



DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

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|---------------------------|--|
| Applicant: | Quail Rise Estate Limited |
| RM reference: | RM120709 |
| Location: | Abbottswood Lane, Quail Rise |
| Proposal: | To construct a dwelling with associated earthworks and landscaping within the G (Open Space & Passive Recreation and Landscaping) Activity Area; to remove a conifer tree; and to breach the maximum number of residential units permitted in the Quail Rise Zone. |
| Type of Consent: | Land Use |
| Legal Description: | Lot 2 Deposited Plan 449617 held in Computer Freehold Register 570294 |
| Valuation Number: | 2907147455 |
| Zoning: | Quail Rise (G (Open Space Activity & Passive Recreation & landscaping) Activity Area) |
| Activity Status: | Non-Complying |
| Notification: | Publicly Notified |
| Commissioner: | Commissioner Sinclair |
| Date Issued: | 30 July 2013 |
| Decision: | Granted with conditions |

This is an application for resource consent under Section 88 of the Resource Management Act 1991 to construct a dwelling with associated earthworks and landscaping within the G (Open Space & Passive Recreation and Landscaping) Activity Area; to remove a conifer tree; and to breach the maximum number of residential units permitted in the Quail Rise Zone. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 30 July 2013. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

Notification, Assessment and Section 100 of the RMA

The application was publicly notified at the applicants request on 22 August 2012. No submissions were received. A Section 42A report has been prepared (Attachment 1), which outlines the assessment that has been undertaken of the proposal against the provisions of the District Plan and Resource Management Act 1991 (RMA).

The RMA allows for consideration of this application without a hearing under Section 100 which states:

100. Obligation to hold a hearing

A hearing need not be held in accordance with this Act in respect of an application for a resource consent [...] unless –

- (a) The consent authority considers that a hearing is necessary; or*
- (b) Either the applicant or a person who made a submission in respect of that application has requested to be heard and has not subsequently advised that he or she does not wish to be heard.*

The applicant has advised they do not wish to be heard. No submissions were received in respect to this application during the notification period.

Given the conclusions contained in the s.42A report (Attachment 1), it is considered that a formal hearing of the application is not necessary for the substantive determination of the application.

In this particular case, and given the circumstances outlined above, the consent authority does not consider a hearing necessary.

The Independent Commissioner has reviewed the Section 42A recommendation prepared for this application, and has also undertaken a site visit (on 30 July 2013) with respect to the application, and has decided that it can proceed without the need for a formal hearing under Section 100 of the Act.

Decision

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

General Conditions

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

a) Hadley Consultants Limited:

- 'Proposed Dwelling on Lot 2 DP 449617';
-

b) Fat Hippo Design Group Limited:

- 'Floor Plan';
- 'Elevations';

c) Clark Fortune McDonald & Associates:

- 'Proposed Earthworks on Lot 2 DP 449617' – Job No. 9091, Drawing No. 88_01, Rev. C, revision date 30.11.12;
- 'Proposed Earthworks on Lot 2 DP 449617' – Job No. 9091, Drawing No. 88_02, Rev. C, revision date 30.11.12;

d) **Vivian+Espie:**

- 'Landscape Plan'

(stamped as approved on 30 July 2013) 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.

Landscaping Conditions

3. Planting shown on the approved landscape plan (by Vivian+Espie, 'Landscape Plan', stamped as approved on 29 July 2013 under Condition 1) shall be implemented within 6 months of completion or occupation of the dwelling (whichever comes first), and thereafter be maintained and irrigated if required in accordance with the plan. If any tree or plant shall die, become diseased or in the opinion of the Councils Landscape Architecture becomes defective it shall be replaced within the next available planting season.

Engineering Conditions

General

4. 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

5. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends a minimum 6m into the site.
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 NZS 4404:2004 and "A Guide to Earthworks in the Queenstown Lakes District" brochure, prepared by the Queenstown Lakes District Council. 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.

To be monitored throughout earthworks

7. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads or rights-of-way 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.

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

On completion of earthworks

9. On completion of earthworks and prior to the commencement of construction of the dwelling the consent holder shall provide the Principal Engineer Council a PS4 Producer Statement for the stormwater/debris cut-off bund recommended within Hadley Consultants 'Lot 50 DP370064 Proposed Building Platform and Bund Alteration' report dated 18th October 2012.

Construction of the dwelling shall not commence until this condition has been complied with.

10. On completion of earthworks within the building footprint and prior to the construction of the dwelling, a suitably qualified engineer experienced in soils investigations shall either:
- a) Provide certification to the Principal Engineer at Council, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any); or
 - b) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site. A producer statement shall be submitted to the Principal Engineer at Council for the design of the dwelling foundations.
11. On completion of the earthworks, the consent holder shall top-soil and grass/revegetate or otherwise permanently stabilise all exposed areas.

To be completed when works finish and before occupation of dwelling

12. Prior to the occupation of the dwelling, 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 installation of a water supply connection to the dwelling in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve. The costs of the connections shall be borne by the consent holder.
 - c) The consent holder shall install a fire hydrant within 135m of the main entry to the dwelling in accordance with SNZ PAS 4509:2008.
 - d) The provision of a sealed vehicle crossing and access way to the dwelling off Abbottswood Lane constructed to Council's standards.
 - e) Any power supply and/or telecommunications connections to the dwelling shall be underground from existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
 - f) The consent holder shall remedy any damage to all existing road surfaces and berms that result from work carried out for this consent.

On-going Conditions/Consent Notices

13. On completion of the dwelling, a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register of the subject site providing for the performance of the following on-going hazard management maintenance:

- a) The historic water race on Lot 2 DP 449617 is required to be maintained as a secondary flow path for overland flows. The owner of Lot 2 shall undertake regular and on-going inspections of the water race and when necessary do all such things and take such action as is necessary to ensure that accumulated debris are removed from the race.

Advice Notes:

1. 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 this water supply is to be utilised for dust suppression during earthworks.
2. The water connection to this dwelling will require approval by Council under a 'Connection to Council Service Application (USC application)'.
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 Lakes Environmental Ltd.

Other Matters

Local Government Act 2002: Development Contributions

This proposal will generate a demand for network infrastructure, transportation and reserves and community facilities.

In granting this resource consent, pursuant to Part 8 Subpart 5 and Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004) the Council has identified that a Development Contribution is required.

An invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to commencement of the consent, except where a Building Consent is required. If a Building Consent is required, then payment shall be due prior to the issue of the code of compliance certificate or prior to the connection to Council services, whichever comes first.

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.

Should you not be satisfied with the Commission's decision an appeal may be lodged with the Environment Court, Justice Department, PO Box 2069, Christchurch, telephone 03 9624170 and all parties, not later than 15 working days from the date this notice is received.

You are responsible for ensuring compliance with the conditions of this resource consent. 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 reschedule its completion.

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.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

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 Adonica Giborees on phone (03) 450 0338 or email adonica.giborees@qldc.govt.nz.

Prepared by

Reviewed by



Adonica Giborees
SENIOR PLANNER

Hanna Afifi
SENIOR PLANNER

Appendix 1 - S42a Report

FILE REF: RM120709

TO Independent Commissioner
FROM Adonica Giborees, Senior Planner
SUBJECT Report on a publicly notified consent application.

SUMMARY

Applicant: Quail Rise Estate Limited
Location: Abbottswood Lane, Quail Rise
Proposal: To construct a dwelling with associated earthworks and landscaping within the G (Open Space & Passive Recreation and Landscaping) Activity Area; to remove a conifer tree; and to breach the maximum number of residential units permitted in the Quail Rise Zone.
Legal Description: Lot 2 Deposited Plan 449617 held in Computer Freehold Register 570294
Zoning: Quail Rise (G (Open Space Activity & Passive Recreation & landscaping) Activity Area)
Public Notification Date: 5 December 2012
Closing Date for Submissions: 24 January 2013
Submissions: None

Implications For:

| | | |
|------|----------------|----|
| i) | Policy | No |
| ii) | Annual Plan | No |
| iii) | Strategic Plan | No |

RECOMMENDATION

That the application by Quail Rise Estate Limited for the construction of a dwelling with associated earthworks and landscaping within the G (Open Space & Passive Recreation and Landscaping) Activity Area; to remove a conifer tree; and to breach the maximum number of residential units permitted in the Quail Rise Zone, be GRANTED pursuant to Section 104 of the Resource Management Act 1991 for the following reasons

1. The adverse effects of the proposal can be adequately avoided, remedied or mitigated, and the proposed development is considered appropriate in the context of the surrounding area due to the external appearance of the dwelling being consistent with the surrounding residential dwellings in the area. The earthworks and landscaping will appear in keeping with the landscaping of the Quail Rise zone.
2. All persons affected by the proposal have provided their written approval.
3. The proposal is overall consistent with the relevant objectives and policies of the District Plan which seek to avoid, remedy and mitigate the adverse effects of inappropriate land use within the District.
4. In terms of Part 2 of the Resource Management Act 1991, the proposal is considered to be consistent with Section 5, the overall purpose and principles of the Act. With regard to the matters outlined in Section 7 of the Act, the proposal maintains existing amenity values and the quality of the existing environment and of neighbouring properties in the vicinity.
5. Overall, the proposal will result in sustainable development in the Queenstown Lakes District and therefore is considered appropriate, subject to the recommended conditions of consent.

REPORT

1.0 INTRODUCTION

My name is Adonica Giborees. I have worked as a planner with the Queenstown Lakes District Council (formerly Lakes Environmental Limited) since 28 June 2010. Prior to this, I worked for McCormick Rankin Cagney (Transportation and Planning Consultants) in Auckland since July 2005. During this time I also worked for Meridian Planning Consultants Incorporated in Ontario, Canada (2007-2008).

Of particular relevance to this application, I have been the processing planner for a number of applications in the Quail Rise Zone for subdivision and land use consents.

I hold the qualification of a Bachelor of Planning from the University of Auckland. I am a Graduate Plus member of the New Zealand Planning Institute.

This report has been prepared to assist the Commission. It contains a recommendation that is in no way binding. It should not be assumed that the Commission will reach the same conclusion.

2.0 SITE & ENVIRONMENT

I refer the Commission to Paragraph 9 Mr Richard Denney's (Lakes Environmental's Landscape Architect now Council's) report which provides a detailed description of the site and surrounding environment. I consider this description to be accurate and adopt it for the purpose of this report.

In addition to this description, it is noted that the subject site in its current title has a total area of 8,537 square metres.

Figure 1 below illustrates the location of the subject site and its surroundings.



Figure 1: Map showing location of subject site

★ Land owned by Quail Rise Estate Limited

2.1 Consent History

Resource consent RM040725 (granted on 27 October 2004) approved the subdivision of Lot 2 DP 324970 and Lot 1 DP 302053 into three residential allotments and one balance lot. Lot 3 of this subdivision incorporated the subject site, with a residential building platform identified in the south-eastern portion of the site, now being within Lot 44 DP 370064.

Resource consent RM060292 (granted on 16 May 2006) approved a boundary adjustment subdivision of Lot 44 DP 357615 (created by RM040725) and Lot 50 DP 27480. The boundary adjustment resulted in the creation of Lot 44 DP 370064 which contains the residential building platform approved under RM040725, and Lot 50 DP 370064 which partially incorporates the subject site.

RM090658 sought consent for two dwellings (reduced to one at the hearing) in the lower area of the site, and the related subdivision of this land. The proposal was amended at the hearing such that only one dwelling was proposed, and no subdivision sought. The proposed location of the final dwelling sought is the same as that approved under resource consent RM110443 (see below). The location of the second dwelling originally approved is the same as that proposed as part of the subject application. At that time, the land was zoned G Open Space Activity Area. This application was declined by Council. An appeal was lodged to the Environment Court, but was later withdrawn.

Subsequently, Plan Change 37 considered the issues around residential use of this area of land (hearing evidence on landscape and hazard matters) and determined that it was appropriate to rezone a portion of the land to which resource consent RM090658 relates for residential use. Plan Change 37 which is now operative established the new R2 (A) Activity area for one residential dwelling, with Council discretion with respect to (in particular) the potential hazard risk to the site. The R2 (A) Activity Area is located immediately north of the application site.

Resource consent RM110443 (granted on 10 November 2011) approved the establishment of a residential dwelling that breached the 5 metre height restriction, and the subdivision of Lot 50 DP 370064 to create one additional residential lot within the R2 (A) Activity Area. The subdivision resulted in the creation of Lots 1 and 2 DP 449167; Lot 1 containing the residential dwelling approved under RM110443 and Lot 2 being the subject site in its current form.

Resource consent RM120124 (granted on 29 March 2012) approved a variation to conditions of resource consent RM110443 to amend the proposed earthworks and the requirement to register fill, or to instead provide for appropriate foundation design by an engineer at the time a dwelling is proposed.

Resource consent RM120247 (granted 1 August 2012) approved the subdivision of nine existing lots held in six Computer Freehold Registers to create a total of seven lots to be held in six titles, of which one was to be vested in Council as Local Purpose Reserve (Utility Purposes). Consent was also given to breach the requirement for a residential building platform to be identified for every allotment created for residential purposes within the R2 (D) Activity Area at the time of subdivision.

The aforementioned resource consent decisions and approved plans are attached as Appendix A to this report.

3.0 PROPOSAL

A copy of the application and accompanying assessment of effects and supporting reports can be found in the "Application" section of the Agenda. Additional information has also been received since the closing of submissions, and this can be found in the "Further Information" section of the Agenda. For ease of reference, a full set of the proposed plans are attached as Appendix B to this report.

Consent is sought to construct a dwelling with associated earthworks and landscaping within the G (Open Space & Passive Recreation and Landscaping) Activity Area; to remove a conifer tree; and to breach the maximum number of residential units permitted in the Quail Rise Zone.

The proposed dwelling is 232 square metres, of single level design with a gabled roof, and includes an attached double garage. The maximum height of the dwelling will be 5.5 metres above original ground level. The exterior cladding is proposed to be linea weatherboards painted 'Stonewall' (a mid brown/grey colour with a light reflectance value of 27%) and stacked schist stone. The roof is proposed to be clad with profiled colorsteel painted 'Slate' (a dark grey colour with a light reflectance value of 9%). The garage will have an Ashton sectional slider door. No lighting is proposed, however the applicant has advised that all exterior lighting attached to the dwelling to be no higher than one metre above ground level.

A total volume of 830m³ of earthworks are proposed over an area of approximately 1,060m² for the purpose of creating a level building platform for the proposed dwelling, construction of the proposed access, and earth bunding. A maximum cut depth of up to 3.0m is proposed, with a maximum fill height of 2.4m.

Access to the proposed dwelling is from Ferry Hill Drive via a Right of Way, Abbottswood Lane.

A landscape plan has been submitted with the application which details proposed landscaping for the proposed development.

All services (water supply, wastewater disposal, telecommunication and electricity) have been established at the time of the underlying subdivision.

4.0 SUBMISSIONS

4.1 SUBMISSIONS

A submission was received from S & K Lanuel, being the owners of 10 Abbottswood Lane. This submission was withdrawn on 25 March 2013, and as such it is considered that there are no submissions for this publicly notified resource consent.

In addition, the Otago Regional Council (ORC) confirmed that they do not wish to make a submission on this application, noting that the application contained enough natural hazard information for QLDC to make an informed decision.

5.0 CONSULTATION AND WRITTEN APPROVALS

The adjoining landowners were served a copy of the application as part of the notification process, which gave any concerned parties an opportunity to submit.

The applicant has consulted with and obtained the written approval of the following persons:

| | Name | Address |
|---|----------------------------------|--|
| 1 | S D Stocks & C L Pettifer-Stocks | 4 Abbottswood Lane, Quail Rise <i>Lot 44 DP 370064</i> |
| 2 | S Lee | 44 Ferry Hill Drive, Quail Rise <i>Lot 46 DP 300296</i> |
| 3 | D F Whitaker & H A Ross | 3 Abbottswood Lane, Quail Rise <i>Lot 29 DP 357615</i> |
| 4 | B & K Evans | 2 Abbottswood Lane, Quail Rise <i>Lot 1 DP 449617</i> |

A map showing the location of this party's property is shown in Figure 2 below.



Figure 2: Map showing location of written approvals obtained

6.0 DISTRICT PLAN PROVISIONS

6.1 THE DISTRICT PLAN

The site is zoned Quail Rise (G (Open Space Activity & Passive Recreation & landscaping) Activity Area) under the District Plan.

The purpose of the Quail Rise Zone (as described in 12.14 of the District Plan) is to provide for low density residential living in a sustainable manner that conserves and enhances amenity and rural character.

The resource management issues for the zone include the provision of essential services, traffic safety and access, visual amenity, and the recognition of the values of the zone, including that development must be carried out in a manner that conserves the scenic and natural values of the site and the surrounding environment.

The key Objectives and Policies relevant to the application are contained within Part 4 (District Wide Issues) and Part 12 (Special Zones) of the District Plan which require determination under Section 104(1) of the Resource Management Act 1991. These are discussed further in Section 9.2 of this report.

The proposal requires the following resource consents:

1. A **controlled** activity consent pursuant to *Rule 12.15.3.2[vii]* for parking, loading and access in respect of earthworks and the impact of the safety and efficiency of the surrounding road network and the number of parking spaces to be provided in respect of visual impact of earthworks.
2. A **discretionary** activity pursuant to *Rule 12.15.3.3[iv](a)* for the removal of any tree from Activity Area G.

The proposal involves the removal of a conifer tree located within Activity Area G.

3. A **non-complying** activity consent pursuant to *Rule 12.15.3.4[vii]* for any buildings within Open Space G, as shown on the Quail Rise Structure Plan.

A dwelling is proposed in this area.

4. A **restricted discretionary** activity consent as the proposal does not comply with *Site Standard 12.15.5.1[i]* which restricts the use of the Open Space G Activity Area to outdoor recreation activities and open space.

The proposal is for residential use to occur within this area.

5. A **restricted discretionary** activity consent as the proposal does not comply with *Site Standard 12.15.5.1[iii](1)(a)* which states that the total volume of earthworks shall not exceed 100m³ per site (within a 12 month period).

It is proposed to undertake a total of 830m³ of earthworks within a 12 month period.

6. A **restricted discretionary** activity consent as the proposal does not comply with *Site Standard 12.15.5.1[iii](1)(b)* which states that the maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² per site (within a 12 month period).

The area of bare soil exposed from any earthworks is proposed to be 1,060m².

7. A **restricted discretionary** activity consent as the proposal does not comply with *Site Standard 12.15.5.1[iii](2)(b)* which states that the maximum height of any cut shall not exceed 2.4 metres.

The maximum height of cut is proposed to be 3.0 metres.

8. A **restricted discretionary** activity consent as the proposal does not comply with *Site Standard 12.15.5.1[iii](2)(b)* which states that the maximum height of any fill shall not exceed 2 metres.

The maximum height of fill is proposed to be 2.4 metres.

It is noted that the applicant has identified that the proposal would require non-complying activity consent under *Rule 12.15.3.4[viii]* for the total number of residential units in the zone exceeding 218,

as required under *Rule 12.15.5.2[i]*. The applicant notes in their application that it is *likely* that the total of 218 units for the zone may also be breached by this proposal.

Upon review of Council records, it has been found that a total of 203 residential allotments have been approved to date, and this includes the subdivision of the land to which the subject application relates.

An overview of the proposed and created residential lots is shown in the plan attached as Appendix C to this report. This plan shows a total of 204 residential lots either proposed or created. One additional allotment is proposed to be created under a presently active resource consent (Stage 8a) where no decision has yet been issued. Stage 10a is the land to which this application relates.

The District Plan stipulates that no more than one residential unit is permitted per allotment as set out in the *Zone Standard 12.15.5.2[i]*, and it is noted that this does not provide for any residential development in Activity Area G (Open Space). As far as can be established, no more than one residential unit has been constructed or consented per allotment in the Quail Rise Zone. As such, it is not clear as to how the proposed development will result in the total number of residential units in the zone being exceeded. In my opinion, no resource consent is required for a breach of *Rule 12.15.5.2[i]* in relation to the total number of residential units permitted within the zone.

Overall, the proposal was considered as a **non-complying** activity.

7.0 INTERNAL REPORTS

A report has been provided from the Lakes Environmental Landscape Architect, Mr Richard Denney, now Council's Landscape Architect. Mr Denney's report is attached as Appendix D to this report. Mr Denney's report concludes that the proposed dwelling would be clad in materials that would be appropriate in this landscape being of subtle and natural hues, and in the context of neighbouring residential buildings it would not appear prominent or out of place. Mr Denney considers that the formation of an earth bund would be largely behind the dwelling and difficult to view from the lane and nearby streets, and also that the proposal would effectively remove the open space character of the site and replace it with a residential one, and in doing so would degrade the landscape values and visual amenity currently existing. Visual connections to the adjoining Outstanding Natural Landscape of Ferry Hill would be compromised from Abbottswood Lane.

A report has also been provided from Lakes Environmental Engineer, Mr Alan Hopkins. The report relates to the provision of access, services, and earthworks and hazards. Mr Hopkins' report is attached as Appendix E to this report. Mr Hopkins has not raised any specific concerns with regard to engineering matters, however he has recommended a number of conditions in relation to access, servicing, the historic water race on the subject site, earthworks and hazards.

The assessments and recommendations of the reports are addressed where appropriate in the assessment to follow.

8.0 STATUTORY CONSIDERATIONS

This application must be considered in terms of Section 104 of the Act.

Subject to Part 2 of the Act, Section 104 sets out those matters to be considered by the consent authority when considering a resource consent application. Considerations of relevance to this application are:

- (a) *any actual and potential effects on the environment of allowing the activity; and*
- (b) *any relevant provisions of:*
 - (i) *a national environmental standard;*
 - (iii) *a national policy statement*
 - (v) *a regional policy statement or proposed regional policy statement*

- (vi) a plan or proposed plan; and
- (c) any other matters the consent authority considers relevant and reasonably necessary to determine the application.

In addition, Section 104D (Particular restrictions for non-complying activities) states that:

- (1) Despite any decision made for the purpose of section 95A(2)(a) in relation to adverse effects, a consent authority may grant a resource consent for a non-complying activity only if it is satisfied that either –
 - (a) the adverse effects of the activity on the environment (other than any effect to which section 104(3)(a)(ii) applies) will be minor; or
 - (b) the application is for an activity that will not be contrary to the objectives and policies of-
 - (i) the relevant plan, if there is a plan but no proposed plan in respect of the activity; or
 - (ii) the relevant proposed plan, if there is a proposed plan but no relevant plan in respect of the activity; or
 - (iii) both the relevant plan and the relevant proposed plan, if there is both a plan and a proposed plan in respect of the activity.

Following assessment under Section 104, the application must be considered under Section 104B of the Act. Section 104B states:

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

The application must also be assessed with respect to the purpose of the Act which is to promote the sustainable management of natural and physical resources. Section 9.4 of this report outlines Part 2 of the Act in more detail.

Section 108 empowers the Council to impose conditions on a resource consent.

9.0 ASSESSMENT

It is considered that the proposal requires assessment in terms of the following:

- (i) Effects on the Environment
- (ii) Objectives and Policies
- (iii) Other Matters
- (iv) Part 2 of the Act

9.1 EFFECTS ON THE ENVIRONMENT

9.1.1 The Permitted Baseline/Existing Environment/Receiving Environment

When determining the actual and potential effects of an application for resource consent, the 'permitted baseline' may be considered. The permitted baseline test calls for a comparison of the potential adverse effects of the proposal against two classes of activity; first, what is lawfully being undertaken on the land; secondly, what is permitted as of right under the District Plan (provided it is not a fanciful use). Activities authorised by a current but unimplemented resource consent form part of the receiving environment.

All buildings or alterations to buildings in the Quail Rise Zone (as well as any physical activity associated with any building such as roading or landscaping) require resource consent under the District Plan. Hence, the District Plan does not provide a permitted activity status for any building or associated activity. The removal of existing trees is not a permitted activity in the R2 (D) Activity Area of the Quail Rise Zone.

Permitted activities in the Quail Rise Zone (R2 (D) Activity Area) are restricted to activities such as:

- Landscaping (that is not associated with any proposed dwelling);
- Earthworks which do not breach Site Standard 12.15.5.1[iii], including less than 100m³ of earth being moved, over an area of less than 200m² (within any one consecutive 12 month period), cuts of up to 2.4m in depth and fill of up to 2m in height.

Further to this, there are no lawfully established activities on the site that are particularly relevant to this application, nor are there any relevant unimplemented resource consents within the site that are applicable to this assessment. Therefore, the permitted baseline is limited to those activities, listed above, permitted by the District Plan.

9.1.2 Actual and Potential Effects on the Environment

The District Plan includes a comprehensive range of assessment matters that set out both the process for and matters to be considered for development and activities within the Quail Rise Zone.

