15 and Table 8.5 of NZS3904 2011
 - All trusses to be fixed to top plates in accordance with Table 10.14 Fixing Type E (250x15 end nails + 2 wire dogs)
 - All purlins to be fixed to trusses in accordance with Table 10.10 NZS3904 2011 Fixing Type T (170g self drilling screw 60mm long)
 - All other timber frame construction to comply strictly in accordance with NZS3904 2011
 - All timber framed external walls to be wrapped with James Hardie 6mm RA8 Board
 - All timber top plates to internal non-loadbearing walls to be shot fixed to underside of floor system at 500mm c/s
 - All wet areas to have approved non-slip flooring (this walls shall be lined using selected wall tiles over 9mm James Hardie Villoboard fixed to manufacturers specifications)
 - All showers to be wet floor tiled showers. Provide shower floor falls to floor waste gully.
- Refer to Engineers Drawings & Specifications for slab & foundation details, using location & intel sizes

WALL LEGEND

- New 90x45mm H1.2 SGB framing Studs @ 400mm c/s max. 10mm Gab Standard to interior
- New 140x45mm H1.2 SGB framing Studs @ 400mm c/s max. 10mm Gab Standard to interior
- 20 Series Concrete Block Ardex Shelterseal 5000HD tanking system to exterior 70x55mm H3.1 timber battens over Thermakraft Covertek 403 building wrap 70mm Expel Platinum Board insulation 10mm Gab Standard to interior
- Interconnected Smoke Detection System - go to NZS4914 2008. Refer fire report
- Electrical Meter Board
- Electrical Main Switch Board to each Unit
- Gas Meter Board (Location TBC)

WET AREAS

- Tiled Bathroom & Ensuite walls shall be lined using selected wall tiles over 9mm James Hardie Villoboard fixed to manufacturers specifications
- Bathroom & Ensuite floors to be finished using selected ceramic tiles. Prepare floor surfaces using Mapei Mapugum WPS membrane system to comply with NZBC - E3 - AS1 Figure 4.8.5. Provide 100mm tiled upstand to comply with NZBC - E3 - AS1 Figure 1.
- Showers to be wet floor tiled showers fitted with toughened safety glass screens & doors.
- All joinery units including vanities to be sealed around perimeter to floor

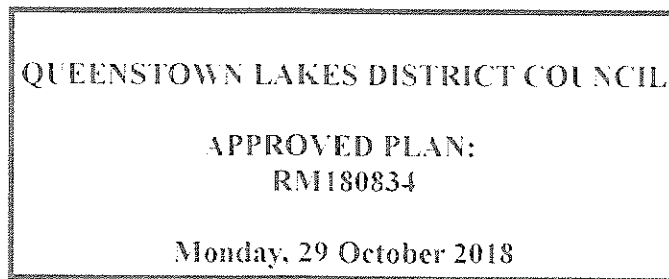
FLOOR FINISHES

- Selected ceramic flooring tiles with slip resistance of 0.3 to all Bathrooms, Ensuates, Laundry's & Kitchen areas
- Selected timber strip flooring overlay on backing
- Second Floor Grid E Deck - Selected 19mm Hardwood decking on Outdure Owingbulk Deck Frame and Support System

All other areas, including stair to be selected carpet

Unit 7 First Floor Plan

1 50



QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN:
RM180782

Tuesday, 18 December 2018

Unit 7 Second Floor Plan

1 50

LOWER LEVEL 58m²
MID LEVEL 61m²
UPPER LEVEL 61m²
DECK 9m²
PATIO 34m²
TOTAL 223m²

Unit 7 Room Names

7-01	Entry	11 m²
7-02	Double Garage	36 m²
7-03	Laundry	1 m²
7-04	Coat	1 m²
7-05	Stair - Ground	3 m²
7-06	Store	1 m²
7-07	Master Bedroom 1	13 m²
7-08	Ensuite	7 m²
7-09	Walk-in-Wardrobe	5 m²
7-10	Bed 3 / Media	12 m²
7-11	Bedroom 4	11 m²
7-12	Passage	4 m²
7-13	Bathroom	6 m²
7-14	Deck	5 m²
7-15	Stair - First	7 m²
7-16	Master Bedroom 2	10 m²
7-17	Walk-in-Wardrobe	4 m²
7-18	Ensuite	7 m²
7-19	Living	25 m²
7-20	Dining	12 m²
7-21	Kitchen	10 m²
7-22	WC	2 m²
7-23	Deck	8 m²
7-24	Stair - Second	7 m²
7-25	Patio	14 m²
7-26	Spa	5 m²

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FOR APPROVAL
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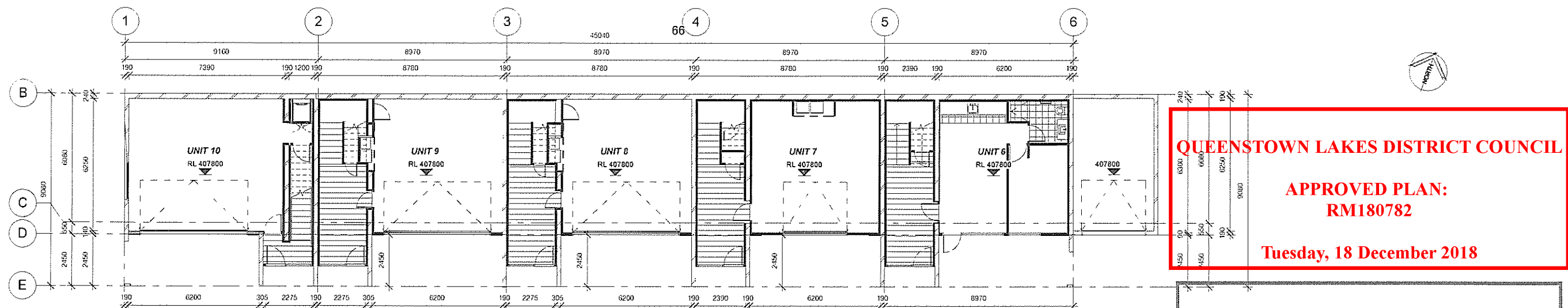
Date	Revision	Description	No.

THE TIERS VILLAS - Block B
For: ALPHA PROPERTIES NZ LTD
658a Frankton Road
Queenstown

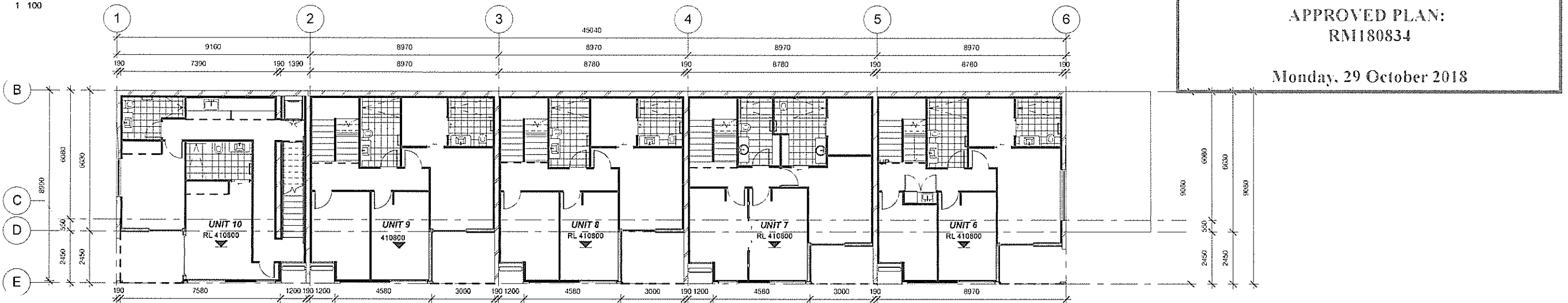
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Unit 7 - Typical Plans