The assessment matters relevant to the proposal are contained in Part 12 (Special Zones) of the Plan. For the purposes of my assessment, these are broken down into these specific areas for consideration of the actual and potential effects on the environment. This assessment of actual and potential effects on the environment is guided by assessment matters provided in the District Plan where appropriate.

I consider the proposal raises the following actual and potential effects on the environment:

- (a) Land, Flora and Fauna
- (b) Character, Visual Amenity and Open Space Values
- (c) Positive Effects
- (d) Parking, Access, Traffic Generation and Vehicle Movements
- (e) Infrastructure
- (f) Earthworks and Nuisance Effects
- (g) Natural Hazards

(a) Land, Flora and Fauna

The earthworks proposed will alter the landform of the site. There is no landform of significance that will be affected by the proposal, however the proposal includes the removal of a conifer tree near the eastern boundary of the subject site.

The proposed earthworks involve areas of cut to the rear of the proposed dwelling, as well as proposed earth bunding behind [west of] the dwelling. There are also areas of relatively minor fill adjacent to the Abbottswood Lane frontage. The proposed landscaping would soften the proposed modifications to the landform.

Mr Denney has reviewed the application and considers that the proposed earthworks would “*modify the natural slope to some degree but in the overall context of the hill would be relatively small, and would be difficult to see upon completion of the dwelling and the landscape planting*”.

Rehabilitation of the earthworked area is not defined within the application. In this respect, a condition of consent has been recommended requiring that those earthworked areas that are not planted with shrubs and trees be re-grassed and planted within three months following earthworks, should consent be granted. This would mitigate the effects of any exposed areas of earth, and integrate the earthworked areas into the surrounding landscape.

A proposed landscape plan has been submitted which includes a structural planting of mixed rural evergreen and deciduous trees or similar, Lombardy poplars, and mixed native shrubs and grasses. This landscape plan also identifies the removal of a prominent conifer tree on the site. Mr Denney notes in his assessment that the removal of this conifer tree is not necessary as far as can be determined in regards to health of the tree or potential hazard. Since this time, the applicant has provided an amended landscape which identifies a compensating tree within the property towards the northern boundary and this would sustain a contribution to the neighbourhood amenity and soften built form as viewed from the north.

Once completed, the earthworks and landscaping will appear in keeping with the landscaping of the Quail Rise area. Overall the developed site will be entirely in keeping with that anticipated in this residential area.

Given the above, and subject to the recommendations set out above, adverse effects on the environment in terms of land, flora and fauna are not likely to be more than minor.

(b) Character, Visual Amenity and Open Space Values

Character

The proposed development would not be readily visible from State Highway 6 (SH6), but would be visible from Ferry Hill Drive.

Mr Denney has reviewed the proposal and considers that *“The proposed dwelling would be clad in materials that would be appropriate in this landscape being of subtle natural hues. In the context of neighbouring residential buildings it would not appear prominent or out of place”*. I accept Mr Denney’s assessment.

It is noted that no external lighting has been proposed as part of the application, and the applicant has advised that all exterior lighting will be fixed and no higher than one metre above finished ground level in accordance with District Plan requirements. To ensure that lighting does not produce inappropriate glare or light spill, it is recommended that a condition of consent be imposed requiring that a lighting plan be submitted to Council for approval prior to construction, should consent be granted.

The application includes a proposed 6 metre-wide driveway to provide access to the proposed dwelling. Mr Denney considers that this *“appears excessive in this location and would highlight the replacement of the existing green character of the site with hard pavement especially on a sloping drive”*. Mr Denney suggests that the drive way is reduced to 4 metres in width at the intersection with the lane with a wider bay nearer the dwelling. Whilst a reduction in driveway width may result in a more ‘green’ contribution to the site’s frontage, a reduction of 2 metres is not likely to result in effects over and above that resulting from the development as a whole, which includes a dwelling being close to the Abbottswood Lane frontage.

Visual Amenity and Open Space Values

As the proposal seeks consent for development outside of the areas of the Quail Rise zone that anticipate residential development there is the potential for the proposal to have adverse effects on visual amenity and open space values. This issue is particularly relevant given the site is adjacent to Ferry Hill, an Outstanding Natural Feature (ONF) (broader landscape effect) and is located within the G Open Space Activity Area of the zone (localised effect).

In assessing the actual and potential effects of the erection of a dwelling, the assessment should consider not only the physical built form but other domesticating elements which in this case would include curtilage associated with the dwelling, and the potential for varying management of each lot.

Other residential lots in Quail Rise extend into the Open Space G Activity Area. However, consistent management is encouraged by the imposition of consent notices, which restrict planting and structures. By restricting planting within the Open Space G Activity Area the consent notices ensure that, while residential lots extend into the activity area, it is maintained consistently. A copy of the

wording of one of these consent notices is attached as Appendix F to this report. This is taken from resource consent RM110443, being the residential development approved on Lot 1 DP 449617 – the adjoining site to the north of the application site.

A *Landscape Effects Assessment Report* has been submitted as part of the application (by Ben Espie or Vivian + Espie, dated 21 September 2012). Mr Denney has noted in his assessment that he concurs with Mr Espie's findings on the following matters identified in 6.1 of Mr Espie's report:

Potential adverse effects will be largely avoided because:

- *The subject site is located immediately adjacent to the residential activity areas and the proposed dwelling is located outside of the area identified as outstanding natural landscape of Ferry Hill.*
- *The amenity and landscape experience that is currently had from Spence Road and Old School Road will essentially be unchanged.*
- *From Domain Road the proposed building will not stand out and will appear as one of many dwellings in the immediate area.*
- *Evidence of the proposed activities will be generally unnoticeable to users of SH6.*

Mr Denney has provided the following further assessment of the proposal:

"I consider the proposed development would have most adverse effect for those residents within Abbottswood Lane as it is from Abbottswood Lane that the full extent of the open space of the subject property can be appreciated. From further afield within the zone the elevated nature of the site and amount of foreground obstacles such as houses, fences, trees etc. reduces the general visual appreciation of the site as open space to its upper portions. In this regard the visual quality and amenity would be very different from the current open space character to one of built form. The proposal would also limit the visual connection from the lane through to the ONL landscape beyond. Built form, domestic structures and the proposed earth bund would all contribute to separation between the lane and the ONL. As I understand it the open space is merely a visual entity in that is not for the provision of open space amenity in regards of passive or active activities within that space as it is privately owned. Overall I consider the adverse effects upon the open space landscape on those residents of Abbottswood Lane that have not provided affected party approval would be moderate. I note that those most directly affected the immediate neighbours to the east, west and south have provided affected party approvals. Neighbours on the west side of Abbottswood Lane would retain open space character behind their dwellings as part of Lot 1 DP457085".

I accept Mr Denney's assessment above for the purpose of this report, and note that, since this time, the applicant has obtain written approval from the immediately adjoining neighbours to the north of the application site (Lot 1 DP 449617, created by resource consent RM110443) and to the south of the application site (Lot 44 DP 370064, being Number 4 Abbottswood Lane), and as such effects on these neighbours have been disregarded.

Given Mr Denney's assessment above, it is acknowledged that development on this lot can be absorbed without significant adverse effect on wider landscape values. However, as discussed above the zoning is relevant to understanding the extent of development anticipated on the subject site and therefore the potential adverse effects. In this case, residential dwellings are not anticipated within the Open Space G Activity Area, the purpose of which is to provide for open space and recreation. The erection of a dwelling within this activity area along with the associated residential activity will adversely affect the open space values enjoyed within Quail Rise.

Given the site is intended to contribute to the open space character and rural outlook and amenities of the Quail Rise residential area, the erection of a dwelling and associated domestication will detract from this intent through the visible fragmentation of the activity area. The proposed house would mean that a rural view would be replaced by an urban element. The proposed bund and landscaping would also impede the view of the rural hillside from Ferry Hill Drive and Abbottswood Lane, and

undermine the landscape character of the application site. The effects would be limited to the immediately surrounding area however.

Whilst no submissions have been lodged with respect to the proposal, effects on neighbouring properties still need to be taken into account unless written approval has been provided. As discussed previously, written approvals have been obtained from Lot 1 DP 449617 (2 Abbottswood Lane), Lot 44 DP 370064 (4 Abbottswood Lane) and Lot 46 DP 300296 (44 Ferry Hill Drive) and Lot 29 DP 357615 (3 Abbottswood Lane).

A landscape plan is proposed to mitigate visual effects. While it is noted that there are no restrictions over planting in the Open Space G Activity Area, it is considered this planting would be viewed in the context of the dwelling it seeks to mitigate, further contributing to the visible domestication of the activity area and loss of open space character currently enjoyed within Quail Rise. It is accepted that the location of the dwelling on the lower portions of the site will assist to mitigate the extent of this effect when compared to, for example, dwellings higher up the slope. However, given the zoning and anticipated use of this land, the impact of the adverse effects is on landscape/visual amenity values is greater.

As the proposal has the potential to adversely affect the open space values enjoyed by immediately surrounding neighbouring properties, it can be noted that the surrounding landowners have been provided with the opportunity to submit as part of the public notification period. It is understood that some of these properties have private covenants registered on their titles which prevent them from objecting to planning applications proposed by Quail Rise Estate Limited. This aside, however, written approvals have not been obtained from all immediately adjoining landowners who would have their views of the existing open space on the subject property potentially impacted upon as a result of the proposed development. Specifically, immediately adjoining properties that have not provided written approval to the application are shown in Figure 3 below.



Figure 3: Map showing location of immediately adjoining properties that have not provided written approval

| | Landowner | Address |
|---|---|--|
| ☒ | B P Hall | 36 Ferry Hill Drive Lot 49 DP 27480 |
| ★ | Land owned by Quail Rise Estate Limited | Ferry Hill Drive Lot 1 DP 457085 |

Those immediately adjoining neighbours identified above would otherwise expect the subject site to be retained in open space, with no built form being present. Views of this open space from Lot 49 DP 27480 would be replaced with the construction of a dwelling in the location proposed. In this respect, Mr Denney considers (in an e-mail dated 10 June 2013) that the existing dwelling on Lot 49 is not orientated in any way with views towards the site. Although views may be obtained from within the upper parts of Lot 49 towards the subject site, there is sufficient foreground visual clutter including the dwelling on Lot 1 DP 449617 that would hinder views. Mr Denney considers that adverse effects on Lot 49 would be very low.

Lot 3 DP 342130 located immediately north-west of the subject site is outside of the Quail Rise Zone, and is zoned Rural General. This site is unlikely to have a view of the proposed dwelling location due to the topography of the subject site, and as such effects on Lot 3 DP 342130 are likely to be less than minor.

The land immediately south and west of the subject site is owned by the applicant, and as such written approval is implicit.

All other neighbouring properties in the vicinity of the subject site would have a view of other dwellings between their site and the proposed dwelling, and as such effects on those properties would be less than minor.

The Commissioner decision for resource consent RM090658 set out the following findings with respect to the dwelling that was proposed for Lot 1 DP 449617 at that time, which was then identified as being within the G Open Space Activity Area:

- “33. *After looking at the site from Ferry Hill Drive, we consider that the gaps between the houses along the contour are important for the glimpses they afford through to the open hillside behind and above. Abbottswood Lane provides such a glimpse, but the main, and we believe the most important, view of the application site from Ferry Hill Drive is across the corner of the applicant site where the dwelling would be sited. The proposed house would mean that a rural view would be replaced by an urban element. The necessary bund and the planting required on and around the bund to assist its function would also impede the view of the rural hillside from Ferry Hill Drive and undermine the landscape character of the application site.*
34. *We are concerned too about the effect of activities that could be expected within the curtilage area of the house, such as storage of boats etc, children’s play equipment, barbeque areas and gardens. The amended Landscape Concept Plan shows the large area for such activities extending the length of the Abbottswood Lane frontage. When we questioned this, it was volunteered that the defined curtilage area it could be reduced to just extend to the south end of the bund. Even with curtilage activities confined to that north-east corner of the property, we consider that the contribution to the amenity of Ferry Hill Drive would be substantially diminished because these “domestic” elements would be in the foreground of the view shaft from Ferry Hill Drive into the site”.*

Since this time, Plan Change 37 has been made operative which effectively converts the property immediately north of the subject site to being within the R2 (A) Activity Area where residential activity is anticipated. The subject site remains as being within the G Open Space Activity Area. It is unclear as to why a small pocket of land contained within the subject site (adjoining Ferry Hill Drive) has retained its Open Space Activity Area status. The land on either side of this portion of the land has been identified as being in the R2 and R2 (A) Activity Areas, both of which anticipate residential development.

The Commissioner findings above notes that the most important view of the application site from Ferry Hill Drive, is across the corner of the applicant site where the dwelling would be sited. It is assumed that this refers to that portion of Ferry Hill Drive to the north-east of both Lot 1 DP 449617 and the subject site, as the G Open Space Activity Area is located west of both of these properties. In this respect, given there is now a dwelling consented on Lot 1 DP 449617 (approved by resource consent RM110443), this view from Ferry Hill Drive towards the G Open Space Activity Area would be impeded by that dwelling.

The Commission also had concern with regard to activities that could be expected within the curtilage area. Whilst this assessment was specific to the dwelling on [current] Lot 1 DP 449617, the same principle can apply with respect to the contribution to the amenity of Ferry Hill Drive and domestic activities being in the foreground of the view shaft from Ferry Hill Drive to Ferry Hill behind. The landscape plan submitted with the application identifies a curtilage area, noting that it corresponds to

that identified within resource consent RM110443; however this is not the case. Mr Denney does not believe that this matters a great deal, however recommends that *“the curtilage area is very clearly marked on the site to ensure no domestic structures and planting occurs upslope of this point to retain the balance of the site as open space in character which is visible from a much wider catchment than the lower flatter part of the site”*. Since this time, the applicant has provided an updated landscape plan which identifies a curtilage area to satisfy Mr Denney’s concerns.

In light of the above, it is considered that the surrounding environment has changed since the resource consent RM090658 hearing. Specifically, the receiving environment now includes residential lots immediately north and south of the proposed dwelling site, whereas in 2009 this was not the case. Whilst the portion of land on which the proposed development is located does currently provide some visual connection from Abbottswood Lane, as discussed above, this provides visual amenity for those who have a view in this direction. Effects on those persons that are potentially affected by the proposal in this respect have been discussed previously.

In terms of maintaining the G Open Space Activity Area consistently, should consent be granted, it is considered appropriate to impose the same conditions as were imposed on resource consent RM110443 on the residential lot to the north. This would ensure that there is potential for varying management of each lot, specifically with regard to the open space areas.

The existing conifer tree which is proposed to be removed offers some mitigation to the dwelling in that its size provides scale to built form and sense of establishment to the site. The location of the tree, an evergreen, in regards to the location of the dwelling would however be problematic in regard to shading and further growth affecting the building. As discussed previously, the applicant has provided an updated landscape plan which identifies a compensating tree that will make an on-going contribution to the lane amenity. The replacement of a tree to the front of the proposed dwelling will assist also in diminishing the prominence of urbanisation of open space.

Summary

Given the above, adverse effects in terms of visual amenity and open space values have the potential to be more than minor, with adverse effects particularly relating to open space values enjoyed within Quail Rise. The effects are limited, however, to the immediately surrounding neighbours. As discussed in the assessment above, all neighbouring properties that would be affected by a dwelling in this location have provided their written approval, and as such effects have been disregarded. Effects on those neighbours that have not provided written approval will be less than minor.

(c) Positive Effects

The proposed development will enable land use in a way that will enable the applicant to provide for their social, economic and cultural wellbeing.

(d) Parking, Access, Traffic Generation and Vehicle Movements

Parking

Parking is provided on site in the form of a double garage, and it is considered that there is sufficient area for on-site manoeuvring. Vehicles will either turn around within a sealed area to the south-east of the garage or will reverse onto Abbottswood Lane. Lakes Environmental Engineer, Mr Alan Hopkins, has reviewed the proposal and is satisfied that vehicles will exit onto Council’s roading network (Ferry Hill Drive) in a forward direction in accordance with District Plan standards. No specific consent conditions are recommended in regards to parking and manoeuvring.

Access

Access to the subject site is via a new vehicle crossing off Abbottswood Lane. Abbottswood Lane is a private Right of Way (ROW) from Ferry Hill Drive and is currently constructed and sealed in accordance with Council standards. Mr Hopkins is satisfied that the design and location of the proposed vehicle crossing is in accordance with Council standards. Mr Hopkins has recommended a

consent of condition requiring that prior to the occupation of the dwelling, the consent holder shall install a vehicle crossing and access way in accordance with Council standards.

Traffic Generation and Vehicle Movements

The proposed residential unit will result in an increase in vehicle movements to and from the site, however Mr Hopkins has not raised any concerns with regard to traffic generation and any effect in this respect will be minimal.

Earthworks and construction will require the operation of heavy machinery and truck access to and from the site. It is expected that all unloading of the truck will be undertaken within the site, which will mitigate the safety effects to other road users. In addition, the noise effects will be typical to those experienced in most earthworks operations. No excess excavated material is proposed to be transported off the site, and as such no additional pressure on the roading network is anticipated. Any other traffic effects will be temporary, will be kept to reasonable hours subject to a condition of consent, and will have a less than minor effect on traffic in general.

Summary

Overall, and subject to the recommendations set out above, adverse effects resulting from the proposal in terms of parking, access and traffic generation are able to be appropriately mitigated.

(e) Infrastructure

Water

The applicant proposes to connect via a new 20mm lateral to the existing Council water network located within the south-east corner of the site (within Abbottswood Lane ROW). Tonkin & Taylor water modelling undertaken as part of the application for the underlying subdivision consent RM110443 confirms that there is sufficient flow and pressures for the proposed connection. Mr Hopkins has reviewed this information and is satisfied that the proposed connection is feasible and has recommended a consent condition requiring that prior to occupation of the dwelling, the consent holder shall install a lateral connection to Council's water supply network.

Fire Fighting

The Tonkin & Taylor water modelling report provided with the application for resource consent RM110443 identified the need for a fire hydrant to be installed within 135m of Lot 2 (the subject site) or the provision of 45m³ of onsite fire fighting static storage. Mr Hopkins has assessed the proposal against the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice and agrees that the proposed dwelling is located further than the required 135m from the nearest hydrant. The applicant has suggested the following consent condition to address the fire fighting requirement:

"The consent holder shall install an additional hydrant within 135m of Lot 2, within six months of the development's completion".

Mr Hopkins has considered this condition and disagrees with this approach, noting that *"it will result in a situation where the proposed dwelling will potentially have a substandard level of fire fighting protection for up to six months. Furthermore the wording of this condition may result in a hydrant installed within 135m of the boundary of Lot 2 and not necessarily within 135m of the main entrance to the dwelling as required under SNZ PAS 4509:2008. To suitably address the requirement for fire fighting I recommend a consent condition that prior to occupation of the dwelling the consent holder shall install a fire hydrant within 135m of the main entry to the dwelling in accordance with SNZ PAS 4509:2008"*.

I accept Mr Hopkins' assessment for the purpose of this report, and consider that, should consent be granted, the conditions contained within Mr Hopkins' report be imposed.

Wastewater

The subject lot currently has an existing 100mm lateral sewage connection to a 150mm Council main located within the south-eastern corner of the site (within Abbottswood Lane ROW). This lateral is located within the grass verge and in close proximity to the proposed dwelling. Mr Hopkins is satisfied that connection to the existing lateral will be straightforward and can be further assessed and approved under the building consent process. No consent condition is recommended in this regard.

Stormwater

The subject lot currently has an existing 100mm lateral stormwater connection to a 200mm Council main located within the south-eastern corner of the site (within Abbottswood Lane ROW). This lateral is located within the grass verge and in close proximity to the proposed dwelling. Mr Hopkins is satisfied that connection to the existing lateral will be straight forward and can be further assessed and approved under the building consent process. No consent condition is recommended in this regard.

Power & Telecommunication

The applicant proposes to connect dwelling to power and telecommunication reticulation located within Abbottswood Lane. Suitable provision for these connections has previously been confirmed by Chorus and DELTA under the application for resource consent RM110443. Mr Hopkins has not raised any concerns in this respect, and has recommended a consent condition requiring that power and telecommunication connection shall be underground and in accordance with the requirements of network utility providers.

Summary

Given the above, and subject to the recommendations set out above, adverse effects resulting from the proposal in terms of infrastructure can be appropriately mitigated.

(f) Earthworks and Nuisance Effects

The applicant proposes to undertake a total of 830m³ of earthwork to create a level building platform, consisting of 330m³ of cut and 500m³ of fill. All cut material will be retained as fill on site and 170m³ of further fill material will be imported to site. The maximum cut depth is proposed to be 2.2 metres and the maximum fill height is proposed to be 2.4 metres. Mr Hopkins has assessed the proposed earthworks and is satisfied that they will stand permanently unsupported. To ensure long term stability, Mr Hopkins has a consent condition requiring that, on completion of earthworks, all exposed areas shall be top soiled and grassed/vegetated. In addition, a condition of consent has been recommended requiring that, prior to the commencement of works, suitable site management measure be installed to control silt and dust nuisance, should consent be granted.

It is noted that the proposed earthworks plan shows an earth bund to the west of the proposed dwelling and up to the southern site boundary. Further investigation into this has determined that the southern portion of the bund (approximately 5 metres) has been constructed, and a search of Council's records indicates that this bund has not been previously consented. As such consent is sought retrospectively for part of the earthworks. Mr Hopkins has reviewed the earthworks in relation to the southern site boundary and notes that "*this section of bund appears well grassed and stable*". As the works are stable, and as Lot 44 has provided written approval to the application, effects on this neighbour have been disregarded.

The earthworks plan submitted as part of the application shows that a portion of the proposed dwelling may be constructed on fill material. Mr Hopkins has therefore recommended a consent condition requiring that fill shall be certified or suitable foundations designed.

The proposed earthworks are likely to result in noise effects typical to those experienced in most earthworks operations. These effects are temporary and will be kept to reasonable hours, and a condition of consent is recommended to this effect. Vibration effects are unlikely as no rock breaking

or blasting is proposed. Given the ground conditions, it is unlikely that solid rock will be hit during excavations.

Any other nuisance effects will be temporary in nature, and can be mitigated by employing standard site mitigation measures. As such, the overall adverse effects resulting from the earthworks are considered to be no more than minor.

Given the above, and subject to the recommendations set out above, adverse effects resulting from the proposal in terms of earthworks and nuisance effects can be appropriately mitigated.

(g) Natural Hazards

The subject site is identified as being within an area susceptible to shallow debris flows. The applicant has provided a geological and hazard assessment report (by Hadley Consultants Limited, entitled 'Lot 50 DP370064 Proposed Building Platform and Bund Alteration', and dated 18 October 2012) to address this hazard in relation to the proposed dwelling. The Hadley report is based on previous hazard assessments for the site undertaken by Hadley Consultants in 2010 and 2006 and Royden Thomson in October 2004. The report recommends mitigation measures in the form of a wrap-around extension to the existing cut-off bund located to the south-west of the proposed building platform. The report also recommends the establishment of a water race maintenance regime registered by a consent notice on the title of the lot.

It was identified that the proposed bund extension may direct overland flows and debris towards the dwelling located on Lot 46 DP300296 (44 Ferry Hill Drive). Mr Hopkins notes in his assessment that *"Following site inspection I have however confirmed that flows would be directed onto Abbottswood Lane at a level slightly below that of the dwelling on Lot 46 DP300296 and the proposed works would therefore not increase risk to this dwelling"*.

Overall, Mr Hopkins accepts the hazard assessment and recommendations of Hadley Consultants Limited, and has recommended a consent condition to ensure that prior to construction of the dwelling, the recommended cut-off bund is constructed and a PS4 Producer Statement provided. Likewise Mr Hopkins has recommended a consent condition that a covenant be registered on the lot title requiring ongoing maintenance of the historic water race that bisects the upper slope of the lot above the proposed building platform. These conditions are similar to that imposed on the neighbouring property to the north (Lot 1 DP 449617) which also contains a cut-off bund for the same reasons.

Given the above, and subject to the recommendations set out above, adverse effects in terms of natural hazards are not likely to be more than minor.

9.1.3 Summary of Effects on the Environment

Development on this lot can be absorbed without significant adverse effect on wider landscape values. However, residential dwellings are not anticipated within the Open Space G Activity Area, the purpose of which is to provide for open space and recreation. The erection of a dwelling within this activity area along with the associated residential activity will adversely affect the open space values enjoyed within Quail Rise. The proposed house would mean that a rural view would be replaced by an urban element. The proposed bund and landscaping would also impede the view of the rural hillside from Ferry Hill Drive and Abbottswood Lane, and undermine the landscape character of the application site. The effects would be limited to the immediately surrounding area however.