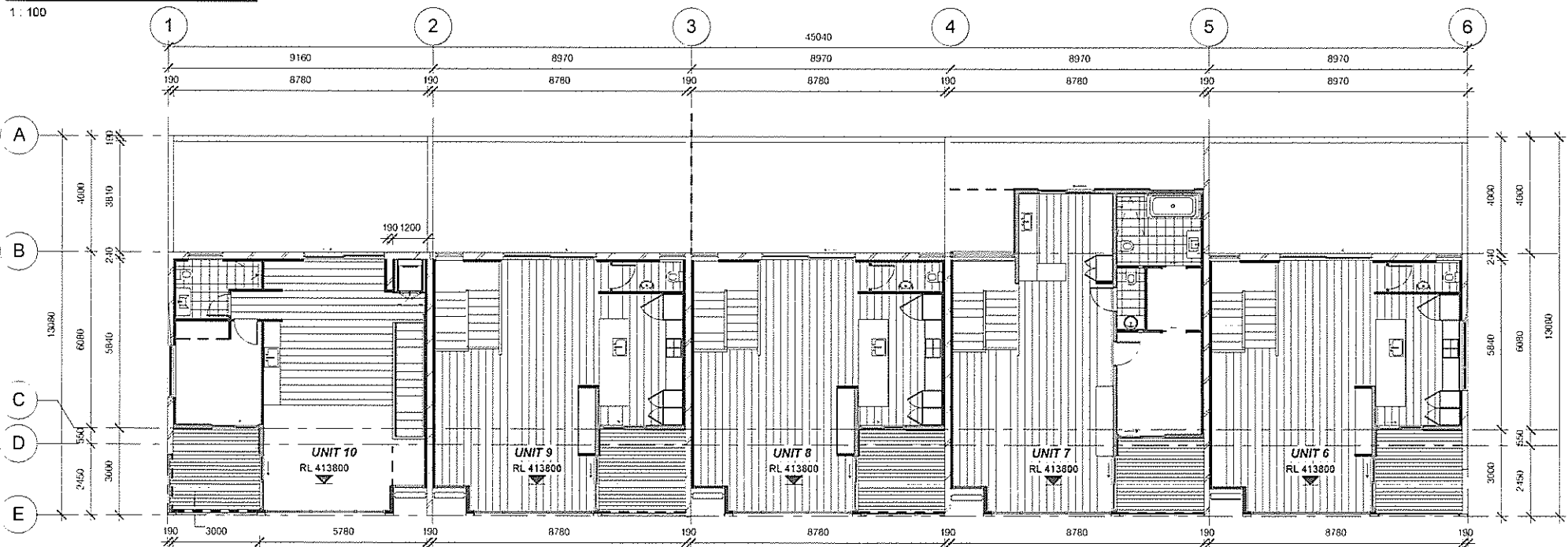
FOR APPROVAL
A1-071



Part Block B Ground Floor Plan
1 : 100



Part Block B First Floor Plan
1 : 100



Part Block B Second Floor Plan
1 : 100

**PRELIMINARY
FOR APPROVAL**
20/02/2018 9:44:40 AM



Date	Revision Description	No

Do not Scale from these Drawings
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Contract
THE TIERS VILLAS - Block B
For : ALPHA PROPERTIES NZ LTD
650a Frankton Road
Queenstown