The only immediately adjoining neighbour that has not provided written approval (Lot 49 DP 27480) would expect the subject site to be retained in open space, with no built form being present. Views of this open space from Lot 49 DP 27480 would be replaced with the construction of a dwelling in the location proposed, however as discussed above, the existing dwelling on Lot 49 is not orientated in any way with views towards the site, and although views may be obtained from within the upper parts of Lot 49 towards the subject site, there is sufficient foreground visual clutter including the dwelling on Lot 1 DP 449617 that would hinder views. Any effects on Lot 49 will be less than minor.

Subject to the recommendations set out in this report, adverse effects resulting from the proposal in terms of infrastructure, parking, access and traffic generation, earthworks, nuisance and natural hazards are able to be appropriately mitigated to the extent that these effects are no more than minor.

Overall, the potential effects of the proposed development will be no more than minor.

9.2 OBJECTIVES AND POLICIES

9.2.1 General

Section 104(1)(b)(iv) of the Act requires the consent authority to have regard to any relevant provisions of a Plan or Proposed Plan. Therefore, the application is now considered in terms of the relevant provisions of the District Plan.

As discussed above, an assessment of effects against the relevant assessment matters of the District Plan has been undertaken, and the proposed development is able to avoid, remedy or mitigate the adverse effects on the environment.

The objectives and policies relevant to the proposal are contained in Part 4 (District Wide Issues) and Part 12 (Special Zones) of the Plan.

An assessment against the relevant objectives and policies is set out below.

9.2.2 Part 4 – District Wide Issues

4.2.5

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.

Policies:

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.*

The subject site is not located in an area that is particularly vulnerable to degradation. Notwithstanding this, the proposal mitigates any potential adverse effects in terms of landscape and visual amenity values of the surrounding area, such that these would not be degraded to a significant degree, and any potential adverse effects are limited to the immediately surrounding area. Effects on the immediately surrounding neighbours that have not provided their written approval have been deemed to be less than minor.

- (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.*

The location of the subject site has the ability to absorb development. The proposed development has the potential to detract from the landscape and visual amenity values of this area, however the proposal would not exceed the ability of the site to absorb development without detracting from landscape and visual amenity values of the site and surrounding area, and the effect of this is limited to the immediately surrounding area. Effects on the immediately surrounding neighbours that have not provided their written approval have been deemed to be less than minor.

5. Outstanding Natural Features

To avoid subdivision and/or development on and in the vicinity of distinctive landforms and landscape features, including:

- (a) *in Wakatipu; the Kawarau, Arrow and Shotover Gorges; Peninsula, Queenstown, Ferry, Morven and Slope hills; Lake Hayes; Hillocks; Camp Hill; Mt Alfred; Pig, Pigeon and Tree Islands;*
 - *unless the subdivision and/or development will not result in adverse effects which will be more than minor on:*
 - (i) *Landscape values and natural character; and*
 - (ii) *Visual amenity values*
 - *recognising and providing for:*
 - (iii) *The desirability of ensuring that buildings and structures and associated roading plans and boundary developments have a visual impact which will be no more than minor in the context of the outstanding natural feature, that is, the building etc is reasonably difficult to see;*
 - (iv) *The need to avoid further cumulative deterioration of the outstanding natural features;*
 - (v) *The importance of protecting the naturalness and enhancing the amenity values of views from public places and public roads;*
 - (vi) *The essential importance in this area of protecting and enhancing the naturalness of the landscape.*

It is considered the proposal will result in adverse effects on the Outstanding Natural Feature (Ferry Hill) that have the potential to be more than minor. The proposed development will not contribute to the naturalness of the landscape. The effects of this are limited, however, as the development will be reasonably difficult to distinguish from State Highway 6 (a public road) amongst the existing and future development. The proposal is not contrary to this objective and associated policies.

Other policies considered relevant are:

- 6. *Urban Development,*
- 7. *Urban Edges*
- 8. *Avoiding Cumulative Degradation*

The proposal will extend urban development into an Outstanding Natural Feature (Ferry Hill) and extend the urban edge of Quail Rise further up the slope of Ferry Hill. Therefore the proposal is considered contrary to these objectives. However, it is considered the more specific Quail Rise Zone Objectives and Policies (discussed below) should be given greater weight in the assessment of landscape and amenity values.

17. Land Use

To encourage land use in a manner which minimises adverse effects on the open character and visual coherence of the landscape.

Whilst the proposed development does not minimise adverse effects on the open character and visual coherence of the landscape, any potential adverse effects of this are limited to the immediately surrounding area. This is due to its location between existing residential lots, the proposed landscaping and proposed bunding. As such, the proposal is not contrary to the above policy in relation to land use.

4.8 Natural Hazards

Objective 1

Avoid or mitigate loss of life, damage to assets or infrastructure, or disruption to the community of the District, from natural hazards.

Policies:

- 1.1 *To increase community awareness of the potential risk of natural hazards, and the necessary emergency responses to natural hazard events.*
- 1.2 *To continually develop and refine a hazards register in conjunction with the Otago Regional Council, as a basis for Council decisions regarding subdivision and building development.*
- 1.3 *In conjunction with the Otago Regional Council to continually assess the need for additional protection measures either through the District Plan or as protection works.*
- 1.4 *To ensure buildings and developments are constructed and located so as to avoid or mitigate the potential risk of damage to human life, property or other aspects of the environment.*
- 1.5 *To ensure that within the consent process any proposed developments have an adequate assessment completed to identify any natural hazards and the methods used to avoid or mitigate a hazard risk.*
- 1.6 *To discourage subdivision in areas where there is a high probability that a natural hazard may destroy or damage human life, property or other aspects of the environment.*

The subject site has been identified as being within an area susceptible to shallow debris flows. Conditions have been recommended with respect to hazard mitigation (above), and as such, provided these recommendations are adhered to, the proposal will not be contrary to the above objective and associated policies in relation to natural hazards.

4.10 Earthworks

Objectives

To avoid, remedy or mitigate the adverse effects from earthworks on:

- (b) The nature and form of existing landscapes and landforms, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.**
- (c) Land stability and flood potential of the site and neighbouring properties**
- (d) The amenity values of neighbourhoods**
- (f) The water quality of the aquifers.**

Policies:

1. *To minimise sediment run-off into water bodies from earthworks activities through the adoption of sediment control techniques.*
2. *To avoid the location of earthworks in close proximity to water bodies. Where this can not be avoided, to ensure that sediment control measures are put in place to minimise sediment run-off.*
3. *To minimise the area of bare soil exposed and the length of time it remains exposed.*

4. *To avoid or mitigate adverse visual effects of earthworks on outstanding natural landscapes and outstanding natural features.*
5. *To avoid earthworks including tracking on steeply sloping sites and land prone to erosion or instability. Where this cannot be avoided, to ensure techniques are adopted that minimise the potential to decrease land stability.*
6. *To protect the existing form and amenity values of residential areas by restricting the magnitude of filling and excavation.*
7. *To ensure techniques are adopted to minimise dust and noise effects from earthworks activities.*
8. *As far as practicable, to protect Waahi Tapu, Waahi Taoka, and other archaeological sites from potential disturbance resulting from earthworks.*
9. *To notify Kai Tahu ki Otago where earthworks are proposed in areas identified in either the District Plan or the Natural Resource Management Plan as significant to iwi.*
10. *To notify the NZ Historic Places Trust where proposed earthworks may affect archaeological sites.*

Conditions have been imposed to ensure that the relevant policies relating to land stability and site management are met. The proposed dwelling will be set into the excavation, and this, along with conditions relating to landscaping, will ensure that there are no on-going effects on the amenity and form of the surrounding residential area as a result of the earthworks. In addition, Lakes Environmental Engineer, Mr Alan Hopkins, is satisfied that all earthworks are able to be undertaken and fully stabilised (top-soiled and grassed) and as such no effects in terms of the stability of the subject site or neighbouring sites will result. The proposed development not contrary to the above objectives and associated policies in relation to earthworks.

Summary of Part 4 (District Wide) Objectives and Policies

As demonstrated above, the proposed development is overall not contrary to the relevant District Wide objectives and associated policies.

9.2.3 Part 12.14 – Quail Rise Zone

Objective 1

To enable the development of low density residential activities in conjunction with planned open space and recreational opportunities.

Policies

- 1.1 *To ensure development is carried out in a comprehensive manner in terms of an appropriate strategy and to ensure that activities are compatibly located.*
- 1.2 *To ensure that open space is maintained and enhanced through appropriate landscaping and the absence of buildings and other structures.*
- 1.3 *To ensure open space is developed in a comprehensive manner.*
- 1.4 *To avoid any deviation to the Structure Plan for the zone*

The G Open Space Activity Area does not anticipate residential development. Notwithstanding this, the proposed dwelling is situated between two residential lots, and as such will be compatible with those activities. In addition, this location will mean that the proposed development will not impact upon the planned open space and recreational opportunities anticipated for the Quail Rise Zone, as the remainder of the site can be retained in open space (subject to consent notice conditions to this

effect being imposed on the lot). Whilst the proposed development is not in accordance with the Structure Plan for the zone which provides for open space and recreation, development will overall be undertaken in a comprehensive manner in terms of the location of the proposed development being within existing residential development. Overall, the proposal is not contrary to Objective 1 above.

Objective 2

To conserve and enhance the physical, landscape and visual amenity values of the Quail Rise zone, adjoining land, and the wider environment.

Policies

- 2.1 *To ensure the external appearance of buildings and other structures are characteristic of the Quail Rise Zone through design controls and standards relating to roof pitches.*
- 2.2 *To avoid activities that are incompatible with and/or compromise the amenity of the Quail Rise special zone, through appropriate rules.*
- 2.3 *To avoid activities and development that have the potential to adversely affect the openness and rural character of the zone, adjoining land, and the wider environment.*
- 2.4 *To avoid buildings in areas of high visibility.*

The external materials of the proposed dwellings will ensure that the amenity of Quail Rise is not compromised. The proposed dwelling, associated access, landscaping and earthworks will adversely affect the openness and rural character of the zone, however these effects are limited to immediately adjoining land. Furthermore, the proposed dwelling will not be highly visible from public places, with the exception of Ferry Hill Drive, however any views in this direction from Ferry Hill Drive will be firstly captured by residential development in the foreground.

The physical, landscape and visual amenity values of the Quail Rise Zone and adjoining land will not be enhanced or conserved, however the effects of this are limited to the immediately surrounding area. As discussed previously in this report, effects on the immediately adjoining neighbours that have not provided their written approval will be less than minor. Effects on those neighbours that have provided their approval have been disregarded.

Effects in terms of the wider environment will not be adversely affected. Overall, the proposed development is not contrary to Objective 2 above.

Objective 3

Servicing to avoid adverse effects on the landscape, lakes, rivers and ecological values.

Policies

- 3.1 *To ensure sewage disposal, water supply and refuse disposal services are provided in order to avoid adverse effects on the water or other environmental qualities, on and off the site.*

The infrastructure required to service the proposed development has been assessed as part of the underlying subdivision consent RM110443 as avoiding adverse effects on the landscape, lakes, rivers and ecological values. The proposed development is not contrary to Objective 3 above.

Summary of Part 12 (Special Zone) Objectives and Policies

As demonstrated above, on balance the proposed development is not contrary to the relevant objectives and associated policies of the Quail Rise Zone.

9.2.4 Summary of Objectives and Policies

Overall, whilst the proposal does not meet some of the relevant objectives and policies, is it is considered that on balance, the proposed development is not contrary to the relevant objectives and policies of the District Plan.

9.3 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

Part 2 of the Resource Management Act 1991 details the purpose of the Act in promoting the sustainable management of the natural and physical resources. Sustainable management is defined in Section 5(2) as:

managing the use, development and protection of natural and physical resources in a way or at a rate which enables people and communities to provide for their social, economic and cultural well being and for their health and safety while:

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations: and*
- (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems: and*
- (c) Avoiding, remedying, or mitigating any adverse effect of activities on the environment.*

Each paragraph of Section 5(2) - (a), (b) and (c) - is to be afforded full significance and applied accordingly in the circumstances of the particular case so that promotion of the Act's purpose may be effectively achieved.

The District Plan represents how the Queenstown Lakes community seeks to achieve the purpose and principles of the Act. The development will not result in more than minor effects on the environment, and effects on neighbouring landowners are deemed to be less than minor (or disregarded if they have provided written approval). The proposal is on balance not contrary to the relevant objectives and policies set out in the District Plan. Given effects on the immediately surrounding area are no more than minor, the proposal is able to promote the sustainable management of natural and physical resources.

The proposal promotes development that enables land use in a way that will enable the applicant to provide for their social, economic and cultural wellbeing. The life supporting capacity of air, water, soil and ecosystems of the surrounding area is not significantly affected by the proposed activity.

Section 6 of the Act is not relevant to the proposal, being related to matters of national importance.

The relevant matters listed in section 7 of the Act must also be given consideration. These matters include:

- (b) Efficient use of natural and physical resources*
- (c) The maintenance and enhancement of amenity values.*
- (f) Maintenance and enhancement of the quality of the environment*

Amenity values are those natural and physical qualities and characteristics of an area, which contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

The definition of "Environment" is defined in the Act as follows:

- (a) Ecosystems and their constituent parts including people and communities: and*
- (b) All natural and physical resources: and*
- (c) The social, economic, aesthetic, and cultural conditions which affect the matters stated paragraphs (a) to (c) of this definition or which are affected by those matters*

With regard to the matters raised in section 7 of the Act, it is considered that, as outlined within this report, whilst the proposal will not enhance the amenity values within Quail Rise, it will maintain

existing amenity values and the quality of the existing environment, having particular regard to the immediately surrounding area.

Overall, I consider the proposal does promote the overall purpose of the Act.

10.0 CONCLUSION

Consent is sought to construct a dwelling with associated earthworks and landscaping within the G (Open Space & Passive Recreation and Landscaping) Activity Area; to remove a conifer tree; and to breach the maximum number of residential units permitted in the Quail Rise Zone.

Development on this lot can be absorbed without significant adverse effect on wider landscape values. It is noted that residential dwellings are not anticipated within the Open Space G Activity Area, the purpose of which is to provide for open space and recreation, and the erection of a dwelling within this activity area along with the associated residential activity will adversely affect the open space values enjoyed within Quail Rise. Furthermore, the proposed house would mean that a rural view would be replaced by an urban element, and the proposed bund and landscaping would also impede the view of the rural hillside from Ferry Hill Drive and Abbottswood Lane, and undermine the landscape character of the application site. The effects would be limited to the immediately surrounding area however.

The only immediately adjoining neighbour that has not provided written approval (Lot 49 DP 27480) would expect the subject site to be retained in open space, with no built form being present. Views of this open space from Lot 49 DP 27480 would be replaced with the construction of a dwelling in the location proposed, however as discussed above, the existing dwelling on Lot 49 is not orientated in any way with views towards the site, and although views may be obtained from within the upper parts of Lot 49 towards the subject site, there is sufficient foreground visual clutter including the dwelling on Lot 1 DP 449617 that would hinder views. Any effects on Lot 49 will be less than minor.

Subject to the recommendations set out in this report, adverse effects resulting from the proposal in terms of infrastructure, parking, access and traffic generation, earthworks, nuisance and natural hazards are able to be appropriately mitigated to the extent that these effects are no more than minor.

The proposed development is aligned with the relevant objectives and policies of the District Plan, which seek to avoid, remedy and mitigate inappropriate land use within the District, and is overall not contrary to the relevant objectives and policies of the District Plan.

Overall, the potential effects of the proposed development will be no more than minor.

Considered as a whole, the proposal is able to achieve the relevant objectives and policies of the District Plan.

In terms of Part 2 of the Act, the proposal is considered sustainable and consistent with the primary purpose of the Act, and is therefore considered appropriate.

Having regard to Section 104B I recommend that resource consent is granted, subject to appropriate conditions as detailed in the attached Appendix G.

Prepared by



Adonica Giborees
SENIOR PLANNER

Reviewed by



Hanna Afifi
SENIOR PLANNER

| | | |
|----------------------|--------------|--|
| Attachments: | Appendix A | Relevant resource consent decisions |
| | Appendix B | Full set of proposed plans |
| | Appendix C | Overview of the Quail Rise Stages and the Proposed and Created Residential Lots (by Clark Fortune McDonald & Associates, Job No. 10476, Drawing No. 26_02, Rev. A) |
| | Appendix D | Landscape Architect's Report and supplementary comments (two e-mails) |
| | Appendix E | Engineering Report and supplementary comments (one e-mail) |
| | Appendix F | Consent Notice for lots with G Open Space Activity Area |
| | Appendix G | Recommended conditions of consent |
| Report Dated: | 29 July 2013 | |

File: RM040725
Valuation Number: 2907147015

27 October 2004

Quail Rise Estate Limited
C/- Woodlot Properties Limited
PO Box 2162
WAKATIPU

Dear Sir / Madam

DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
RESOURCE MANAGEMENT ACT 1991
QUAIL RISE ESTATE LIMITED – RM040725

Introduction

I refer to your resource consent application lodged pursuant to Section 88 of the Resource Management Act 1991 for consent to subdivide Lot 2 Deposited Plan 324970 and Lot 1 Deposited Plan 302053 into three residential allotments and a balance lot. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 27 October 2004. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

The subject site is located at Tucker Beach Road, Wakatipu basin, and is legally described as Lot 2 Deposited Plan 324970 and Lot 1 Deposited Plan 302053 comprised in Certificate of Title 100728.

Considerations

Between 31 August and 14 September 1998 the decisions on submissions to the Partially Operative District Plan were progressively released. Section 88A of the Resource Management Act 1991 requires all applications received after notification of decisions to be assessed in terms of these decisions and any amendment thereto. Under these decisions the site is zoned Special Zone: Quail Rise and requires resource consent for the following reasons:

A **controlled** activity resource consent pursuant to Rule 15.2.6.1 as the proposal complies with all of the relevant Site and Zone Standards.

The application was considered on a non-notified basis in terms of Section 93(1)(a) of the Act whereby the consent authority can assess the proposal as a controlled activity without the need to obtain the written approval of affected persons, and in terms of Section 93(1)(b) whereby the consent authority were satisfied that the adverse effects of the activity on the environment will be minor.

Decision

Consent is granted pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 220 of the Act:

1. That the activity be undertaken in accordance with the *amended* plans and specifications submitted with the application drawn by Clark Fortune McDonald and Associates referenced 9097_03b – stamped as approved on 27 October 2004 with the exception of the amendments required by the following conditions of consent.
2. That unless it is otherwise specified in the conditions of this consent, compliance with any monitoring requirement imposed by this consent shall be at the consent holder's own expense.
3. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:1981 with the amendments to that standard adopted on 1 June 1994, except where specified otherwise.
4. The subdividing owner of the land shall provide a letter to the Council advising who their representative is for the design and execution of the engineering works required in association with this subdivision and shall confirm that this representative will be responsible for all aspects of the works covered under section 104 of NZS4404:1981 "Code of Practice for Urban Land Subdivision", in relation to this development.
5. Prior to the commencement of any works on the land being subdivided and prior to the Council signing the Title Plan pursuant to Section 223 of the Resource Management Act 1991, the applicant shall provide to the Queenstown Lakes District Council for approval, copies of specifications, calculations and design plans as is considered by Council to be both necessary and adequate, in accordance with Condition (3), to detail the following engineering works required:
 - a) The provision of a water supply reticulation system in accordance with Council's Code of Urban Subdivision.
 - b) The provision of a water supply to the boundary of each lot in terms of Council's standards and water connection policy.
 - c) The provision of fire hydrants sufficient to provide for a W3 fire hazard category in accordance with the requirements of SNZ PAS 4509:2003 to all new lots.
 - d) The provision foul sewer reticulation connected to the Council's existing network together with a foul sewer connection for each new lot.
 - e) The construction of the rights of ways to the Council's standards.
 - f) The construction of a vehicle crossing to all lots from the right of ways.
 - g) The provision for stormwater disposal to the Council's reticulation from all lots including the right of ways.
 - h) The nature, extent and detail of any earthworks proposed in relation to this subdivision including measures to be put in place to control silt and sediment during rain events.
 - i) Procedures to be put in place to minimise the spread of dust during earthwork construction.
 - j) The provision for an overland flow path for the passage of any water that may escape from the irrigation race or may flow from the hill above and to the west of Lots 1 - 3. The consent holder shall ensure that future residential dwellings are protected from water contained within these flow paths.

- k) The provision for the piping of the existing irrigation race located above and to the west of Lots 1 – 3 to prevent damage to the proposed dwellings and residential land.
6. Prior to the commencement of any works on the land being subdivided and prior to the Council signing the Title Plan pursuant to Section 223 of the Resource Management Act 1991, the applicant shall submit for approval by the Principal: Landscape Architecture (Civic Corporation Limited) a Landscape Plan. The Landscape Plan shall be designed with the following objectives:
- The primary goal of the landscape plan is to ensure the G Activity Area is developed in a comprehensive manner that will ensure a visually cohesive open area in accordance with the Objectives and Policies of the Quail Rise Zone, specifically, Objective 1 and supporting policy 1.3.
 - All trees shall be native species.
 - No structures, garden furniture, garden ornaments or the like shall be allowed unless they are designed to appear in a comprehensive manner that maintains the open space character of the area.
 - No hard landscaping such as paving, walls or garden edging shall be allowed.
 - All fencing shall be prohibited.
 - No vehicle access shall be permitted. However, walking tracks shall be permitted where they are designed comprehensively and must be comprised of natural materials. Paving is prohibited.
 - Areas of existing native vegetation within the site are to be shown on the plan.
 - Any curtilage areas (this includes individual gardens and items such as clotheslines and trampolines) are to be restricted to the area immediately surrounding future dwellings and shall not encroach into the G Activity Area.
 - The landscape plan shall address how areas of open grass are to be maintained comprehensively. For example, whether they will be mowed or kept as rank grass, so that arbitrary lines between the lots do not become apparent and to ensure that they are maintained comprehensively.
7. Prior to the certification pursuant to Section 224(c) of the Resource Management Act 1991, the applicant 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.
 - b) The completion of all works detailed in condition (5) and (6) above.
 - c) The provision of certification by a Registered Engineer experienced in soils investigations, in accordance with NZS4431 for all areas of fill within the proposed lots (if any).
 - d) Where this subdivision or development involves the vesting of assets in the Council, the consent holder shall submit to CivicCorp a copy of the Practical Completion Certificate, including the date it was issued and when it lapses. This information will be used to ensure the Council's Engineering consultants are aware of the date where the asset is no longer to be maintained by the consent holder and to assist in budgeting for the Annual Plan.
 - e) The consent holder shall provide a power and telecommunications supply to the net area of each allotment. These shall be underground from any existing reticulation.

- f) The consent holder shall ensure that the Landscape Concept Plan as outlined in Condition 6 above is implemented prior to s224(c), OR they shall register a consent notice on the titles that ensures the Landscape Plan is implemented within 6 months of granting a consent for a dwelling.
8. Prior to certification pursuant to section 224 of the Act and in accordance with section 221 of the Resource Management Act 1991, a consent notice shall be registered on the pertinent Certificate of Title for the performance of the following conditions on a continuing basis:
- a) Preventing any further subdivision other than complying boundary adjustments on Lots 1 to 3.
 - b) All roofs of buildings which are confined to the residential building platform shall be clad in colour steel Ironsand or Greyfriars or cedar shingles of slate.
 - c) The maximum building height for residential units and other buildings shall be 5 metres from the centre of the buildable area. The buildable area is defined as the area of the lot within the R2 Activity Area.
 - d) Wall claddings on residential buildings to be local schist stone or timber claddings, which are to be left to weather, or finished in a cedar stain (no coloured stains are permitted) or be in plaster finish. Colours for a plaster finish shall be muddy earth browns, greys, ochre's or similar recessive muted earth tones.
 - e) All ancillary structures are to be clad and coloured at match the principal dwelling.
 - f) All exterior lighting shall be fixed and no higher than 1 metre above finished ground level, capped, filtered or pointed downwards and screened so as to reduce lux spill.
 - g) If the subdivider opts to not carry out the implementation of the Landscape Plan then a consent notice shall be registered on the pertinent Certificates of Title that ensures the landscaping is implemented within 6 months of granting a consent for a dwelling.
 - h) All landscaping shall be maintained in accordance with the Landscape Plan.
 - i) Any native tress existing on the site must be retained, or alternatively a resource consent must be sought in order to remove them.
7. All necessary easements shall be granted or reserved.

Reasons for the Decision

Subdivision consent is sought to subdivide Lot 1 DP 302053 and Lot 2 DP 324970 into four new allotments, Lots 1 – 3 and a balance lot, Lot 400.

Lots 1, 2 and 3 will be 1332m², 1340m² and 7980m² in area respectively and the balance lot will be 14.020 hectares in area. Each of the three sites include an area within the R2 Activity area (where housing is anticipated) and an area within the G Activity Area (where residential dwellings are prohibited).

A number of consent notice conditions have been proposed to ensure future development of the proposed lots occurs in accordance with the intended outcomes of the zone structure plan. The proposed consent notices seek to control location of future building, lighting, landscape treatment and building design.

The lots will obtain access via a right of way that will run along the eastern boundary of Lots 1 – 3. The three allotments are to be reticulated with existing services within the Quail Rise Zone.

The part of the Quail Rise zone within which the application site sits was subject to Environment Court proceedings that were settled with a Consent Order from the Court dated 29 July 2004, referenced RMA 0221/03. This Consent Order resulted in the creation of a structure plan for the southern most part of the Quail Rise zone. Amended Policies, Objectives, rules and assessment matters are now included in the Quail Rise Section of the District Plan (Part 12.14) and the relevant parts of the Subdivision Section of the District Plan (Part 15).

The proposed subdivision is to occur in the southern most area of the Quail Rise zone and sits adjacent to the steep eastern facing slopes of Ferry Hill (an Outstanding Natural Feature - ONF) and is located at the base of and partially on the eastern facing, lower slopes of Ferry Hill. The sites are covered in long pasture grasses with a plantation of exotic trees partially included within the steeper parts of proposed Lots 1 and 2.

Effects on the Environment

Native Trees

A number of exotic trees exist on the site. These are situated in the G Activity area. It is not proposed that they will be removed at subdivision stage but it is anticipated that they will at land use stage. Care should be taken to ensure that no natives among the plantation are removed. In order to ensure that no adverse effects result, a consent notice condition has been imposed to alert future landowners that any native trees within the existing plantation are retained or alternatively that resource consent is sought to remove them.

The G Activity Area

The Quail Rise zone is a special zone with distinct rules and while the proposal is classed as a controlled activity, there exists strong potential that if care is not taken in subdivision design then the purpose of the zone and particularly the G Activity Area, will be undermined.

The site is highly visible from a section of state highway and also from many residences on the opposite margins of the Shotover River. The subdivision includes parts of the G Activity Area within each lot, the G Activity Area being the most visible area. The use of this area is restricted to outdoor recreation activities and open space. Open space is defined in the plan as:

'Any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values'.

The G Activity Area can be subdivided and held in individual titles by private landowners, however, it must appear to, and provide benefit to, the 'general public' as an area used as open space or recreational activities. It is considered that the erection of fences around individual lots, or separate land management practices such as one owner mowing their lot and another owner leaving theirs as rank grass, or another constructing a rock garden, would be contrary to what the zone objectives, policies and rules are trying to achieve.

It is considered that it is vital to the success of the development of this Zone that the open space activity areas are developed as part of a comprehensive landscape design that creates a visually cohesive open area. This is especially important since parts of the open space activity area will be in private ownership and could potentially be developed in an ad-hoc piecemeal manner which will negate its benefits. It is for these above reasons that it is considered that a landscape plan should be designed and implemented to ensure the correct intentions for the zone are carried out and to mitigate any adverse effects.

People and Built Form

Privacy will be maintained through setback provisions at time of subdivision.

The building coverage restrictions for this zone will ensure that a sufficient balance of open space to built form is maintained as only 30% of the lot area is allowed to be developed. In addition, a consent

notice condition will be imposed that the maximum height of the buildings will be restricted to 5 metres above ground level to be taken from the centre of the buildable area. The buildable area being the area within the R2 Activity Area. This will ensure that future buildings are not overly dominant and will compliment the surrounding landscape. A number of consent notices have been offered and will be imposed to ensure that future dwellings will be as least intrusive in this environment as possible, while still recognising that the District Plan anticipates development in this area.

Services

All services have been conditioned as recommended by Civiccorp's Engineer to ensure there will be no adverse effects.

Policies and Objectives

It is considered that the Objectives and Policies relevant to the R2 Activity Area are aligned with. A number of consent notices have been carefully designed and offered by the applicant that seek to control the design of future dwellings. It is considered that they will be most effective in producing buildings that are anticipated and will compliment this part of the structure plan.

In relation to the G Activity Area, it is considered that a landscape plan that is designed and managed comprehensively for the area, is the best and only way to ensure that the proposal is aligned with the objectives and policies of this area.

Conditions

Submission of 'as-built' plans to Council is required in order that Council maintains adequate records of all connections to Council services.

All easements are to be duly granted or reserved to ensure physical and service access for allotments where that access crosses adjacent land.

Local Government Act 2002:

This proposal will generate a demand for network infrastructure and reserves & community facilities.

In granting this resource consent, pursuant to Part 8 Subpart 5 and Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004) the Council has identified that a Development Contribution is required.

Summary of payments due:

| | | |
|---|---------------------------|------------------------------------|
| - | Water Supply | \$5,197.50(including GST) |
| - | Wastewater | \$5,916.38 (including GST) |
| - | Stormwater | \$1,285.88 (including GST) |
| - | Reserve land | \$9,332.84 (including GST) |
| - | Reserve Improvements | \$4,279.50 (including GST) |
| - | Community Facilities | \$5,987.25 (including GST) |
| - | Total Contribution | \$31,999.34 (including GST) |

Payment Due:

Payment is due prior to application under the Resource Management Act for certification pursuant to section 224(c).

Pursuant to Section 208 of the Local Government Act 2002 the Council may withhold a certificate under section 224(c) of the Resource Management Act 1991 if the required Development Contribution has not been paid.

Other Matters

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further money is required or whether a refund is owing to you.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council (c/- CivicCorp) setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 not later than 15 working days from the date this decision is received.

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.

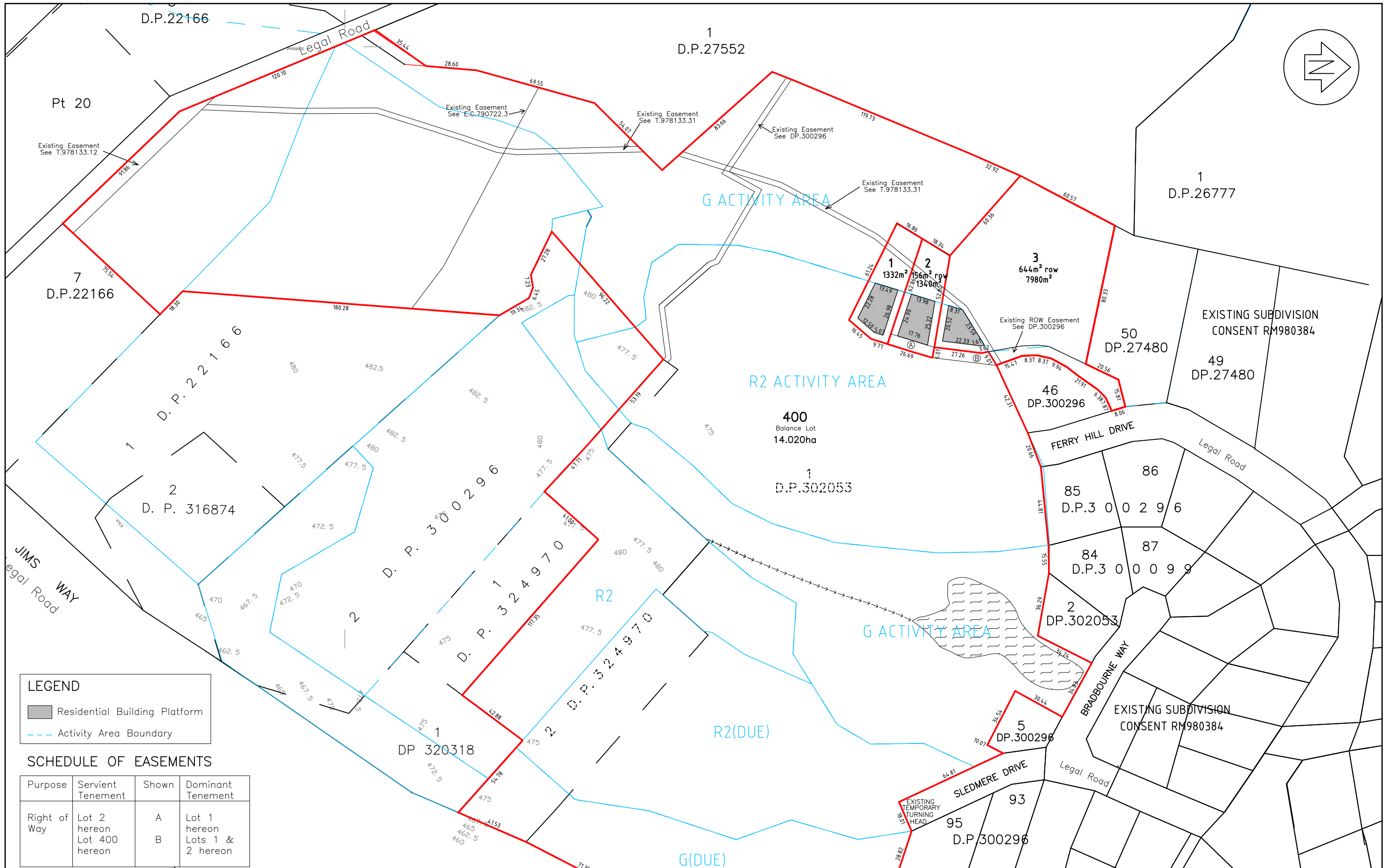
If you have any enquiries please contact Jane Laming on phone (03) 442 4733.

Prepared by
CIVICCORP

Reviewed and Approved by
CIVICCORP

Jane Laming
PLANNER

Kirsten Klitscher
PRINCIPAL: PLANNER QUEENSTOWN



LEGEND

| | |
|--|-------------------------------|
| | Residential Building Platform |
| | Activity Area Boundary |

SCHEDULE OF EASEMENTS

| Purpose | Servient Tenement | Shown | Dominant Tenement |
|--------------|-------------------|-------|-------------------|
| Right of Way | Lot 2 hereon | A | Lot 1 hereon |
| | Lot 400 hereon | B | Lots 1 & 2 hereon |

**CLARK FORTUNE
McDONALD &
ASSOCIATES**
REGISTERED LAND SURVEYORS LAND DEVELOPMENT
& RESOURCE MANAGEMENT CONSULTANTS
309 Lower Shotover Road, P.O.Box 553 Queenstown
Tel. (03)442-0990, Fax (03)442-1066, Email c.f.surv@xtra.co.nz

| ISSUE | COMMENTS | BY | DATE |
|-------|--------------------|----|----------|
| 1 | WOODLOT PROPERTIES | ED | 21.09.04 |
| | | | |
| | | | |

**LOTS 400, 148, 156 & 3 BEING A PROPOSED SUBDIVISION OF
LOTS 1 D.P.302053 & LOT 2 D.P.324970**

PROJECT:
North End Quail Rise
PRINCIPAL:
Woodlot Properties

| APPROVED: | DESIGN: |
|-----------|----------|
| CHECKED: | DRAWN: |
| REVISION | COMMENTS |
| | |
| | |

| SURVEY: | LEVEL: |
|------------|---------|
| FB | LB |
| SCALE | DATUM |
| 1:2000 @A3 | OTAGO |
| JOB No. | DRAWING |
| 9097 | 9097-03 |



File: RM060292
Valuation Number: 2907163111

16 May 2006

Quail Rise Estate Limited
C/- Vivian & Espie Limited
PO Box 1559
QUEENSTOWN

Attn: Claire LeGrice

Dear Claire,

DECISION OF THE QUEENSTOWN LAKES DISTRICT COUNCIL
RESOURCE MANAGEMENT ACT 1991
QUAIL RISE ESTATE LIMITED – RM060292

We refer to your resource consent application lodged pursuant to Section 88 of the Resource Management Act 1991 for consent to subdivide Lot 44 Deposited Plan 357615 and Lot 50 Deposited Plan 27480 (by boundary adjustment). The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 16 May 2006. This decision was made and its issue authorised by David Clarke, Independent Commissioner, as delegate for the Council.

The subject site is located at Ferry Hill Drive, Quail Rise, Queenstown and is legally described as Lot 44 Deposited Plan 357615; and Lot 50 Deposited Plan 27480 and Together with such parts of mines of coal or other minerals if any under the surface of the other parts of Section 13 as are not taken by Proclamation 2255 and excepting all minerals within the meaning of the Land Act 1924.

Between 31 August and 14 September 1998 the decisions on submissions to the Proposed District Plan were progressively released. Section 88A of the Resource Management Act 1991 requires all applications received after notification of decisions to be assessed in terms of these decisions and any amendment thereto.

Under these decisions the site is zoned Quail Rise Special Zone and the proposed activity requires a controlled activity consent pursuant to Rules 15.2.3.2(i), 15.2.6.1, 15.2.7.1, 15.2.8.1, 15.2.9.2, 15.2.10.1, 15.2.11.1, 15.2.12.1, 15.2.13.1, 15.2.14.1, 15.2.15.1, 15.2.16.1, 15.2.17.1 and 15.2.18.1 as the subdivision complies with all of the Site and Zone Standards contained within Part 15 for subdivision within the Quail Rise Special Zone.

Overall, the proposal was considered as a **controlled** activity.

The application was considered on a non-notified basis in terms of Section 93(1)(a) of the Act whereby the consent authority can assess the proposal as a controlled activity without the need to obtain the

written approval of affected persons, and in terms of Section 93(1)(b) whereby the consent authority were satisfied that the adverse effects of the activity on the environment will be minor.

Decision

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 220 of the Act:

- ✓ 1 That the activity be undertaken in accordance with the plans and specifications submitted with the application [**Boundary Adjustment Between Lots 44 DP 357615 & 50 DP 27480 dated 13 March 2006, Stamped as Approved on 16 May 2006**], with the exception of the amendments required by the following conditions of consent.
- ✓ 2 All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:1981 with the amendments to that standard adopted on 1 June 1994, together with associated standards and Codes of Practice to meet the acceptance of the Queenstown Lakes District Council. *- no engineering works*
- ✓ 3 Prior to certification pursuant to section 224 of the Act and in accordance with section 221 of the Resource Management Act 1991, a consent notice shall be registered on the pertinent Certificate of Title for the performance of the following condition on a continuing basis:
 - a) At the time a dwelling is erected on Lot 44, the owner for the time being shall construct a sealed vehicle crossing to the lot in accordance with Council's standards.
- ✓ 4 All necessary easements shall be granted or reserved. *- all existing*

Reasons for the Decision

Proposal

It is proposed to undertake a boundary adjustment between Lots 44 and 50 at Ferry Hill Drive, Quail Rise.

The boundary adjustment will reduce the size of Lot 44 from 7959m² to 1241m². The remainder of the land is to be added to the balance lot (Lot 50) which will increase the size of Lot 50 by 6718m², from 4272m² to 1.0990 hectares.

Site and Locality Description

The site is on a steeply sloping site with the majority of the G zone aspects being on the slopes of the hill located at the rear of the sites. The small R2 area of Lot 44 is on a gentler gradient, suitable for housing development. The sites are mainly grassed with a small area of trees located on Lot 50.

The site is located in the Quail Rise Estate Stage 5 area. This area involves various zones including G (open space) and R2 (residential). There are a small number of houses that have already been built in the surrounding lots on Lot 46 and also on the lot adjoining Lot 50 (Lot 80) from the subdivision RM980384.

Effects on the Environment

The Partially Operative District Plan does not require this application to be notified pursuant to rule 15.2.2.6.

The proposed boundary adjustment is being undertaken to provide a larger area for the balance lot (Lot 50) and to facilitate development on Lot 44. Lot 44 was always intended for development and as such will fit in with the surrounding housing and already developed lots.

Due to the provision of a consent notice with regards to vehicle crossings it is considered that the adverse effects on the environment as a result of the development will be nil.

CivicCorps Engineers stated in their report:

"The plans submitted do not show easement 'K' through Lot 29. The plans with the certificates of title show that Lot 44 already has right of way through easement K. Without this easement, proposed Lot

44 would have no access. On a site visit, it was noted that the right of way is already formed and sealed.

There are no formed vehicle crossings to the existing lots, or to any other vacant lots at Quail Rise. The consent notices registered on the certificates of title do not cover the construction of vehicle crossings, so this shall be recommended to be included as a condition of the boundary adjustment consent. Because of the length of road frontage each lot has, and because the existing lots do not have crossings, a new consent notice shall be recommended, rather than requiring the crossings to be constructed at the time of boundary adjustment.

Council's Intramap shows that existing service connections to Lot 44 are within the area of proposed Lot 44, therefore there will be no effect on services as a result of the boundary adjustment."

In this case, given the above analysis, no persons are considered to be adversely affected by the proposal. In addition, no special circumstances in terms of section 94C exist, therefore non-notification of the application has been recommended.

Conditions

Condition 1 has been included to ensure that the proposed boundary adjustment is undertaken in accordance with the submitted plans and application.

Conditions 2 to 4 have been imposed to ensure all work done on the site is undertaken to a specific standard and that there are no effects on easements and all easements are to be duly granted or reserved to ensure physical and service access for allotments where that access crosses adjacent land and vehicle crossings are constructed at the time a dwelling is constructed on Lot 44.

Objectives and Policies

The relevant objectives and policies are contained in Part 15 – *Subdivision Rules* of the Partially Operative District Plan. The proposal is in compliance with the Objectives and Policies of the Plan, summarised as follows:

Objective 5 – *"The maintenance or enhancement of the amenities of the built environment through the subdivision and development process."*

Policies

5.1 *To ensure lot sizes and dimensions to provide for the efficient and pleasant functioning of their anticipated land uses, and reflect the levels of open space and density of built development anticipated in each area.*

The proposal is considered to be in compliance with these Objectives and Policies of the Plan as the resultant lots create two development blocks with one being a large area of open space and the other for residential development which are consistent with the Quail Rise Activity areas for the future development of the Quail Rise Zone.

Other Matters

Local Government Act 2002: Development Contributions

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

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 and only relates to a change in boundaries. This will not increase demand or create any additional lots.

For the forgoing reasons a Development Contribution is not required.

The costs of processing the application are currently being assessed and you will be advised under separate cover whether further money is required or whether a refund is owing to you.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 not later than 15 working days from the date this decision is received.

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 Nic Anderson on phone (03) 450 0362.

Prepared by
CIVICCORP

Reviewed and Approved by
CIVICCORP



Nic Anderson
PLANNER



Paula Costello
PLANNER

DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

| | |
|-----------------------------|--|
| APPLICANT: | Quail Rise Estate Limited |
| RM REFERENCE: | RM090658 |
| LOCATION: | Ferry Hill Drive, Quail Rise, Queenstown |
| PROPOSAL: | Erect a dwelling |
| TYPE OF APPLICATION: | Land use |
| LEGAL DESCRIPTION: | Lot 50 DP27480, contained in Certificate of Title 284174 |
| ZONING: | Quail Rise Special Zone, Open Space G Activity Area |
| ACTIVITY STATUS: | Non-complying |
| NOTIFICATION: | Publicly notified |
| COMMISSIONERS: | David W Collins and Christine Kelly |
| DATE: | 3rd May 2010 |
| DECISION: | Consent is declined |

UNDER THE RESOURCE MANAGEMENT ACT 1991

IN THE MATTER OF an application by Quail Rise Estate Limited to the Queenstown-Lakes District Council for land use consent to erect a dwelling in the Open Space G Activity Area of the Quail Rise Special Zone at Ferry Hill Drive, Quail Rise.

Council File: RM 090658

DECISION OF DAVID W COLLINS AND CHRISTINE KELLY, HEARINGS COMMISSIONERS APPOINTED PURSUANT TO SECTION 34A OF THE ACT

THE APPLICATION AND THE SITE

1. This application was publicly notified as a proposal for two dwellings and a subdivision to create two rural-residential sized lots. That proposal has since been modified so that now only the dwelling on the area identified in the application as proposed lot 1 is proposed, and no subdivision is now proposed. Other modifications to the application are: additional planting is proposed around the proposed dwelling, covenants are volunteered to prevent any further residential development on this or any other Open Space G land in the applicant's ownership unless the zoning is changed, and a Land Management Covenant is proposed for the upper part of the application site.
2. Plans submitted with the application show that the dwelling proposed would be single storey (6.5 metres above ground level at the apex) with attached garaging. Vehicle access would be from an existing private accessway – Abbottswood Lane – which has a formed width of six metres. Substantial earthworks would be required to form the building platform and driveway, and a two metres high earth bund is proposed above the dwelling to protect it from potential debris flow.
3. The application originally proposed two dwellings and an application for subdivision to facilitate this was filed concurrently. Revised plans were filed on the 11th February 2010. While the revised plans generally (and substantially) reduce what is proposed, the proposed earthworks cut is increased by 1 metre and the proposed fill is increased by 400mm. This triggers the earthworks rule in the District Plan which specifies a maximum depth of fill of 2 metres - 2.4 metres maximum depth of fill is

now proposed. We are satisfied however that the application remains within the scope of what was advertised because the greater earthworks relate to the proposed earth bund and building platform and once the bund and dwelling are in place there are unlikely to be any significant environmental effects compared to the effects of the bund and dwelling on this part of the site in the application notified.

4. The application includes a “Landscape Concept Plan” showing an area for “*tree planting*” with a specification of tree species and spacings proposed, and an area of “*shrub planting*”, which would have mixed native shrubs and grasses.
5. The proposed dwelling would connect to existing services in Abbottswood Lane and the evidence was that there is capacity in those systems for an additional dwelling.

SUBMISSIONS

6. Public notification of the application attracted five submissions, all requesting that consent is declined. Only one of the submitters, Mr David Ovendale, attended the hearing and after hearing the applicant’s legal submissions Mr Ovendale indicated he believed he must withdraw his submission (presumably for the legal reasons advanced by the applicant’s counsel) and left the hearing.
7. We were left with 3 submissions from an individual, a trust and two companies, all with interests in Quail Rise or adjoining land, all of whom express concern about the prospect of development in the Open Space G Activity Area. As these parties did not attend the hearing, we do not know if the change from two dwellings to one dwelling changes their stance on the application, but we presume not as they were advised of the amendments to the application and they did not withdraw their submissions.
8. The fifth submission was from the Otago Regional Council, and indicated “*To summarise, Council considers that there is insufficient information contained in the current application to ensure that the proposed mitigation measures are appropriate or will not create offsite adverse effects.*”

STATUTORY ASSESSMENT FRAMEWORK

9. As discussed below, the application has the status of a non-complying activity and therefore has to be considered under sections 104, 104B, and 104D of the Act. Section 104 directs us to consider the actual and potential effects on the environment of the proposal, and the relevant provisions of applicable statutory documents – in

this case the Partially Operative District Plan, and the provisions of the Otago Regional Policy Statement relating to natural hazards.

10. Section 104B provides that we may grant consent, refuse consent, or grant consent subject to conditions.
11. Section 104D provides that in the case of a non-complying activity, we may grant consent only if the proposal will meet one or both of what are commonly referred to as the “*threshold tests*”: either the adverse effects on the environment will be minor, or the proposal will not be contrary to the objectives and policies in the District Plan. There has been guidance from the courts on what “*minor*” and “*contrary to*” mean in this context.
12. Consideration under section 104 is “*subject to*” the purpose and principles of the Act set out in Part 2 of the Act. A relevant Part 2 matter here is the sustainable management of resources purpose of the Act set out in section 5, which is broadly enabling but subject to provisos including the imperative of avoiding, remedying, or mitigating adverse effects of activities on the environment.
13. As discussed below, section 6(b) within Part 2 is also relevant. It reads:
“*The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.*” This is relevant because the proposed dwelling would be seen in the foreground of views of Ferry Hill, which is recognized in the District Plan as an Outstanding Natural Feature (ONF).
14. Other relevant Part 2 matters in this case are section 7(b) “*the efficient use and development of natural and physical resources*” and section 7(c) “*the maintenance and enhancement of amenity values.*”

THE HEARING

15. A hearing to consider the application was convened on the 15th March 2010. The applicant company was represented by Mr Jim Castiglione and Ms Jane Laming. Evidence was given by Mr James Hadley – civil engineer, Mr Robin Rawson – landscape architect, and Mr Carey Vivian – planner.
16. We had the benefit of comprehensive reports from the Council’s regulatory agent, Lakes Environmental Limited, prepared by Mr Tim Williams – planner, Ms Helen

Mellsop – landscape architect, and Ms Annemarie Robertson – engineer. These reports had been pre-circulated to the parties.

17. Rather than summarizing the case for the applicant, the submissions and the section 42A reports from Lakes Environmental Ltd, we will discuss the legal submissions and the evidence and reports under a series of headings below.