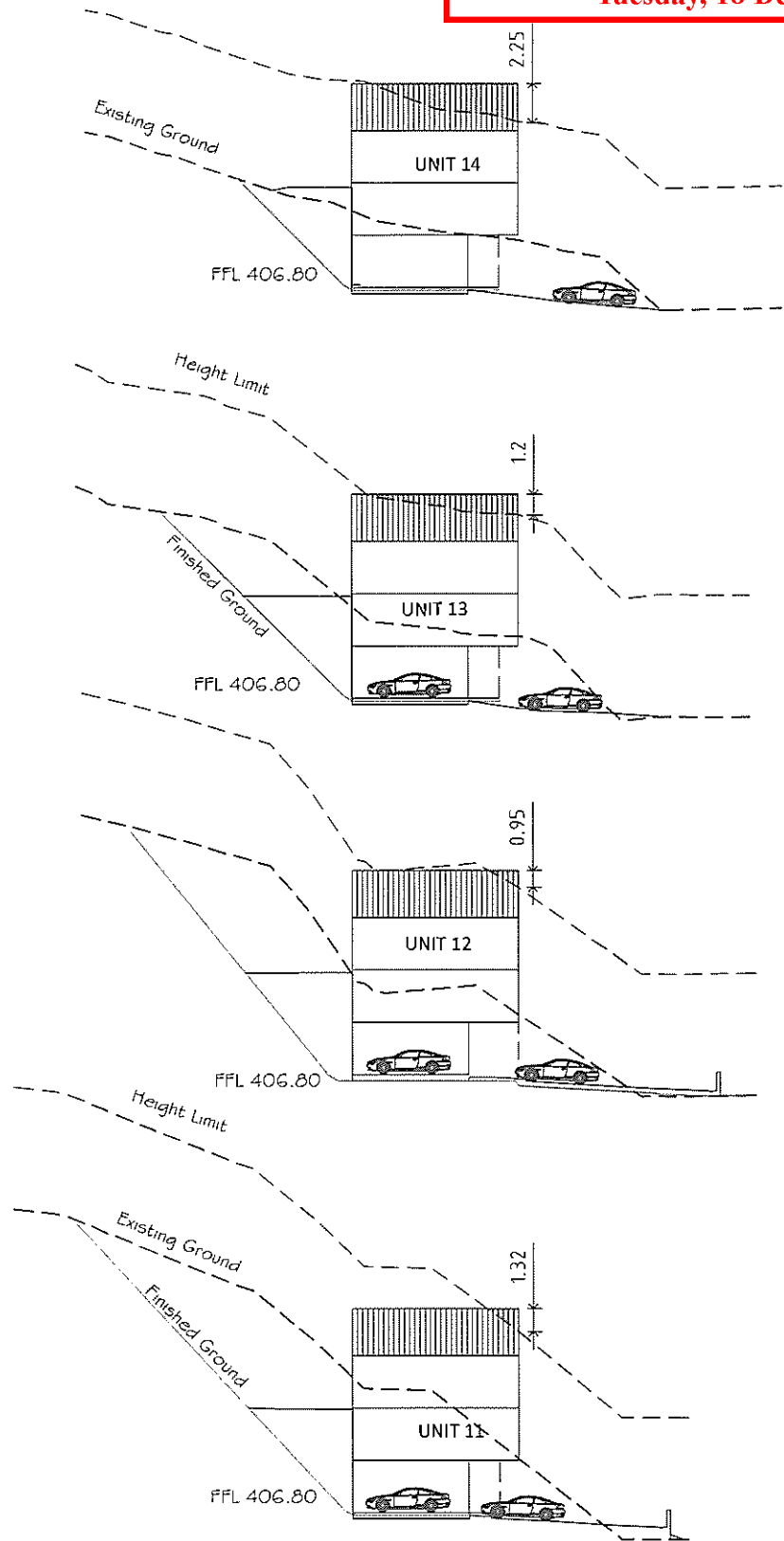
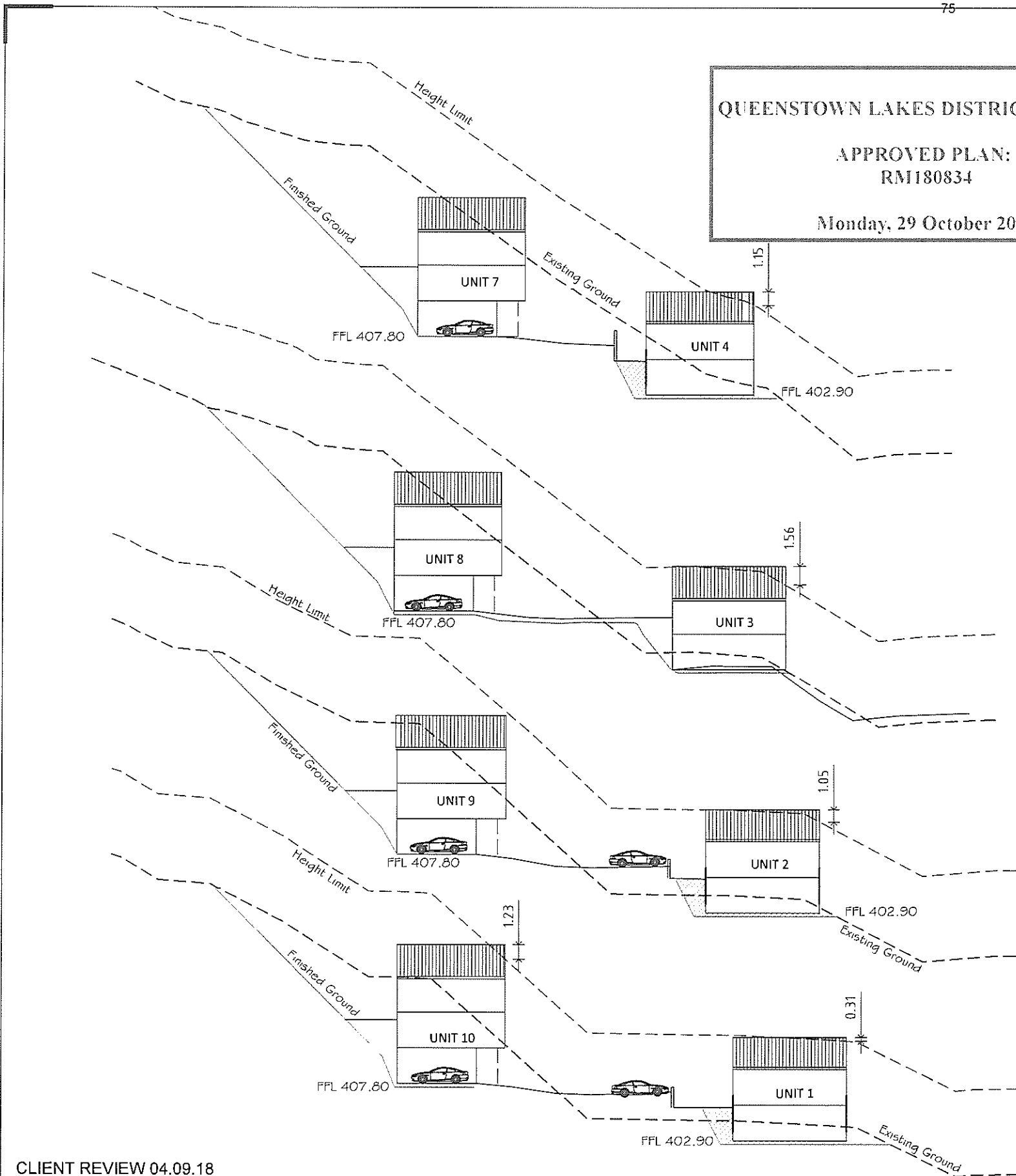
As Cases
1 : 100
07/07/16

Sheet No
**Block B - Block & Grid Layout
Plans**

Contract
17030
Sheet
A0-02
Revision
01
FOR APPROVAL
A1

APPROVED PLAN:
RM180782

Tuesday, 18 December 2018



CLIENT REVIEW 04.09.18

Clark Fortune McDonald & Associates
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Rev.	Date	Revision Details	By
A	26.09.16	Adjust unit sizes	RB
C	17.04.17	Add Extra units	RB
D	11.10.17	Shift Block B back & adjust levels	RB
E	22.05.18	Update Unit 6 & remove 5	RB

PROPOSED UNOTS ON LOT 10 DP 490069 SECTION VIEWS

Client	Surveyed	Signed	Date	Job No.	Drawing No.
ALPHA PROPERTIES LTD	-	-	-	12377	08
					Sheet 003
	Drawn	Signed	Date	Scale	1:200 @ A1 1:400 @ A3
	Designed	Signed	Date	Datum & Level	Rev.
				Mt Nic 2000 & MSL	E

S:\JOBS\1230012377\acad\12377_08_The Tiers villas_Proposed units_REV5.dwg Plotted 19.09.2018