DISTRICT PLAN PROVISIONS

18. The application site is within the Open Space G Activity Area within the Quail Rise Special Zone. Consent is required under the following rules:
 - A restricted discretionary activity consent pursuant to Rule 12.15.5.1(iii)(1)(b) because the total volume of earthworks (1,879 m³) exceeds the 100m³ per site maximum.
 - A restricted discretionary activity consent pursuant to Rule 12.15.5.1(iii)(1)(b) because the area of proposed earthworks (2,150m²) exceeds the 200m² maximum standard.
 - A restricted discretionary activity consent pursuant to Rule 12.15.5.1(iii)(2)(b) because a maximum earthworks cut of 3.4 metres is proposed exceeding the 2.4 metres maximum in the standard.
 - A restricted discretionary activity consent pursuant to Rule 12.15.5.1(iii)(2)(c) because the maximum depth of fill of 2.4 metres proposed exceeds the 2 metres maximum depth standard.
 - A non-complying activity consent pursuant to Rule 12.15.3.4(vii) because a building is proposed within the Open Space G Activity Area.
 - A non-complying activity consent pursuant to Rule 12.15.5.2(i) because the subject site is part of Lot 6, DP300296 where a maximum of 44 residential units are permitted and 54 residential units have already been created.

STATUS OF THE SUBMITTERS

19. Mr Castiglione drew our attention to encumbrances on the titles of properties in Quail Rise which prohibit submissions or objections to subdivision and development applications made by the applicant company. He submitted that Queenstown Holdings Property Limited v QLDC (C1198) is authority that “...*a non-objection covenant constitutes written approval.*” We are not convinced that the circumstances here are the same as in the Queenstown Holdings Property Limited case because in that case the covenants specified the type of development (a supermarket) which coventors were prevented from opposing, while here the

encumbrances do not indicate that the coventors (or previous owners) gave approval to this particular proposal. We appreciate that the applicant company may have other legal remedies if these submitters have acted unlawfully by lodging submissions, but our concern is just whether they should be discounted as Mr Castiglione advocates on the grounds that they are effectively written approvals. We do not believe they should be discounted, but we wish to make it clear that the outcome of this decision would be the same whether or not those submissions were taken into account.

20. That is partly because the submission from Slant Investments Limited is not affected by the encumbrance argument. At the time of notification, Slant Investments Limited owned the property to the west of the application site, but has apparently sold it since. Mr Castiglione submitted that because the submission refers to adverse effects on that property and the submitter no longer owns the property, the submission is no longer relevant. We have difficulty with that argument because we see nothing to prevent Slant Investments Limited from pursuing the submission in opposition on behalf of the new owner. In fact, there may even be a contractual obligation to do so.

THE “PERMITTED BASELINE”

21. Mr Vivian’s evidence noted that the District Plan would permit fences and walls up to two metres in height, the planting of vegetation except wilding species, structures less than 5m² in area and two metres in height, earthworks within the relevant site standards relating to area exposed and heights of cut and fill, and structures such as play equipment related to outdoor recreational activities. We accept that, although it does seem unlikely that any owner of this land would have a need for solid walls, or that there would be any economic incentive to plant something like an orchard or have the need even for the small shed permitted. We do not see the permitted baseline as providing a useful comparison for the much more substantial structure and earthworks proposed.

POSITIVE EFFECTS

22. Consent for this dwelling would enable a household to meet its needs for a pleasant living environment. The weight we can give to that is however limited because we have no evidence that households are presently unable to meet their needs in this area, or the wider district, because of a shortage of building sites.

22. In our assessment the proposal represents “*efficient use and development*” of resources (section 7(b) of the Act) in that according to Ms Robertson’s engineering report “...*there is capacity in existing water and sewer networks*” that could be used and Abbottswood Lane has capacity for the additional traffic.
23. It was argued on behalf of the applicant company that consent would enable better management of this 1.1 hectare property. That is possible, depending on the energy and aspirations of the future owners, but bearing in mind that the adjoining land above the site to the south-west is owned by the applicant company, fragmentation of ownership could equally make management more difficult.

GEOTECHNICAL ISSUES

24. This proposal raises two geotechnical issues: the short term matter of potential problems during creation of the building platform, driveway, and protection bund, and the long term issue of the potential for debris flow and stormwater to affect the proposed dwelling or other physical resources. With earthworks of this scale, there is always the danger of problems if there is heavy rain at the time when large areas are exposed and cut faces are unsupported. There is considerable experience in this District in managing this risk however and we are satisfied that with standard conditions and good engineering practice and supervision, this risk is acceptable.
25. Turning to the wider issue of the general stability of this hillside, there is no dispute that this area is prone to shallow slips. A major storm event in 1999 apparently led to debris flows which blocked watercourses and caused flooding.
26. The submission from the Otago Regional Council refers to the geotechnical investigations that have been carried out for the applicant company (and were included in the application), but questions whether there is sufficient information to give confidence that the mitigation measure of a substantial planted bund above the dwelling would be appropriate. More specifically, the submission mentions that maintenance of the structure would be important and suggests that the bund could actually create instability through slope loading. The submission also raises the concern that deflection of overland flood and debris flows could adversely affect adjacent properties.
27. Dealing with the last point first, Mr Hadley assured us that the bund would not divert debris and water towards the garage on the neighbouring property to the north. It

must therefore be intended to divert water and debris in the other direction - towards Abbottswood Lane. In minor storm events we understand the bund is intended to stop slip material from moving further but we have a concern that in a major event the effect of the bund would be to concentrate more water and debris at a single point.

28. Although no representative of the Otago Regional Council attended the hearing, a letter to Lakes Environmental Limited dated 5th March 2010 was tabled. The letter expressed the view that a plan change would be the more appropriate process for considering whether this land is suitable for residential development, through a wider natural hazard assessment of the area. A further letter dated 12th March 2010 reiterated the Regional Council's position that "*...there is insufficient information contained in the application to ensure that the proposed mitigation measures are appropriate, and will not exacerbate adverse effects at or beyond the subject site.*"
29. Ms Robertson's report expressed confidence in the modified design of the bund (further information provided on the 11th February 2010, with copies sent to submitters), but reiterates one of the points made in the Otago Regional Council submission: "*... whether it is preferable for the risk to be avoided altogether.*" Overall, while we accept that the engineering solution proposed would probably protect the proposed house and would be unlikely to create problems for adjoining properties except at times of very exceptional storm events when there is an existing and unpredictable hazard anyway. Still, our perception is that it is better to avoid building in areas where such substantial protection works are necessary.

EFFECT ON LANDSCAPE

30. We accept that it is not appropriate to classify the application site in terms of the landscape classifications applied when assessing development in the Rural General Zone. The evidence from both the applicant's landscape architect, Mr Rawson, and the Lakes Environmental landscape architect, Ms Mellsop, was that the proposed house would have little effect on the recognized Outstanding Natural Feature (ONF) of Slope Hill above a Quail Rise Special Zone. The house and associated planting would only be marginally visible from viewpoints on the other side of the Shotover River and would just form part of the urbanized foreground to views of Slope Hill.
31. The significant landscape effects would be effects on the landscape and amenities of the immediate area of the application site. The application site is a steep grassed

hillside with some Lombardy poplars and other lesser scattered vegetation. It has an attractive hummocky terrain with similar landscape character to the land above and on either side. We have no doubt that the application site contributes significantly to the rural outlook and amenities of the Quail Rise residential area. That is not diminished by the fact that, as Mr Castiglione pointed out, the public has no right of access to the land.

32. The question then is whether the proposed house would detract from this. For the applicant it was argued that the house would fill a gap in the row of houses forming the urban edge. The same could be said for building on a neighbourhood reserve.
33. After looking at the site from Ferry Hill Drive, we consider that the gaps between the houses along the contour are important for the glimpses they afford through to the open hillside behind and above. Abbottswood Lane provides such a glimpse, but the main, and we believe the most important, view of the application site from Ferry Hill Drive is across the corner of the applicant site where the dwelling would be sited. The proposed house would mean that a rural view would be replaced by an urban element. The necessary bund and the planting required on and around the bund to assist its function would also impede the view of the rural hillside from Ferry Hill Drive and undermine the landscape character of the application site.
34. We are concerned too about the effect of activities that could be expected within the curtilage area of the house, such as storage of boats etc, children's play equipment, barbeque areas and gardens. The amended Landscape Concept Plan shows the large area for such activities extending the length of the Abbottswood Lane frontage. When we questioned this, it was volunteered that the defined curtilage area it could be reduced to just extend to the south end of the bund. Even with curtilage activities confined to that north-east corner of the property, we consider that the contribution to the amenity of Ferry Hill Drive would be substantially diminished because these "domestic" elements would be in the foreground of the view shaft from Ferry Hill Drive into the site.

THE PROVISIONS OF THE QUAIL RISE SPECIAL ZONE

35. The provisions for this zone are set out in Part 12.14 of the Partially Operative District Plan. At 12.14.3, Objective 1 for the zone reads:
"To enable the development of low density residential activities in conjunction with planned open space and recreational opportunities."

36. The most relevant policies under this objective read:
- “1.1 To ensure development is carried out in a comprehensive manner in terms of an appropriate strategy and to ensure that activities are compatibly located.*
 - 1.2 To ensure that open space is maintained and enhanced through appropriate landscaping in the absence of buildings and other structures.*
 - 1.3 To ensure open space is developed in a comprehensive manner.*
 - 1.4 To avoid any deviation to the Structure Plan for the zone.”*
37. In our assessment the application is directly contrary to this objective and these policies. It is clear from the Structure Plan and the fact that Rule 12.15.3.4(vii) makes building in the Open Space G Activity Area non-complying, that the District Plan intends Quail Rise to develop according to a comprehensive plan and that this property is not intended to be available for residential development.
38. It was suggested at the hearing that the activity area boundary at this point is anomalous. That may be the case, but we are reluctant to question elements of a comprehensive plan supported by such clear policies through a resource consent process. Any alterations to the Structure Plan should be assessed comprehensively through the private plan change, which we understand is in the course of preparation.
39. Objective 2 for the zone reads:
- “To conserve and enhance the physical, landscape and visual amenity values of the Quail Rise Zone, adjoining land, and the wider environment.”*
40. Relevant policies include:
- ”2.1 To ensure the external appearance of buildings and other structures are appropriate to the area.*
 - 2.2 To avoid activities that are incompatible with and/or compromise the amenity of the Quail Rise Special Zone, through appropriate rules.*
 - 2.3 To avoid activities and development that have the potential to adversely affect the openness and rural character of the zone, adjoining land, and the wider environment.*
 - 2.4 To avoid buildings in areas of high visibility.”*
41. We read this objective and these policies as again emphasizing the comprehensive intention of the special zone. While the external appearance of the proposed building

would be appropriate, its siting in an area intended to remain open would undermine the amenity and rural character provided by this particular part of the Quail Rise Special Zone. It would be highly visible from within the zone.

42. The third objective in the Quail Rise provisions in the District Plan reads:
“Servicing to avoid adverse effects on the landscape, lakes, rivers and ecological values.”
43. The single policy under this objective simply clarifies that the services referred to are sewage disposal, water supply and refuse disposal.
44. Mr Carey’s evidence and Mr William’s report both referred to some objectives and policies in the District Wide part of the District Plan. In our assessment they are of far less relevance than the specific objectives and policies for this area discussed above.
45. For the purpose of the section 104D “threshold test” we are required to take an overall view of the objectives and policies in the District Plan. It is appropriate to give more weight to the more specific objectives and policies than to the more general ones applying to the whole District. Arguably the proposal is not in direct conflict with the District wide objectives and policies, but as discussed above we consider there is direct conflict with Objective 2 for the Quail Rise Special Zone and policies 1.1, 1.2, 1.3, 1.4, 2.2, 2.3, and 2.4. In our assessment the proposal is clearly contrary to the objectives and policies in the District Plan.
46. Turning to the alternative “threshold test”, we are mindful that the test does not involve a weighing of positive and negative effects – simply an assessment of whether adverse effects would be more than minor. We accept that as the possibility of adverse effects from the proposed bund are somewhat speculative and in any case would not be disastrous, geotechnical effects can be regarded as minor. As discussed above however we believe the effects on the immediate landscape and amenities of the Quail Rise residential area would be significant and accordingly we have come to the view that the proposal cannot meet either of the “threshold tests” in section 104D of the Act.
47. Even if the proposal had passed the threshold test, we would have been concerned about the effect of consent on the integrity of the District Plan and the likelihood that

consent would create an unfortunate precedent. Our reading of the Plan is that the Quail Rise Zone is based firmly on the comprehensive design of the Structure Plan. Mr Carey noted that consents had been granted for some lot boundaries to not follow the subzone boundaries shown on the Structure Plan, but as far as we are aware those lots have also had encumbrances on the titles to ensure compliance with the intent of the Structure Plan – specifically, that buildings are not constructed on areas intended to be left open. The present application presents a much more direct conflict with the Structure Plan.

48. Mr Castiglione volunteered a condition backed up by covenants “...to prohibit residential building resource consents (sic) being made for the site or any other G Activity Area within the applicant’s ownership until Plan Change 37 has been determined.” That would eliminate the precedent effect for the applicant company’s land, however there are already other owners with Open Space G Activity Area land and the offered covenants would not cover their properties.

DECISION:

For the reasons set out above, consent is hereby declined.

A handwritten signature in blue ink, appearing to read 'D Collins', is written on a light-colored background.

David W Collins
Christine Kelly
Hearings Commissioners
3rd May 2010

DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

| | |
|---------------------------|--|
| Applicant: | Quail Rise Estates Limited |
| RM reference: | RM110443 |
| Location: | Abbottswood Lane, Quail Rise |
| Proposal: | Establish a residential dwelling, breach the 5m height restriction and undertake subdivision to create one additional residential lot. |
| Type of Consent: | Land Use and Subdivision |
| Legal Description: | Lot 50 Deposited Plan 370064 |
| Zoning: | Quail Rise R2 (A) & G Open Space Activity Area |
| Activity Status: | Non-complying |
| Notification: | Non-notified |
| Commissioner: | Commissioner Sinclair |
| Date Issued: | 10 November 2011 |
| Decision: | Granted with conditions |

This is an application for resource consent under Section 88 of the Resource Management Act 1991 to establish a residential dwelling and undertake a subdivision to create a residential lot around that dwelling. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 9 November 2011. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

Under the District Plan the site is zoned Quail Rise R2 (A) and *G Open Space Activity Areas* and the proposed activity requires resource consent for the following reason(s):

- A **restricted discretionary** activity consent pursuant to Rule 15.12.3.3(iv)(c) which specifies that the erection of a building in the R2 (A) Activity Area is a discretionary activity with Council's discretion in respect of:
 - External appearance
 - Access & earthworks
 - Interior & exterior lighting
 - Landscaping, including the provision of any existing or proposed trees
 - Natural hazard mitigation, including the ongoing requirement to maintain the water race in the respective area above the proposed development
- A **non-complying** activity consent pursuant to Rule 12.15.3.4(viii) as the proposed activity does not meet Zone Standard 12.15.5.2(ii)(b) which specifies a maximum height of buildings of 5m. The proposed dwelling will exceed 5m in height from original ground level.
- A **controlled subdivision** activity pursuant to Rules 15.2.6.1(Lot Sizes), 15.2.7.1 (Subdivision Design), 15.2.8.1(Property Access), 15.2.10.2 (Natural Hazards), 15.2.11.1(Water Supply), 15.2.12.1 (Stormwater), 15.2.13.1(Sewage)15.2.15.1(Energy Supply), 15.2.17.1 (Vegetation and Landscape) and 15.2.18.1(Easements).

Overall, the proposal was considered as a **non-complying** activity.

Notification Determination

The application was considered on a non-notified basis in terms of Section 95A and 95B whereby the consent authority was satisfied that the adverse effects of the activity on the environment are not likely to be more than minor and whereby no persons or order holders were, in the opinion of the consent authority, considered to be adversely affected by the activity.

Decision – Land Use

Consent is granted pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 108 of the Act:

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
2.
 - **Clark Fortune McDonald: Elevations through proposed house on proposed Lot 1**
: **Proposed earthworks and subdivision of Lot 50**
 - **GJ Gardner** : **Elevations**

- : Floor Plan
- Baxter Design Group : Amended Landscape Concept Plan
- Hadley Consultants Ltd: Site Plan
 - : Site Cross Section Lot 1 – Section A
 - : Site Cross Section Lot 1 – Section B
 - : Site Cross Section Lot 1 – Section C

stamped as approved 9 November 2011 and the application as submitted, with the exception of the amendments required by the following conditions of consent.

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 and shall pay to Council an initial fee of \$100.

Engineering

4. 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.
5. Prior to construction, a suitably qualified engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431:1989, for all areas within the site on which buildings are to be founded.

Landscape Plan

6. The landscape plan approved under Condition 1 above shall be implemented within the first planting season following approval and shall thereafter be maintained in accordance with that plan.

Design Control

6. Prior to construction, the final material and colours of the proposed dwelling shall be submitted to Lakes Environmental by the consent holder for approval. The colours for roofing, cladding and joinery shall be in the range of browns, greens or greys and with a LRV of 36% or less.

Flood Mitigation

7. Prior to occupation of the dwelling subject of this consent, the consent holder shall submit to Council evidence of 224(c) certification of the subdivision approved under this consent RM110443, or alternatively, the completion of all of the following:
 - a. The provision of a Producer statement (PS4) submitted by a suitably qualified professional engineer confirming that the deflection bund on Lot 1 has been constructed in accordance with the Hadley Consultants Ltd design.
 - b. Registration of conditions 6(a) and 6(b) of the subdivision consent on the title for the property as a land covenant pursuant to section 108(2)(b) of the Act.

Earthworks

8. At the completion of the earthworks, all earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised within 6 weeks

Decision – Subdivision

Consent is granted pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 220 of the Act:

General Conditions

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

- Clark Fortune McDonald: Proposed earthworks and subdivision of Lot 50

And specifically the version of this plan illustrating the hand drawn pedestrian ROW over Lot 2 in favour of Lot 1

stamped as approved 9 November 2011 and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. 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

3. The subdividing owner of the land shall provide a letter to the Principal Engineer at Lakes Environmental advising who their representative is for the design and execution of the engineering works and construction works required in association with this subdivision and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.4 & 1.5 of NZS4404:2004 "Land Development and Subdivision Engineering", in relation to this development.

To be completed before Council approval of the Title Plan

4. All necessary easements and the additional ROW easement for pedestrian access shall be shown in the Memorandum/Schedule of Easements attached to the Title Plan and shall be duly granted or reserved.

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

5. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The provision of a water supply to Lot 1 in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Lot 1 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 the lot. The costs of the connection shall be borne by the consent holder.

- c) The provision of a connection from all future impervious areas in Lot 1 to the Council reticulated stormwater disposal system. The connection shall be able to drain the entire area of the lot. The costs of the connection shall be borne by the consent holder.
- d) The provision of a Producer statement (PS4) submitted by a suitably qualified professional engineer confirming that the deflection bund on Lot 1 has been constructed in accordance with the Hadley Consultants Ltd design.
- e) A suitably qualified engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431:1989, for all areas within the site on which buildings are to be founded.
- f) At the completion of the earthworks, all earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised within 6 weeks
- g) 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.
- h) 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.
- i) 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.
- j) 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

- 6 The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to s.221 of the Act.
- a) The historic water race on Lot 2, above Lot 1, is required to be maintained as a secondary flow path for overland flows above Lot 1. The owner of Lot 2 shall undertake regular and on-going inspections of the water race and when necessary do all such things and take such action as is necessary to ensure that accumulated debris are removed from the race.
 - b) The area of G Open Space Activity area within Lot 1 shall be maintained in a manner which will ensure a visually cohesive open area in accordance with the Objectives and Policies of the Quail Rise Zone, specifically, the following shall apply within the G Open Space Activity Area of the lot:
 - All trees planted or allowed to grow shall be native species.
 - No structures, garden furniture, garden ornaments or the like are permitted
 - No hard landscaping such as paving, walls or garden edging is permitted

- No fencing is permitted
- No vehicle access is permitted
- Any curtilage areas (including individual gardens and items such as clotheslines and trampolines) shall not encroach into the G Activity Area.
- Areas of open grass are to be maintained comprehensively so that arbitrary lines do not become apparent.

Reasons for the Decision

Consent is sought to erect a residential dwelling and to undertake a subdivision which will result in the creation of an additional residential lot to contain the proposed dwelling.

The proposed residential dwelling will be 219m² in area; single storied and will extend slightly above the 5m height limit from existing ground level. The dwelling will be established on a flattened 380m² construction platform at the lower (north-eastern) corner of the existing site. The dwelling design includes a double garage which is accessed off Abbottswood Lane (a private ROW access over the subject site). The dwelling will be clad in linear weatherboard with a coloursteel roof, in grey tones.

The area in which the residential dwelling will be constructed is zoned R2(A) Activity Area of the Quail Rise Special Zone. Surrounding land is zoned G Open Space Activity area, and earthworks associated with the dwelling will be undertaken in both of these areas. In particular, earthworks are required for the formation of the flattened construction area on which the dwelling will sit, for the driveway access and for an earth mound located above and to the rear of the dwelling.

The dwelling will connect to reticulated services in the vicinity of the site.

Subdivision

The subdivision proposed will generally separate the residential unit and the land zoned R2(A) from the balance land (zoned G Activity Area). It is noted however that the proposed Lot 1 around the dwelling will be 2450m² in area and will encompass an area wider than the R2(A) activity zoning, such that it will include an area of land zoned G Activity Area.

Proposed Lot 2 (the balance lot) will be 8540m² in area and is entirely made up of G Open Space Activity Area. The existing Arrow Irrigation water race runs through the top of the existing site, and will be contained within Lot 2 (existing easements to be carried down). Both proposed lots will contain ROW access over them (the existing Abbottswood Lane).

Site & Locality

The subject site is 1.1 hectares in area and is an irregular shape bounding Abbottswood Lane and (for a small portion) Ferry Hill Drive along its eastern boundary. The site sits on the lower slopes of Ferry Hill on the upper periphery of the Quail Rise residential area.

The majority of the subject site is zoned *Open Space G Activity Area*, identified for outdoor recreation activities and open space¹. This area predominantly contributes to the 'open space' function given its slope and nature.

¹ QLDC District Plan Part 12, p12-106.

This area is also characterised by its association with Ferry Hill an Outstanding Natural Feature (ONF).

Previous decisions have confirmed the classification of Ferry Hill as an ONF and that the upper part of this site falls within the landscape of the ONF, and the lower parts forming part of the visual amenity landscape associated with the Quail Rise residential area.

The recent rezoning of the lower (north-eastern) corner of this site as R2(A) residential establishes that this area of the site forms part of the landscape unit of the residential development, rather than the ONF of Ferry Hill above.

The Arrow Irrigation race traverses the upslope area of the subject site. The functioning of this race for the purpose of water transfer along the race is protected by existing easements.

Site History

This site has been subject to two recent planning decisions.

RM090658 sought consent for two dwellings (reduced to one at the hearing) in the lower area of the site, and the related subdivision of this land. The proposed location of the final dwelling sought is the same as is now proposed. At this time, the land was zoned G Open Space Activity Area. This application was declined by Council.

Subsequently, Plan Change 37 considered the issues around residential use of this area of land (hearing evidence on landscape and hazard matters) and determined that it was appropriate to rezone a portion of the subject site for residential use. Plan Change 37 is now operative and established the new R2 (A) Activity Area for one residential dwelling, with Council's discretion for this dwelling being in respect to matters including the potential hazard risk to the site.

Effects on the Environment and Persons

Landform

The earthworks required on the site to form the driveway, building platform and deflection bund on Lot 1 have all been completed. Lakes Environmental Engineer Mr Townsley has viewed these works and advises that the cut undertaken at the rear of the platform is near vertical and will require retaining prior to, or in association with a future building. It is anticipated that this retaining will be undertaken in a manner will avoid any adverse effects, and that the building consent process will ensure this appropriate design is completed.

Mr Townsley also reports that as it is unclear whether fill has been placed in the area of the platform, a condition will be imposed requiring that an engineer certify the platform to ensure it is suitable for future dwelling foundations.

Mr Townsley advises that all other cut and fill has been left at self-supporting gradients no adverse effects are anticipated. A condition of consent will ensure that the exposed areas be re-grassed or otherwise sealed to aid in surface stability.

General landscaping will be undertaken in accordance with the landscape plan submitted; this will assist to mitigate the earthworks and assist with the integration of the dwelling into the surrounds and is considered appropriate.

Adverse effects on the environment in terms of land, flora and fauna are not likely to be more than minor.

Infrastructure

Lakes Environmental Engineer Mr Mark Townsley advises that services have been provided to Lot 1 from Council and service provider reticulation in Ferry Hill Drive. This is accepted and conditions are recommended with regards standard of installation, as-built records and confirmation from service providers.

Access to the proposed dwelling on Lot 1 has been provided via a driveway leading from Abbottswood Lane; Mr Townsley advises that this is in accordance with Council's standards. A ROW easement also exists over both Lots 1 and 2 for access to other residential dwellings (Abbottswood Lane). This ROW has sufficient capacity for the addition of one additional user as proposed.

It is also noted that while legal access exists to Lot 2, this lot is zoned *G Open Space* activity area and as it is not to be utilized for residential use it does not require any access or servicing provision at this time.

Hazards

The site has been identified as being susceptible to flooding from the overflowing of the Arrow Irrigation Race sited above the platform. This is a specific matter of Council's discretion when considering an application for development here.

Hadley Consultants have carried out a comprehensive assessment of this risk and recommended the installation of deflection bund to the rear of the dwelling (which has already been constructed). Mr Townsley has reviewed the mitigation measures proposed and accepts the Hadley assessment. Mr Townsley advises that a PS4 producer statement is required to confirm the bund has been installed as per the Hadley design. This will be assured by way of a condition of consent. Given this, it is accepted that the bunding will assist with mitigation of this potential hazard.

Furthermore, ongoing maintenance of the irrigation race will be necessary to aid in ensuring blockages do not cause unnecessary overflows into this site.

To address this, conditions will require registration on the title for the property a requirement that, on an ongoing basis, the owner of Lot 2 has an obligation to maintain the race in a way which ensures that it is free of blockages that may build up and increase the risk and extent of breakout flooding from the race. This obligation will be imposed on Lot 2 to assist in flood mitigation for the dwelling on Lot 1 given that Lot 2 is the site in which the Arrow Irrigation Race is located and is accessible from.

While Lot 2 holds this obligation, it is also considered appropriate that a pedestrian easement in favour of Lot 1 is included over Lot 2 between Lot 1 and the Arrow Irrigation race, this will ensure that the owner of Lot 1 is able to access (by foot) the irrigation race to allow for visual inspection. This easement has been volunteered by the applicant.

Council's legal advisers have reviewed the proposed subdivision design including pedestrian easement and the proposal to require Lot 2 to be responsible for maintenance of the irrigation race by way of consent notice. The legal advice is that this mechanism is appropriate and that if Lot 1 has pedestrian access to view the race then this allows the owner of Lot 1 to view the state of the race from time to time and to put the owner of Lot 2 on notice in the event maintenance is required. It also avails the owner and/or Council enforcement powers in respect of compliance.

Lakes Environmental Engineer Mr Townsley advises that while the design for the deflection bund which has been installed to the rear of the proposed dwelling site will protect the dwelling from overflows, it is appropriate to ensure the owners of Lot 1 are allowed to monitor the race and be in communication with the appropriate parties if clearance is required. Mr Townsley therefore supports the imposition of a consent notice condition and the proposed pedestrian ROW in favour of Lot 1 over Lot 2 to ensure the owners have access for these inspections

In summary, the deflection bund constructed is designed to protect the dwelling from overflow flood hazard and this is accepted by Mr Townsley. However additional mechanisms will be in place in the form of a consent notice requiring action to avoid this hazard occurring, and an easement allowing the owner of Lot 1 to also be involved in this monitoring/inspection process.

Built Form

The location of a dwelling in this location is an anticipated activity as a result of the R2 (A) zoning of the site. The external appearance of the dwelling will be appropriate and in keeping with the surrounding environment. The dwelling will be clad in linear weatherboard with a coloursteel roof, both in grey colours with grey joinery. This will ensure that the dwelling is appropriate in this context. The dwelling will site above Ferry Hill Drive and Abbottswood Lane in an existing gap in the streetscape and will have no adverse effects in this respect.

The breach of the 5m height limit from original ground level is minor and will not be discernible from the wider environment. No adverse effects are considered to result. The dwelling is single story and will appear consistent with built form in the locality.

In terms of landscape amenity, the dwelling will be located in a position anticipated by zoning to contain a dwelling. The proposed subdivision will mean that areas of land zoned *G Open Space* Activity Area will be contained within the residential lot (proposed Lot 1). This subdivision design has the potential for open space values of this land to be lost, through the potential delineation and domestication of this area associated with its inclusion within proposed Lot 1. These potential effects can be avoided by way of consent notice conditions to be applied to limit the use of land zoned *G Open Space* Activity Area within Lot 1. This is consistent with the approach that has been taken in other lots in the vicinity which border *G Open Space* Activity Area.

The subdivision will not in any other respects, alter the *G Open Space* Activity Area. Lot 2 will be the 'balance lot' of the subdivision which will contain *G Open Space*. The subdivision or development on Lot 1 will not have any effect on this land use.

Overall, any potential effects on the environment will be able to be appropriately mitigated and no parties are considered adversely affected.

Objectives and Policies

Relevant Objectives and Policies are found within Part 12.14 Quail Rise zone and Part 15 Subdivision.

Part 12.14: Quail Rise

Objective 1 seeks to enable the development of low density residential activities in conjunction with planned open space and recreational opportunities

The proposal contributes to the provision of low density residential activity in a location which is planned, maintaining the balance of planned open space in the zone. In particular with reference to relevant policies, the proposal is in accord with the latest structure plan for the zone and is compatibly located.

Objective 2 is to conserve and enhance the physical, landscape and visual amenity values of the Quail Rise zone, adjoining land and the wider environment. The proposal meets this objective and with respect to policies, the external appearance is consistent with other buildings and meets standards relating to roof pitch. The residential use of this land is not incompatible with the zone.

Objective 3 requires servicing to avoid adverse effects and services to the proposed dwelling will be appropriately provided for.

Part 15: Subdivision

The proposal meets the relevant Objectives and Policies for subdivision which look to ensure that costs are absorbed by developers, that lots sizes are appropriate for their intended uses and that services are installed to Councils standards along with avoidance of natural hazards. Given the above the proposal meets these objectives.

The development and subdivision proposed is not considered contrary to the objectives and policies of the District Plan.

Part 2 of the Resource Management Act 1991

The proposal is considered to appropriately avoid and mitigate potential adverse effects and given this will constitute sustainable management of this land resource given the zoning for the site. The purpose and principals of the Resource Management Act will be upheld.

Other Matters

Local Government Act 2002: Development Contributions

This proposal will generate a demand for network infrastructure and reserves and community facilities.

In granting this resource consent, pursuant to Part 8 Subpart 5 and Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004) the Council has identified that a Development Contribution is required.

An invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to application under the Resource Management Act for certification pursuant to section 224(c) or Building Consent. Pursuant to Section 208 of the Local Government Act 2002 the Council may withhold a certificate under Section 224(c) of the Resource Management Act 1991 or code compliance certificate if the required Development Contribution has not been paid.

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.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. 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 reschedule its completion.

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.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

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 Paula Williams on phone (03) 450 0367.

Prepared by
LAKES ENVIRONMENTAL LTD



Paula Williams
PLANNER

Reviewed by
LAKES ENVIRONMENTAL LTD

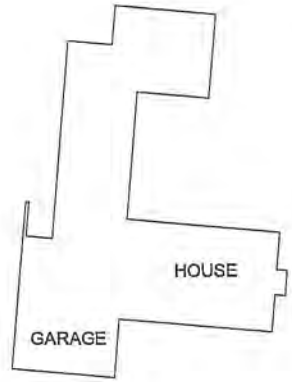


Hanna Afifi
PLANNING TEAM LEADER



Lot 2

FERRY HILL DRIVE



Lot 1

46
DP300296

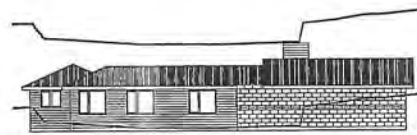
ELEVATIONS

- = EXISTING GROUND LEVEL
- = 5m HEIGHT LIMIT

NOTE:- SECTIONS SHOWN AT HOUSE ELEVATIONS, RIDGES CLEAR OF ENCROACHMENT.



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLANS: RM *110442*

9/11/11
Date

pcw.
Initials

CLIENT REVIEW 12.08.11

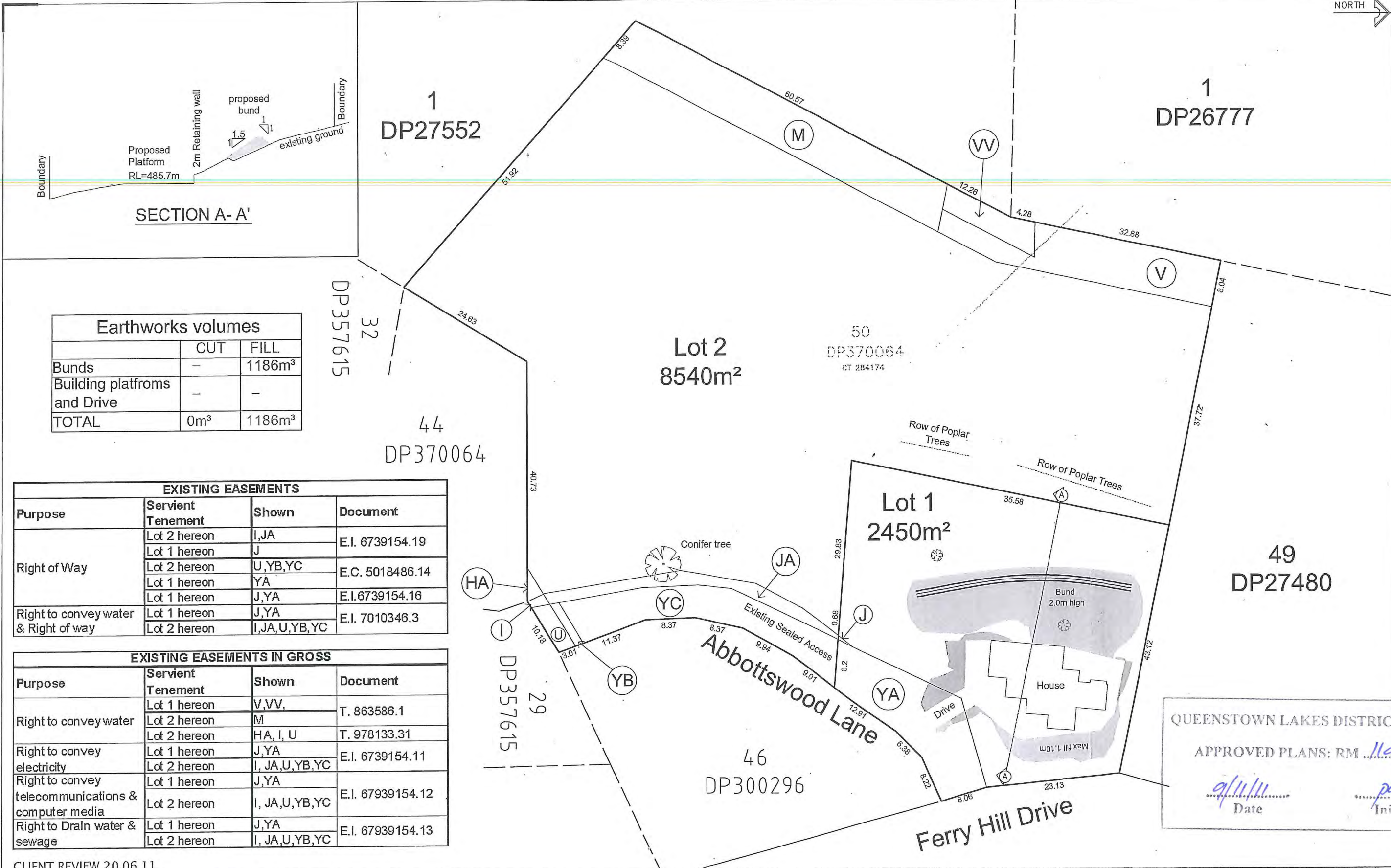
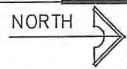
Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants
309 Lower Shotover Road, P.O. Box 553 Queenstown
Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
21 Reece Crescent, P.O. Box 550, Wanaka
Tel. (03)443-4448, Fax (03)443-4445, Email admin@cfma.co.nz
Shop 2, Origo House, 475 Merny Place, P.O. Box 5960
Tel. (03)740-1592, Fax (03)740-1591, Email admin@cfma.co.nz

| Rev. | Date | Revision Details | By |
|------|----------|--|------|
| B | 26.08.09 | House elevations on Lot 1 amended | HK |
| C | 27.08.09 | Elevations for garage on Lot 2 added | HK |
| D | 05.03.10 | Subdivision and Lot 2 removed | HK |
| E | 28.03.10 | Height added to elevations | HK |
| F | 17.01.11 | Height limit amended to 5m and encroach. shown | HK |
| G | 28.06.11 | REVISED HOUSE LAYOUT SHOWN | NJKA |
| H | 11.08.11 | New house footprint and elevations added | ED |

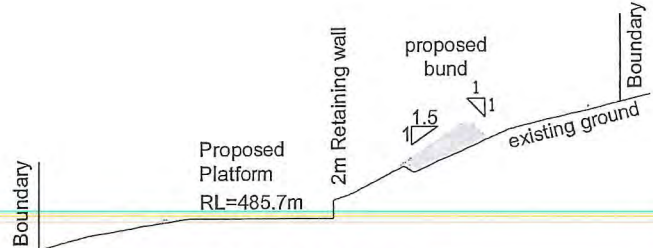
ELEVATIONS THROUGH PROPOSED HOUSE ON PROPOSED LOT 1
BEING SUBDIVISION OF LOT 50 DP 370064, FERRY HILL DRIVE

| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------|----------|--------|----------|---------------|-------------|
| QUAIL RISE ESTATES LTD | | | | 9091 | 69 |
| | Drawn | Signed | Date | Scale | 1:150 |
| | HK | | 20.08.09 | | 1:300 |
| | Designed | Signed | Date | Datum & Level | MSL |
| | | | | | H |

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- Having the information in the same form lost.
- Copying or the drawing is retained.



SECTION A-A'



| Earthworks volumes | | |
|------------------------------|-----------------------|--------------------------|
| | CUT | FILL |
| Bunds | - | 1186m ³ |
| Building platforms and Drive | - | - |
| TOTAL | 0m³ | 1186m³ |

| EXISTING EASEMENTS | | | |
|--------------------------------------|-------------------|--------------|-----------------|
| Purpose | Servient Tenement | Shown | Document |
| Right of Way | Lot 2 hereon | I,JA | E.I. 6739154.19 |
| | Lot 1 hereon | J | |
| | Lot 2 hereon | U,YB,YC | E.C. 5018486.14 |
| | Lot 1 hereon | YA | |
| Right to convey water & Right of way | Lot 1 hereon | J,YA | E.I.6739154.16 |
| | Lot 2 hereon | I,JA,U,YB,YC | E.I. 7010346.3 |

| EXISTING EASEMENTS IN GROSS | | | |
|---|-------------------|---------------|------------------|
| Purpose | Servient Tenement | Shown | Document |
| Right to convey water | Lot 1 hereon | V,VV, | T. 863586.1 |
| | Lot 2 hereon | M | |
| | Lot 2 hereon | HA, I, U | T. 978133.31 |
| Right to convey electricity | Lot 1 hereon | J,YA | E.I. 6739154.11 |
| Right to convey telecommunications & computer media | Lot 1 hereon | J,YA | E.I. 67939154.12 |
| | Lot 2 hereon | I, JA,U,YB,YC | |
| Right to Drain water & sewage | Lot 1 hereon | J,YA | E.I. 67939154.13 |
| | Lot 2 hereon | I, JA,U,YB,YC | |

QUEENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLANS: RM 110443
 9/11/11 Date
 pen Initials

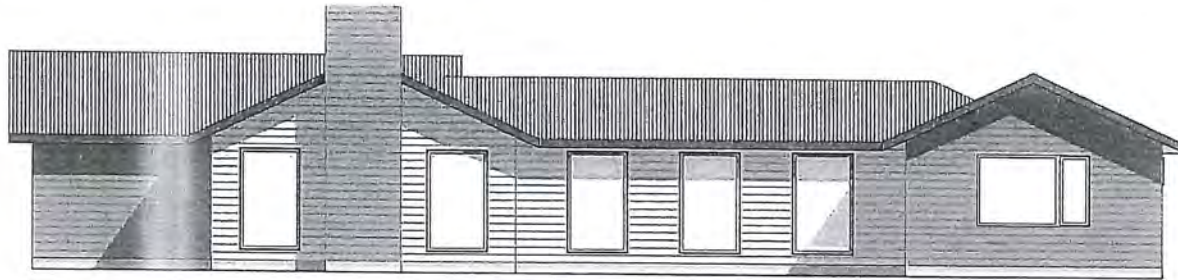
CLIENT REVIEW 20.06.11

Clark Fortune McDonald & Associates
 Licensed Cadastral Surveyors - Land Development - Planning Consultants
 309 Lower Shotover Road, P.O. Box 933, Queenstown
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz
 21 Reede Crescent, P.O. Box 550, Wanaka
 Tel. (03)443-4448, Fax (03)443-4445, Email admin@cfma.co.nz
 Shop 2, Otage House, 275 Moray Place, P.O. Box 5860
 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

| Rev. | Date | Revision Details | By |
|------|------|------------------|----|
| | | | |

**PROPOSED EARTHWORKS AND SUBDIVISION OF LOT 50
 DP 370064 FERRY HILL DRIVE**

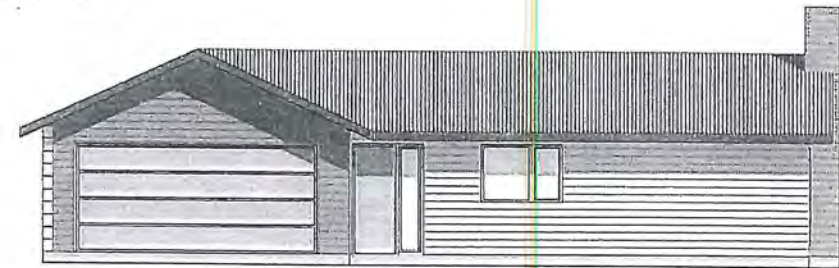
| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|---|----------|--------|----------|--------------------------|-------------|
| QUAIL RISE ESTATES LTD | - | - | - | 9091 | 78 |
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| | NKA | - | 20.06.11 | 1:300 @ A1 1:600 @ A3 | - |
| | Designed | Signed | Date | Datum & Level | Rev. |
| | - | - | - | Mt Nic 2000 & MSL | - |



NORTH ELEVATION

1:100

EAST.



EAST ELEVATION

1:100

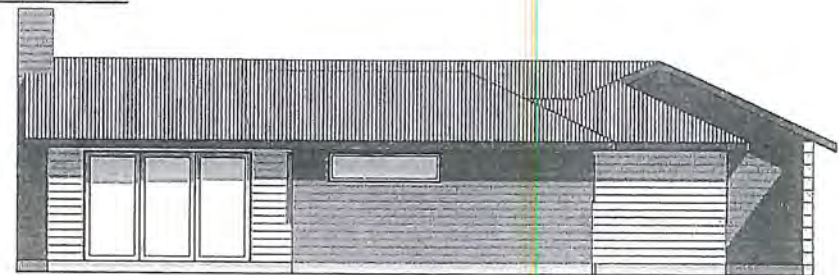
SOUTH



SOUTH ELEVATION

1:100

WEST.



WEST ELEVATION

1:100

North

QUEENSTOWN DISTRICT COUNCIL

APPROVED PLAN NO. *115443*

9/11/11
Date

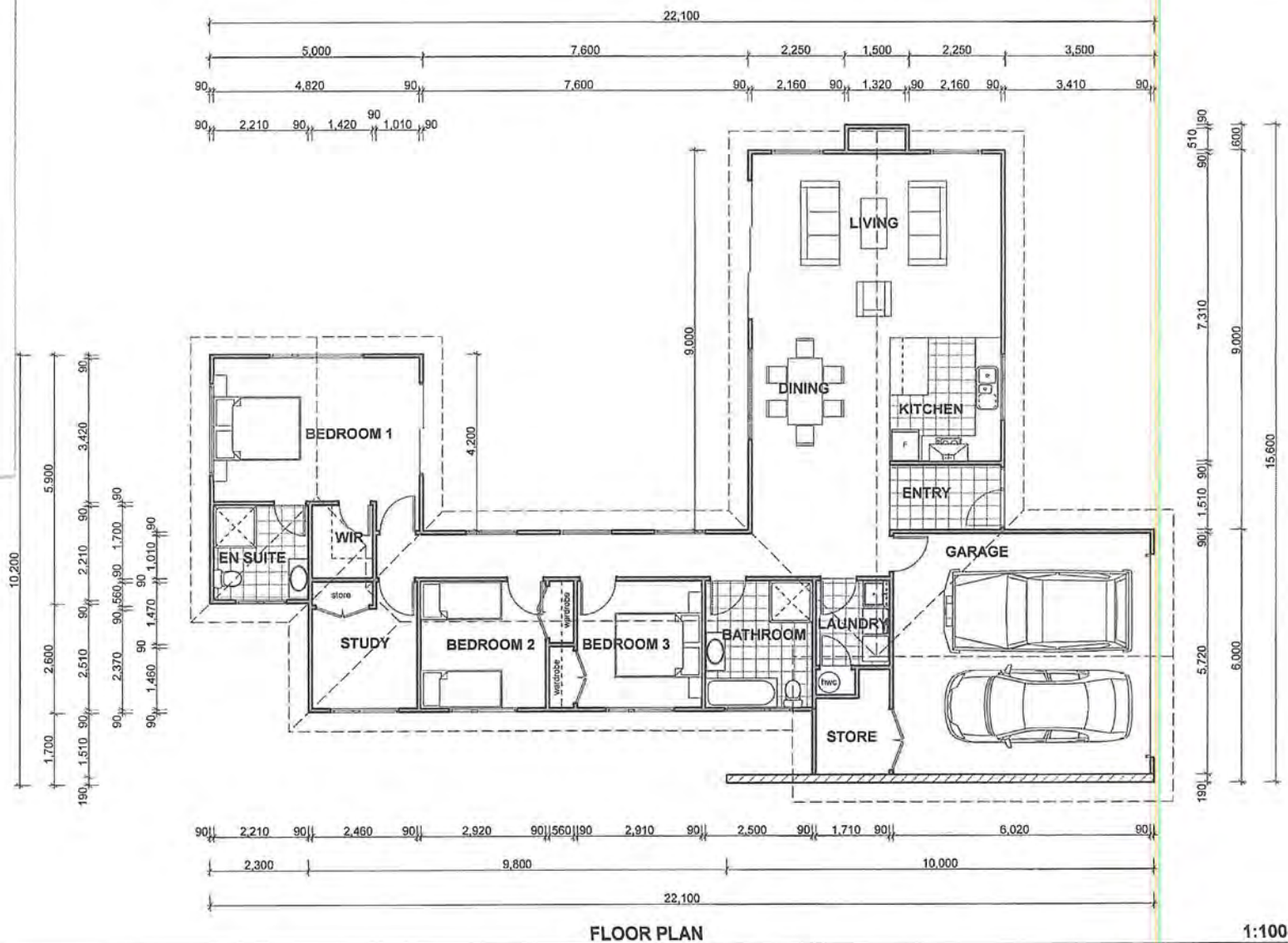
JW
Initials

G.J. Gardner. HOMES
"We're Great Together"

PROPOSED NEW HOME FOR MR AND MRS EVANS
AT 38 FERRY HILL DRIVE, QUAIL RISE, QUEENSTOWN
ELEVATIONS

Drawn By: H. Hopcroft
Date: 9th August 2011
Concept No.1

QUEENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLANS: RM *N. 10/4/11*
 Date *9/11/11* Initials *Plan*



FLOOR PLAN

1:100

TOTAL FLOOR AREA: 179m²

G.J. Gardner. HOMES
 "We're Great Together"

PROPOSED NEW HOME FOR MR AND MRS EVANS
 AT 38 FERRY HILL DRIVE, QUAIL RISE, QUEENSTOWN
FLOOR PLAN

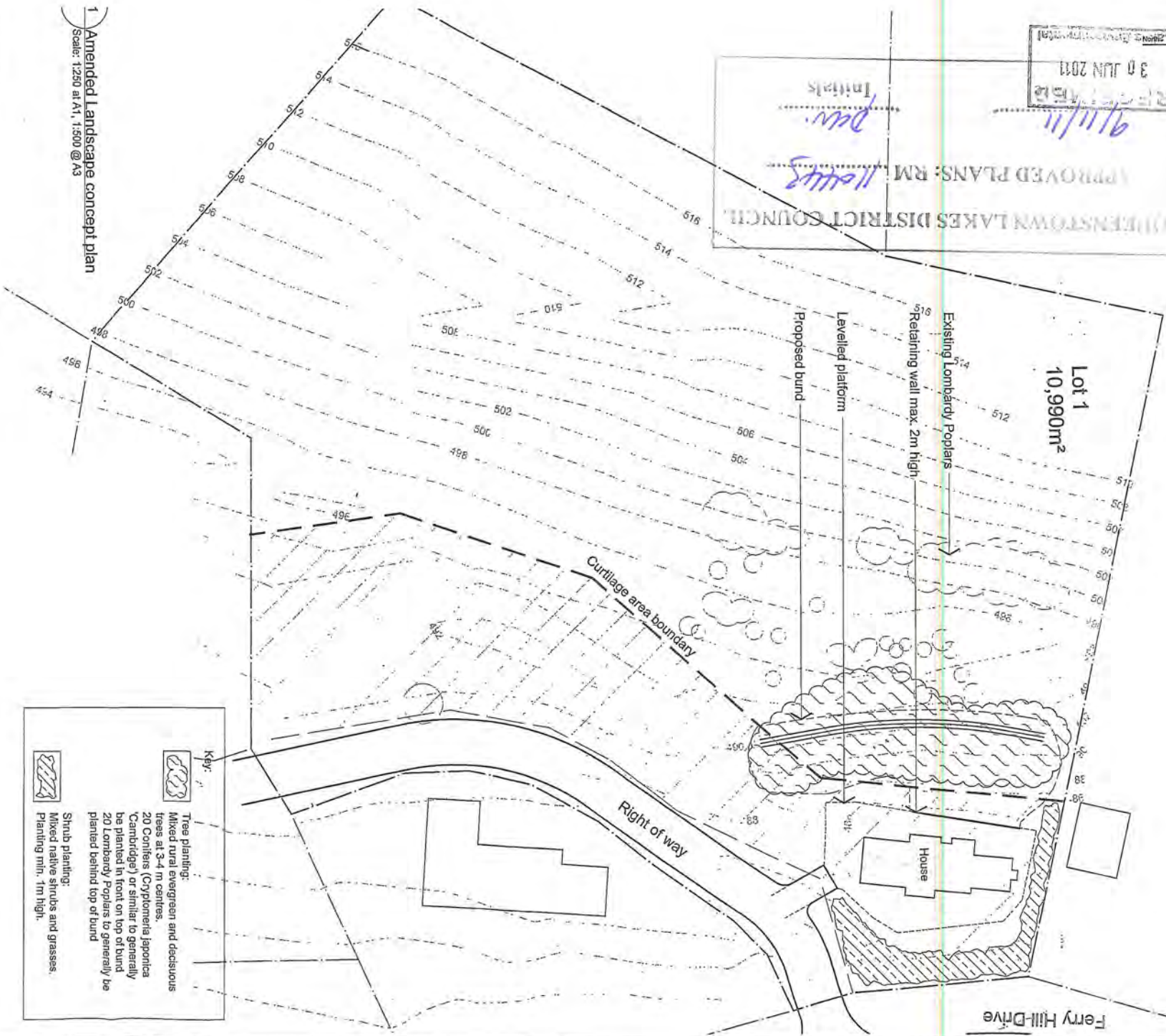
| | |
|--------------|-----------------|
| Drawn By: | H. Hopcroft |
| Date: | 9th August 2011 |
| Concept No.1 | |

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1:2000
 30 JUN 2011
 9/11/11

GREENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLANS: RM
 Initials
 par
 11/01/11



1 Amended Landscape concept plan
 Scale: 1:250 at A1, 1:500 @ A3

RECEIVED
 20 JAN 2011
 Lakes Environment
 ATTACHMENT A
 Amended Landscape Concept Plan
 Scheme of R. Rise at 1515, March 2010

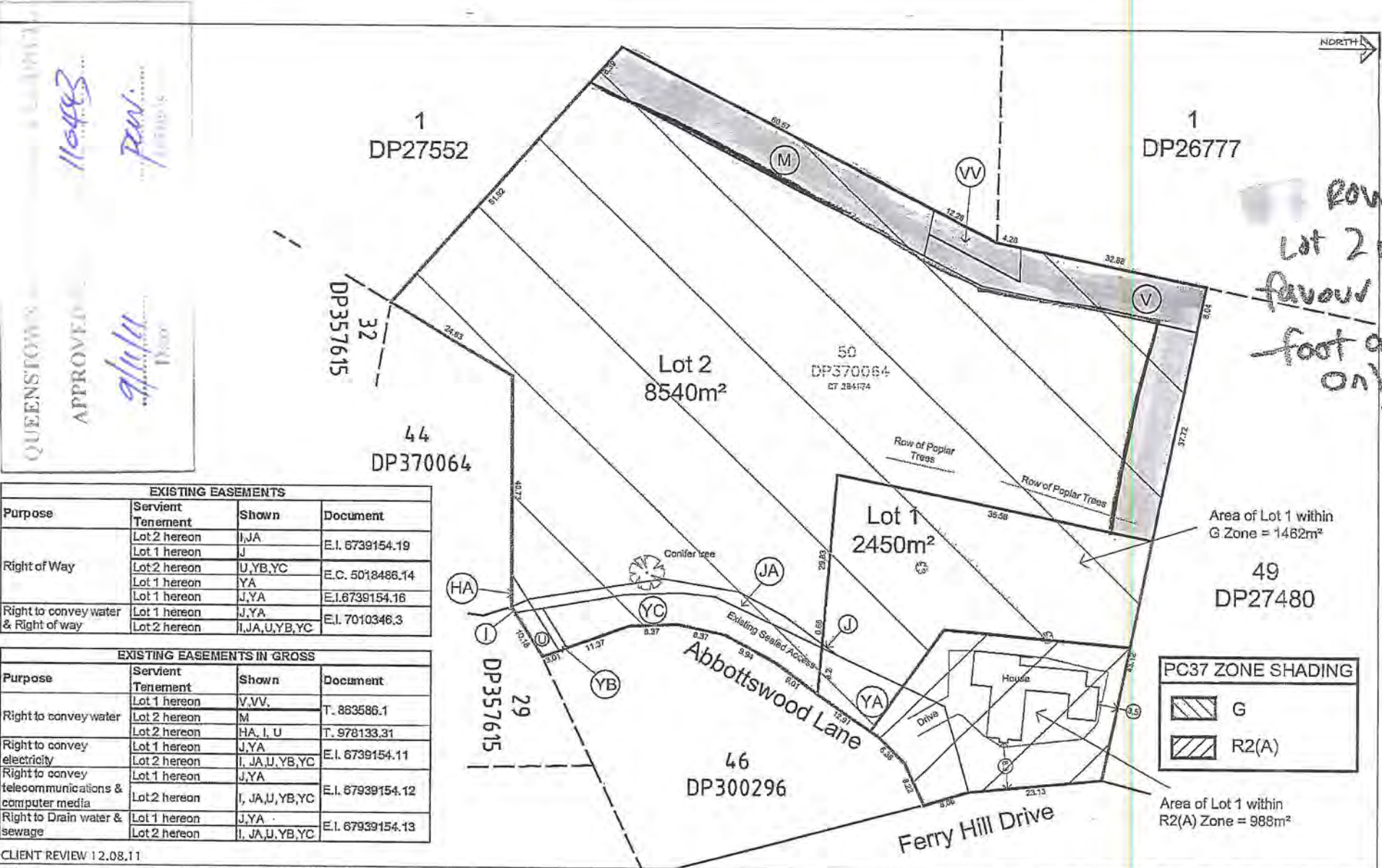
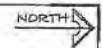
1515
 Ferry Hill Drive
 Quail Rise Estate Ltd
 1515 - 01/1
 Amended Landscape Concept Plan

| CONSULTANTS | |
|-----------------|-----|
| Project Manager | |
| Analyst | |
| Engineer | |
| Designer | |
| Checker | CFM |
| Drawn | |

| Drawing Information | |
|---------------------|------------|
| Scale | As Shown |
| Date | March 2010 |
| Sheet Number | W001 |
| Job Number | 1515 |
| Designer | RR |
| Checker | CFM |
| Drawn | RR |

DO NOT SCALE DRAWINGS
 CONSULTATION TO VERIFY ALL DIMENSIONS
 & MATCH TO DISTRICT COUNCIL

Baxter Design Group
 1501 Victoria Park
 Auckland
 Tel: 09 481 1414
 Fax: 09 481 1415
 www.baxterdesigngroup.co.nz



QUEENSTOWN
APPROVED
11/04/13
P.M.
11/04/13

| EXISTING EASEMENTS | | | |
|--------------------------------------|-------------------|------------------|-----------------|
| Purpose | Servient Tenement | Shown | Document |
| Right of Way | Lot 2 hereon | I, JA | E.I. 6739154.19 |
| | Lot 1 hereon | J | |
| Right to convey water & Right of way | Lot 2 hereon | U, YB, YC | E.C. 5018486.14 |
| | Lot 1 hereon | YA | E.I. 6739154.16 |
| Right to convey water & Right of way | Lot 1 hereon | J, YA | E.I. 7010346.3 |
| | Lot 2 hereon | I, JA, U, YB, YC | |

| EXISTING EASEMENTS IN GROSS | | | |
|---|-------------------|------------------|-----------------|
| Purpose | Servient Tenement | Shown | Document |
| Right to convey water | Lot 1 hereon | V, VV | T. 883586.1 |
| | Lot 2 hereon | M | |
| Right to convey electricity | Lot 1 hereon | HA, I, U | T. 978133.31 |
| | Lot 2 hereon | J, YA | E.I. 6739154.11 |
| Right to convey telecommunications & computer media | Lot 1 hereon | I, JA, U, YB, YC | E.I. 6739154.12 |
| | Lot 2 hereon | I, JA, U, YB, YC | |
| Right to Drain water & sewage | Lot 1 hereon | J, YA | E.I. 6739154.13 |
| | Lot 2 hereon | I, JA, U, YB, YC | |

CLIENT REVIEW 12.08.11

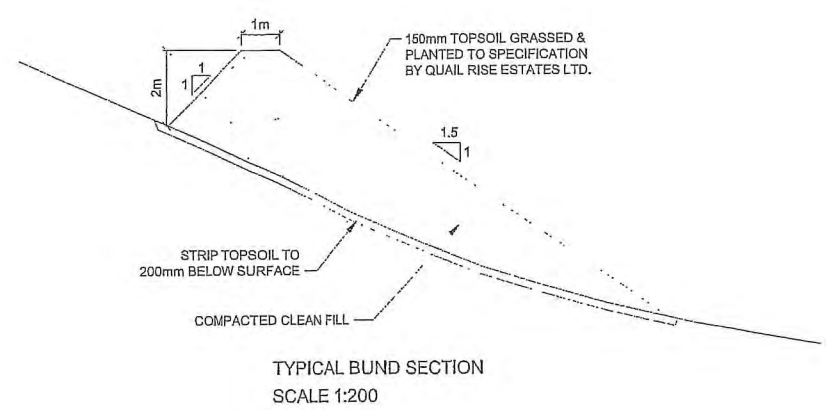
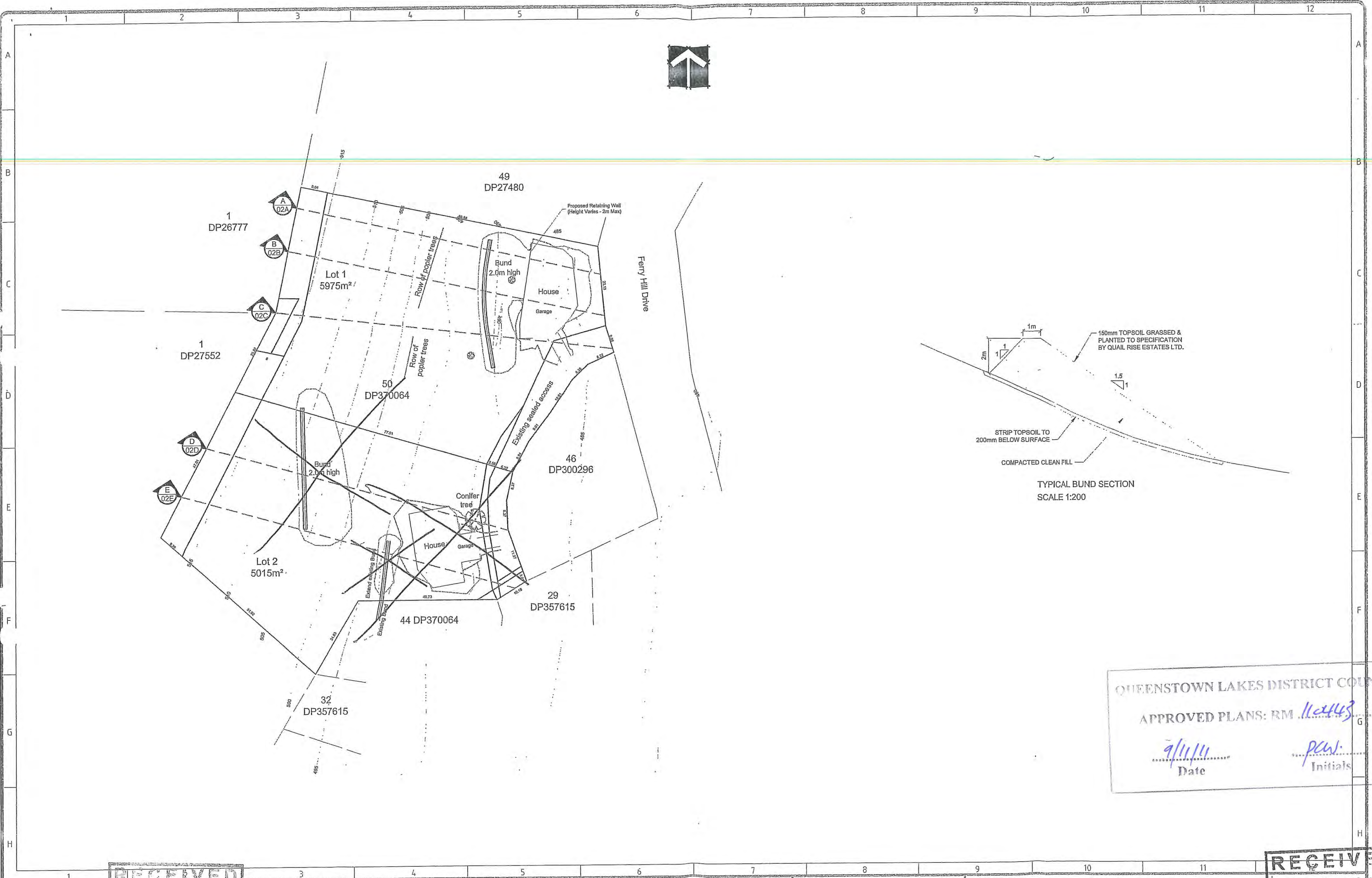
Clark Fortune McDonald & Associates
 385 Lower Shotover Road, P.O. Box 553 Queenstown
 Tel: (03) 441-0944, Fax: (03) 442-1000, Email: admin@cfma.co.nz
 21 Heron Creston, P.O. Box 350, Wanaka
 Tel: (03) 441-5448, Fax: (03) 443-4443, Email: admin@cfma.co.nz
 Shop 2, Ocean View, 179 Herby Place, P.O. Box 5900
 Tel: (03) 426-1562, Fax: (03) 427-1163, Email: admin@cfma.co.nz

PROPOSED SUBDIVISION OF LOT 50
 DP 370064 FERRY HILL DRIVE

| PC37 ZONE SHADING | |
|-------------------|-------|
| | G |
| | R2(A) |

| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------------------|----------|--------|----------|---------|------------------------------------|
| QUAIL RISE ESTATES LTD | - | - | - | 9091 | 79 |
| Notes: | None | None | 20.06.11 | Scale: | 1:300 @ A1 |
| 1:600 @ A3 | None | None | 20.06.11 | Scale: | 1:600 @ A3 |
| 1:1200 @ A4 | None | None | 20.06.11 | Scale: | 1:1200 @ A4 |
| 1:2400 @ A5 | None | None | 20.06.11 | Scale: | 1:2400 @ A5 |
| 1:4800 @ A6 | None | None | 20.06.11 | Scale: | 1:4800 @ A6 |
| 1:9600 @ A7 | None | None | 20.06.11 | Scale: | 1:9600 @ A7 |
| 1:19200 @ A8 | None | None | 20.06.11 | Scale: | 1:19200 @ A8 |
| 1:38400 @ A9 | None | None | 20.06.11 | Scale: | 1:38400 @ A9 |
| 1:76800 @ A10 | None | None | 20.06.11 | Scale: | 1:76800 @ A10 |
| 1:153600 @ A11 | None | None | 20.06.11 | Scale: | 1:153600 @ A11 |
| 1:307200 @ A12 | None | None | 20.06.11 | Scale: | 1:307200 @ A12 |
| 1:614400 @ A13 | None | None | 20.06.11 | Scale: | 1:614400 @ A13 |
| 1:1228800 @ A14 | None | None | 20.06.11 | Scale: | 1:1228800 @ A14 |
| 1:2457600 @ A15 | None | None | 20.06.11 | Scale: | 1:2457600 @ A15 |
| 1:4915200 @ A16 | None | None | 20.06.11 | Scale: | 1:4915200 @ A16 |
| 1:9830400 @ A17 | None | None | 20.06.11 | Scale: | 1:9830400 @ A17 |
| 1:19660800 @ A18 | None | None | 20.06.11 | Scale: | 1:19660800 @ A18 |
| 1:39321600 @ A19 | None | None | 20.06.11 | Scale: | 1:39321600 @ A19 |
| 1:78643200 @ A20 | None | None | 20.06.11 | Scale: | 1:78643200 @ A20 |
| 1:157286400 @ A21 | None | None | 20.06.11 | Scale: | 1:157286400 @ A21 |
| 1:314572800 @ A22 | None | None | 20.06.11 | Scale: | 1:314572800 @ A22 |
| 1:629145600 @ A23 | None | None | 20.06.11 | Scale: | 1:629145600 @ A23 |
| 1:1258291200 @ A24 | None | None | 20.06.11 | Scale: | 1:1258291200 @ A24 |
| 1:2516582400 @ A25 | None | None | 20.06.11 | Scale: | 1:2516582400 @ A25 |
| 1:5033164800 @ A26 | None | None | 20.06.11 | Scale: | 1:5033164800 @ A26 |
| 1:10066329600 @ A27 | None | None | 20.06.11 | Scale: | 1:10066329600 @ A27 |
| 1:20132659200 @ A28 | None | None | 20.06.11 | Scale: | 1:20132659200 @ A28 |
| 1:40265318400 @ A29 | None | None | 20.06.11 | Scale: | 1:40265318400 @ A29 |
| 1:80530636800 @ A30 | None | None | 20.06.11 | Scale: | 1:80530636800 @ A30 |
| 1:161061273600 @ A31 | None | None | 20.06.11 | Scale: | 1:161061273600 @ A31 |
| 1:322122547200 @ A32 | None | None | 20.06.11 | Scale: | 1:322122547200 @ A32 |
| 1:644245094400 @ A33 | None | None | 20.06.11 | Scale: | 1:644245094400 @ A33 |
| 1:1288490188800 @ A34 | None | None | 20.06.11 | Scale: | 1:1288490188800 @ A34 |
| 1:2576980377600 @ A35 | None | None | 20.06.11 | Scale: | 1:2576980377600 @ A35 |
| 1:5153960755200 @ A36 | None | None | 20.06.11 | Scale: | 1:5153960755200 @ A36 |
| 1:10307921510400 @ A37 | None | None | 20.06.11 | Scale: | 1:10307921510400 @ A37 |
| 1:20615843020800 @ A38 | None | None | 20.06.11 | Scale: | 1:20615843020800 @ A38 |
| 1:41231686041600 @ A39 | None | None | 20.06.11 | Scale: | 1:41231686041600 @ A39 |
| 1:82463372083200 @ A40 | None | None | 20.06.11 | Scale: | 1:82463372083200 @ A40 |
| 1:164926744166400 @ A41 | None | None | 20.06.11 | Scale: | 1:164926744166400 @ A41 |
| 1:329853488332800 @ A42 | None | None | 20.06.11 | Scale: | 1:329853488332800 @ A42 |
| 1:659706976665600 @ A43 | None | None | 20.06.11 | Scale: | 1:659706976665600 @ A43 |
| 1:1319413953331200 @ A44 | None | None | 20.06.11 | Scale: | 1:1319413953331200 @ A44 |
| 1:2638827906662400 @ A45 | None | None | 20.06.11 | Scale: | 1:2638827906662400 @ A45 |
| 1:5277655813324800 @ A46 | None | None | 20.06.11 | Scale: | 1:5277655813324800 @ A46 |
| 1:10555311626649600 @ A47 | None | None | 20.06.11 | Scale: | 1:10555311626649600 @ A47 |
| 1:21110623253299200 @ A48 | None | None | 20.06.11 | Scale: | 1:21110623253299200 @ A48 |
| 1:42221246506598400 @ A49 | None | None | 20.06.11 | Scale: | 1:42221246506598400 @ A49 |
| 1:84442493013196800 @ A50 | None | None | 20.06.11 | Scale: | 1:84442493013196800 @ A50 |
| 1:168884986026393600 @ A51 | None | None | 20.06.11 | Scale: | 1:168884986026393600 @ A51 |
| 1:337769972052787200 @ A52 | None | None | 20.06.11 | Scale: | 1:337769972052787200 @ A52 |
| 1:675539944105574400 @ A53 | None | None | 20.06.11 | Scale: | 1:675539944105574400 @ A53 |
| 1:1351079888211148800 @ A54 | None | None | 20.06.11 | Scale: | 1:1351079888211148800 @ A54 |
| 1:2702159776422297600 @ A55 | None | None | 20.06.11 | Scale: | 1:2702159776422297600 @ A55 |
| 1:5404319552844595200 @ A56 | None | None | 20.06.11 | Scale: | 1:5404319552844595200 @ A56 |
| 1:1080863910568918400 @ A57 | None | None | 20.06.11 | Scale: | 1:1080863910568918400 @ A57 |
| 1:2161727821137836800 @ A58 | None | None | 20.06.11 | Scale: | 1:2161727821137836800 @ A58 |
| 1:4323455642275673600 @ A59 | None | None | 20.06.11 | Scale: | 1:4323455642275673600 @ A59 |
| 1:8646911284551347200 @ A60 | None | None | 20.06.11 | Scale: | 1:8646911284551347200 @ A60 |
| 1:1729382256910694400 @ A61 | None | None | 20.06.11 | Scale: | 1:1729382256910694400 @ A61 |
| 1:3458764513821388800 @ A62 | None | None | 20.06.11 | Scale: | 1:3458764513821388800 @ A62 |
| 1:6917529027642777600 @ A63 | None | None | 20.06.11 | Scale: | 1:6917529027642777600 @ A63 |
| 1:1383505805288555200 @ A64 | None | None | 20.06.11 | Scale: | 1:1383505805288555200 @ A64 |
| 1:2767011610577110400 @ A65 | None | None | 20.06.11 | Scale: | 1:2767011610577110400 @ A65 |
| 1:5534023221154220800 @ A66 | None | None | 20.06.11 | Scale: | 1:5534023221154220800 @ A66 |
| 1:11068046443084441600 @ A67 | None | None | 20.06.11 | Scale: | 1:11068046443084441600 @ A67 |
| 1:22136092886168883200 @ A68 | None | None | 20.06.11 | Scale: | 1:22136092886168883200 @ A68 |
| 1:44272185772337766400 @ A69 | None | None | 20.06.11 | Scale: | 1:44272185772337766400 @ A69 |
| 1:88544371544675532800 @ A70 | None | None | 20.06.11 | Scale: | 1:88544371544675532800 @ A70 |
| 1:17708874308935105600 @ A71 | None | None | 20.06.11 | Scale: | 1:17708874308935105600 @ A71 |
| 1:35417748617870211200 @ A72 | None | None | 20.06.11 | Scale: | 1:35417748617870211200 @ A72 |
| 1:70835497235740422400 @ A73 | None | None | 20.06.11 | Scale: | 1:70835497235740422400 @ A73 |
| 1:14167098447148084800 @ A74 | None | None | 20.06.11 | Scale: | 1:14167098447148084800 @ A74 |
| 1:28334196894296169600 @ A75 | None | None | 20.06.11 | Scale: | 1:28334196894296169600 @ A75 |
| 1:56668393788592339200 @ A76 | None | None | 20.06.11 | Scale: | 1:56668393788592339200 @ A76 |
| 1:113336787577184678400 @ A77 | None | None | 20.06.11 | Scale: | 1:113336787577184678400 @ A77 |
| 1:226673575154369356800 @ A78 | None | None | 20.06.11 | Scale: | 1:226673575154369356800 @ A78 |
| 1:453347150308738713600 @ A79 | None | None | 20.06.11 | Scale: | 1:453347150308738713600 @ A79 |
| 1:906694300617477427200 @ A80 | None | None | 20.06.11 | Scale: | 1:906694300617477427200 @ A80 |
| 1:1813388601234954554400 @ A81 | None | None | 20.06.11 | Scale: | 1:1813388601234954554400 @ A81 |
| 1:3626777202469909108800 @ A82 | None | None | 20.06.11 | Scale: | 1:3626777202469909108800 @ A82 |
| 1:7253554404939818217600 @ A83 | None | None | 20.06.11 | Scale: | 1:7253554404939818217600 @ A83 |
| 1:1450710809879636435200 @ A84 | None | None | 20.06.11 | Scale: | 1:1450710809879636435200 @ A84 |
| 1:2901421619759272870400 @ A85 | None | None | 20.06.11 | Scale: | 1:2901421619759272870400 @ A85 |
| 1:5802843239518545740800 @ A86 | None | None | 20.06.11 | Scale: | 1:5802843239518545740800 @ A86 |
| 1:11605686470370891481600 @ A87 | None | None | 20.06.11 | Scale: | 1:11605686470370891481600 @ A87 |
| 1:2321137294074178293200 @ A88 | None | None | 20.06.11 | Scale: | 1:2321137294074178293200 @ A88 |
| 1:4642274588148356586400 @ A89 | None | None | 20.06.11 | Scale: | 1:4642274588148356586400 @ A89 |
| 1:9284549176296713172800 @ A90 | None | None | 20.06.11 | Scale: | 1:9284549176296713172800 @ A90 |
| 1:18569098352593423446400 @ A91 | None | None | 20.06.11 | Scale: | 1:18569098352593423446400 @ A91 |
| 1:37138196705186846892800 @ A92 | None | None | 20.06.11 | Scale: | 1:37138196705186846892800 @ A92 |
| 1:74276393410373693785600 @ A93 | None | None | 20.06.11 | Scale: | 1:74276393410373693785600 @ A93 |
| 1:148552786820747387571200 @ A94 | None | None | 20.06.11 | Scale: | 1:148552786820747387571200 @ A94 |
| 1:297105573641494775142400 @ A95 | None | None | 20.06.11 | Scale: | 1:297105573641494775142400 @ A95 |
| 1:594211147282989550284800 @ A96 | None | None | 20.06.11 | Scale: | 1:594211147282989550284800 @ A96 |
| 1:118842229556593900569600 @ A97 | None | None | 20.06.11 | Scale: | 1:118842229556593900569600 @ A97 |
| 1:2376844591131878011393200 @ A98 | None | None | 20.06.11 | Scale: | 1:2376844591131878011393200 @ A98 |
| 1:4753689182263756022786400 @ A99 | None | None | 20.06.11 | Scale: | 1:4753689182263756022786400 @ A99 |
| 1:9507378364527512045572800 @ A100 | None | None | 20.06.11 | Scale: | 1:9507378364527512045572800 @ A100 |

ORIGINAL SIZE A3 DO NOT SCALE. REFER ALL DISCREPANCIES TO THE ENGINEER



QUEENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLANS: RM *11.02.14.3*
9/11/11
 Date Initials

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 21 JUN 2011
 Lakes Environmental

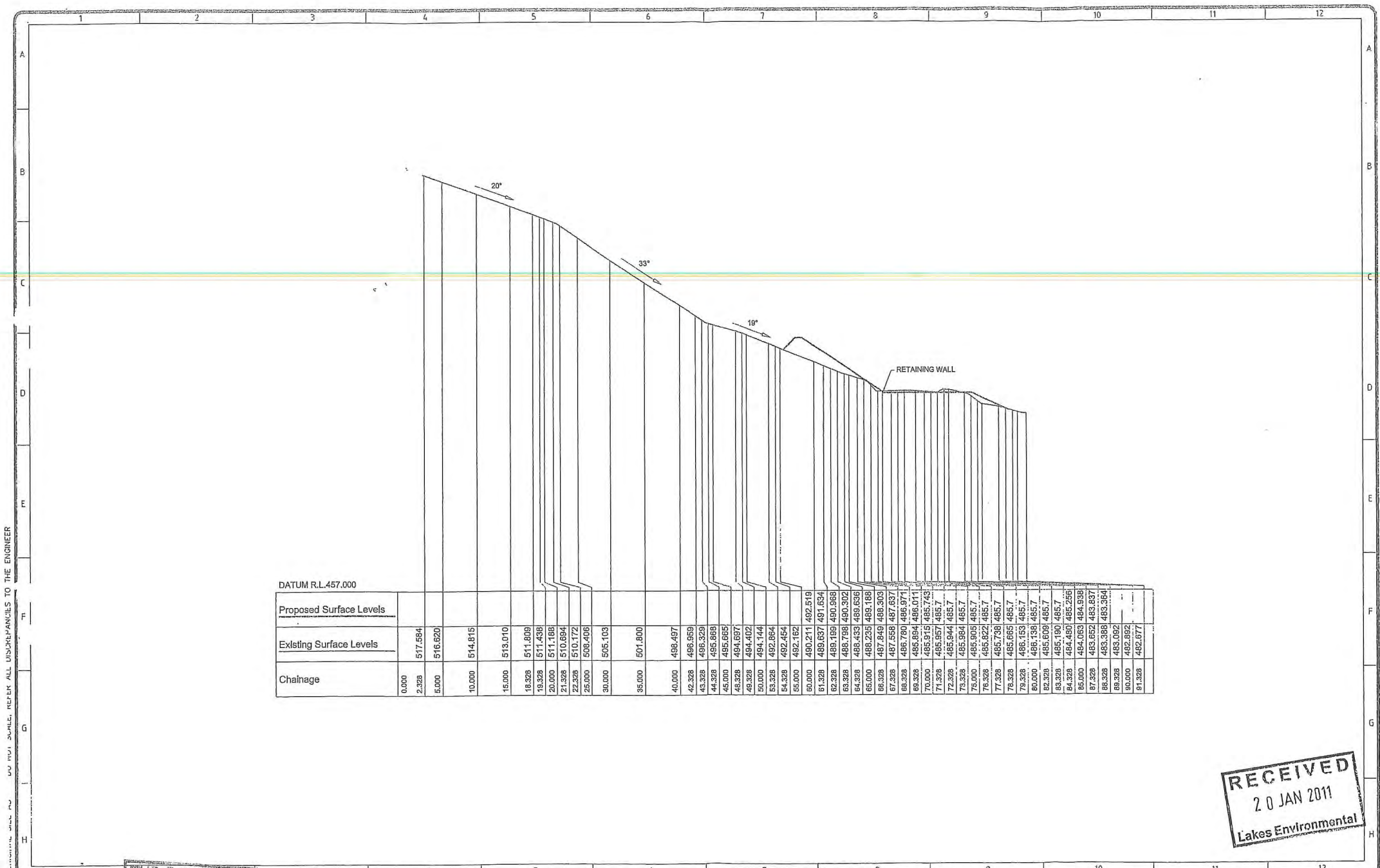
| Issue | Description | By | Date |
|-------|-----------------|----|----------|
| A | For Information | AY | 29.01.10 |
| B | For Information | AY | 05.02.10 |
| C | For Information | AY | 09.02.10 |

Project: QUAIL RISE, LOT 50 HAZARD REVIEW
 Title: SITE PLAN

Client: WOODLOT PROPERTIES LTD

hadley consultants LTD
 CONSULTING CIVIL & STRUCTURAL ENGINEERS
 22 Robin Road, PO Box 195, Queenstown, New Zealand, P. 443 450 9140, F. 443 401 3518, W. www.hadley.com

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 20 JAN 2011
 Lakes Environmental
 Consultants Ltd.



DATUM R.L.457.000

| Chainage | Existing Surface Levels | Proposed Surface Levels |
|----------|-------------------------|-------------------------|
| 0.000 | | |
| 2.328 | 517.684 | |
| 5.000 | 516.620 | |
| 10.000 | 514.815 | |
| 15.000 | 513.010 | |
| 18.328 | 511.809 | |
| 19.328 | 511.438 | |
| 20.000 | 511.188 | |
| 21.328 | 510.694 | |
| 22.328 | 510.172 | |
| 25.000 | 506.406 | |
| 30.000 | 505.103 | |
| 35.000 | 501.800 | |
| 40.000 | 498.497 | |
| 42.328 | 496.959 | |
| 43.328 | 496.329 | |
| 44.328 | 495.868 | |
| 45.000 | 495.665 | |
| 46.328 | 494.697 | |
| 48.328 | 494.402 | |
| 50.000 | 494.144 | |
| 53.328 | 492.864 | |
| 54.328 | 492.484 | |
| 55.000 | 492.162 | |
| 60.000 | 490.211 | 492.519 |
| 61.328 | 489.637 | 491.634 |
| 62.328 | 489.199 | 490.968 |
| 63.328 | 488.798 | 490.302 |
| 64.328 | 488.433 | 489.636 |
| 65.000 | 488.235 | 489.188 |
| 66.328 | 487.849 | 488.303 |
| 67.328 | 487.558 | 487.637 |
| 68.328 | 487.260 | 486.971 |
| 69.328 | 486.864 | 486.311 |
| 70.000 | 486.915 | 485.745 |
| 71.328 | 486.957 | 485.7 |
| 72.328 | 486.944 | 485.7 |
| 73.328 | 486.984 | 485.7 |
| 75.000 | 486.905 | 485.7 |
| 76.328 | 486.822 | 485.7 |
| 77.328 | 486.738 | 485.7 |
| 78.328 | 486.665 | 485.7 |
| 79.328 | 486.153 | 485.7 |
| 80.000 | 486.138 | 485.7 |
| 82.328 | 485.609 | 485.7 |
| 83.328 | 485.100 | 485.7 |
| 84.328 | 484.480 | 485.259 |
| 85.000 | 484.063 | 484.939 |
| 87.328 | 483.652 | 484.637 |
| 88.328 | 483.388 | 484.364 |
| 89.328 | 483.062 | |
| 90.000 | 482.862 | |
| 91.328 | 482.677 | |

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20 JAN 2011
Lakes Environmental

Notes: 30 JUN 2010 Lakes Environmental

NOT FOR CONSTRUCTION

Project: QUAIL RISE, LOT 50 HAZARD REVIEW
Title: SITE CROSS SECTION LOT 1 - SECTION A

Client: WOODLOT PROPERTIES LTD

hadley consultants LTD
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Scale: 1:500 @ A3 Drawing No.

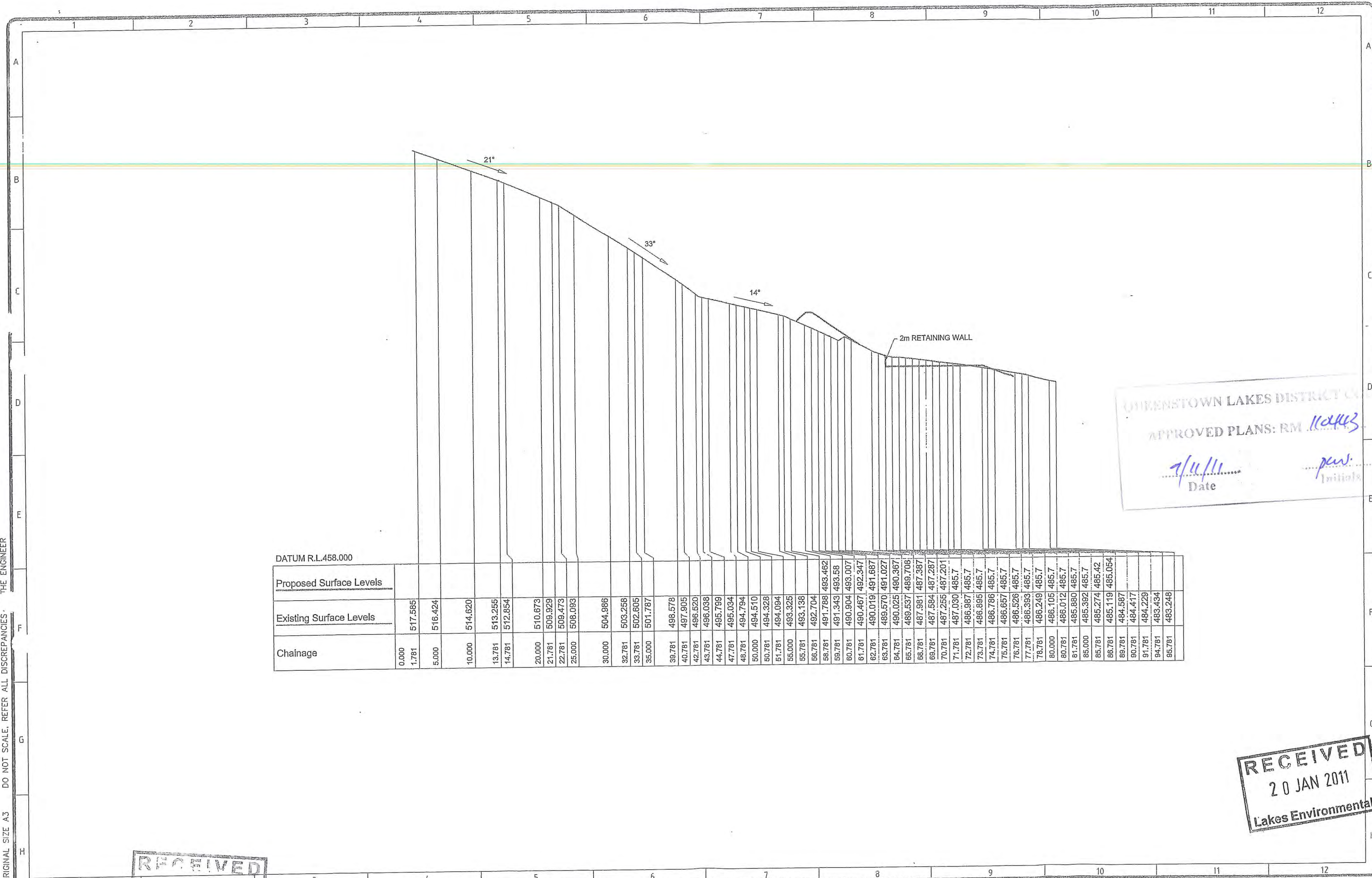
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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLANS: RM 110443

7/1/11 Date Initials
Date Initials

ORIGINAL SIZE A3 DO NOT SCALE, REFER ALL DISCREPANCIES TO THE ENGINEER



DATUM R.L.458.000

| Chainage | Existing Surface Levels | Proposed Surface Levels |
|----------|-------------------------|-------------------------|
| 0.000 | | |
| 1.781 | 517.585 | |
| 5.000 | 516.424 | |
| 10.000 | 514.620 | |
| 13.781 | 513.255 | |
| 14.781 | 512.854 | |
| 20.000 | 510.673 | |
| 21.781 | 509.929 | |
| 22.781 | 509.473 | |
| 25.000 | 508.093 | |
| 30.000 | 504.986 | |
| 32.781 | 503.258 | |
| 33.781 | 502.605 | |
| 35.000 | 501.787 | |
| 38.781 | 498.578 | |
| 40.781 | 497.905 | |
| 42.781 | 496.520 | |
| 43.781 | 496.038 | |
| 44.781 | 495.789 | |
| 47.781 | 495.034 | |
| 48.781 | 494.794 | |
| 50.000 | 494.510 | |
| 50.781 | 494.328 | |
| 51.781 | 494.094 | |
| 55.000 | 493.325 | |
| 55.781 | 493.138 | |
| 56.781 | 492.704 | |
| 58.781 | 491.788 | 493.462 |
| 59.781 | 491.343 | 493.58 |
| 60.781 | 490.904 | 493.007 |
| 61.781 | 490.467 | 492.347 |
| 62.781 | 490.019 | 491.687 |
| 63.781 | 489.570 | 491.027 |
| 64.781 | 489.025 | 490.367 |
| 65.781 | 488.537 | 489.706 |
| 66.781 | 487.981 | 487.387 |
| 69.781 | 487.584 | 487.287 |
| 70.781 | 487.255 | 487.201 |
| 71.781 | 487.030 | 485.7 |
| 72.781 | 486.987 | 485.7 |
| 73.781 | 486.895 | 485.7 |
| 74.781 | 486.786 | 485.7 |
| 75.781 | 486.657 | 485.7 |
| 76.781 | 486.526 | 485.7 |
| 77.781 | 486.393 | 485.7 |
| 78.781 | 486.249 | 485.7 |
| 80.000 | 486.105 | 485.7 |
| 80.781 | 486.012 | 485.7 |
| 81.781 | 485.880 | 485.7 |
| 85.000 | 485.392 | 485.7 |
| 85.781 | 485.274 | 485.42 |
| 86.781 | 485.119 | 485.054 |
| 89.781 | 484.587 | |
| 90.781 | 484.417 | |
| 91.781 | 484.229 | |
| 94.781 | 483.434 | |
| 95.781 | 483.248 | |

GREENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLANS: RM 110443
 7/4/11 Date
 pen Initials

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 30 JAN 2011
 Lakes Environmental

Notes: A Preliminary Issue B For Information

By: AY Date: 29.01.10
 AY Date: 05.02.10

Project: QUAIL RISE, LOT 50 HAZARD REVIEW

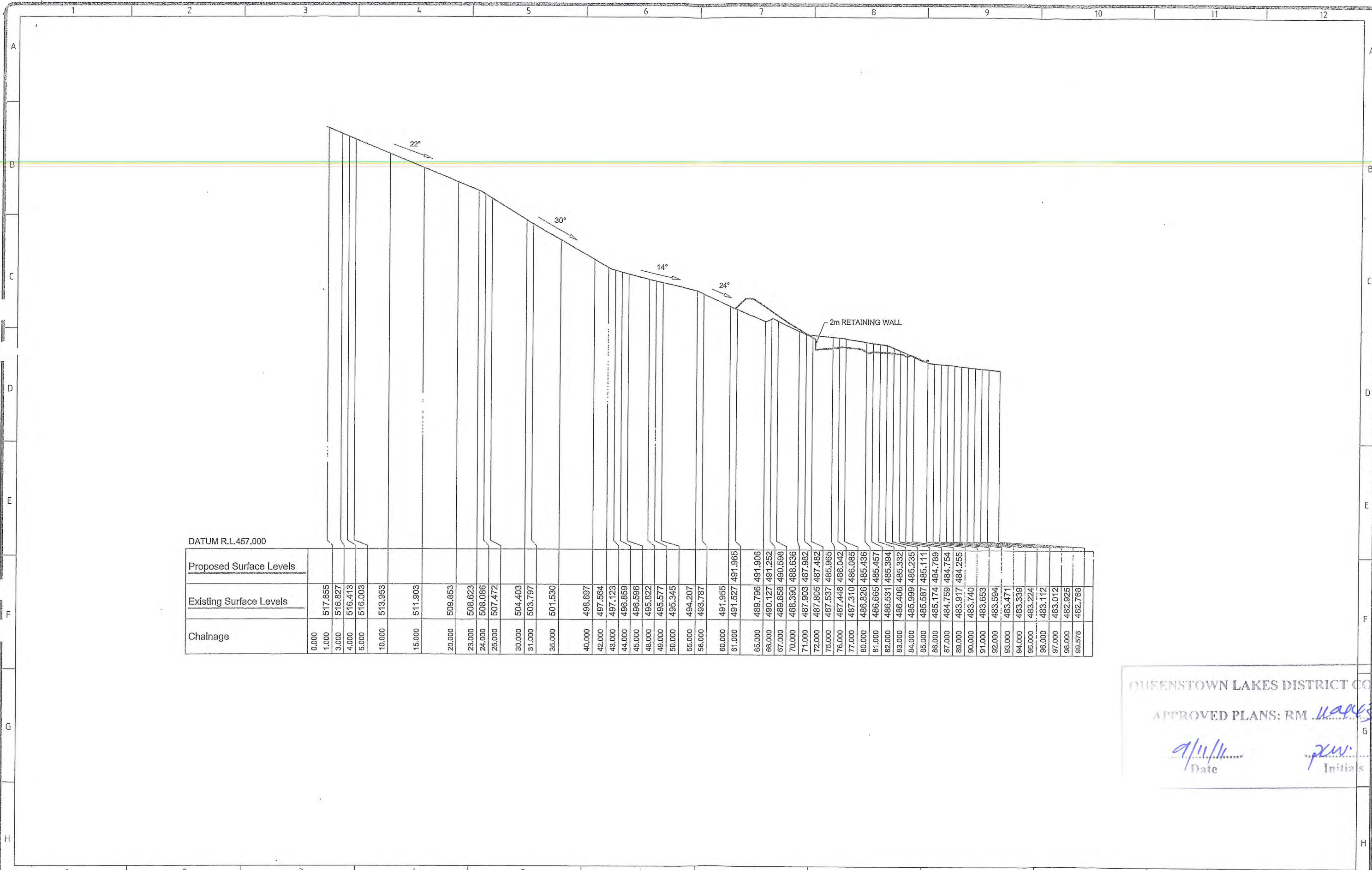
Title: SITE CROSS SECTION

Client: WOODLOT PROPERTIES LTD

hadley consultants LTD
 CONSULTING CIVIL & STRUCTURAL ENGINEERS
 150/21/21, F. 155 & 156 1351s, W. www.hadley.co.nz

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ORIGINAL SIZE A3 DO NOT SCALE, REFER ALL DISCREPANCIES TO THE ENGINEER



DATUM R.L.457.000

| Proposed Surface Levels | Existing Surface Levels | Chainage |
|-------------------------|-------------------------|----------|
| | | 0.000 |
| | 517.655 | 1.000 |
| | 516.827 | 3.000 |
| | 516.413 | 4.000 |
| | 516.003 | 5.000 |
| | 513.953 | 10.000 |
| | 511.903 | 15.000 |
| | 509.853 | 20.000 |
| | 508.623 | 23.000 |
| | 508.086 | 24.000 |
| | 507.472 | 25.000 |
| | 504.403 | 30.000 |
| | 503.797 | 31.000 |
| | 501.530 | 35.000 |
| | 498.697 | 40.000 |
| | 497.564 | 42.000 |
| | 497.123 | 43.000 |
| | 496.859 | 44.000 |
| | 496.596 | 45.000 |
| | 495.822 | 48.000 |
| | 495.577 | 49.000 |
| | 495.345 | 50.000 |
| | 494.207 | 55.000 |
| | 493.787 | 56.000 |
| | 491.955 | 60.000 |
| | 491.527 | 61.000 |
| | 491.965 | 65.000 |
| | 489.796 | 66.000 |
| | 491.252 | 68.000 |
| | 489.858 | 69.000 |
| | 488.590 | 70.000 |
| | 487.903 | 71.000 |
| | 487.982 | 72.000 |
| | 487.805 | 73.000 |
| | 487.537 | 74.000 |
| | 485.965 | 75.000 |
| | 487.448 | 76.000 |
| | 486.042 | 77.000 |
| | 487.310 | 78.000 |
| | 486.085 | 79.000 |
| | 485.436 | 80.000 |
| | 486.665 | 81.000 |
| | 485.457 | 82.000 |
| | 486.531 | 83.000 |
| | 485.394 | 84.000 |
| | 486.406 | 85.000 |
| | 485.332 | 86.000 |
| | 485.999 | 87.000 |
| | 485.235 | 88.000 |
| | 485.587 | 89.000 |
| | 485.111 | 90.000 |
| | 484.769 | 91.000 |
| | 484.759 | 92.000 |
| | 484.754 | 93.000 |
| | 483.917 | 94.000 |
| | 484.255 | 95.000 |
| | 483.740 | 96.000 |
| | 483.653 | 97.000 |
| | 483.594 | 98.000 |
| | 483.471 | 99.000 |
| | 483.339 | 100.000 |
| | 483.224 | 101.000 |
| | 483.112 | 102.000 |
| | 483.012 | 103.000 |
| | 482.925 | 104.000 |
| | 482.768 | 105.000 |

QUEENSTOWN LAKES DISTRICT COUNCIL
 APPROVED PLANS: RM 11/04/11
9/11/11 Date PLW Initials

| Notes: | Issue | Description | By | Date |
|---------------------------------------|-------|----------------|----|----------|
| RECEIVED 30 JUN 2011 NOTICE FOR | AY | Primary Issues | | 29.01.10 |
| | AY | Information | | 05.02.10 |

Project: QUAIL RISE, LOT 50 HAZARD REVIEW
 Title: SITE CROSS SECTION

Client: WOODLOT PROPERTIES LTD

hadley consultants LTD
 CONSULTING CIVIL & STRUCTURAL ENGINEERS
 22 Robins Road, PO Box 1098, Queenstown, New Zealand, P: +64 3 650 2140, F: +64 3 441 3514, W: www.hadleys.co.nz

This drawing is supplied on the understanding that the information contained herein will not be passed to any other party without written permission first being obtained from Hadley Consultants Ltd.

DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

| | |
|---------------------------|--|
| Applicant: | Quail Rise Estates Limited |
| RM reference: | RM120124 |
| Location: | Ferry Hill Drive, Quail Rise, Wakatipu Basin |
| Proposal: | Vary Condition 5 (Land Use) and Condition 6 (Subdivision) of RM110443 to revise the requirement to register fill, or to instead provide for appropriate foundation design by an engineer at the time a dwelling is proposed. |
| Type of Consent: | Variation |
| Legal Description: | Lot 50 Deposited Plan 370064 (CFR: 284174) |
| Valuation Number: | 2907163115 |
| Zoning: | Quail Rise R2 (A) & G Open Space Activity Area |
| Activity Status: | Discretionary |
| Notification: | Non notified |
| Commissioner: | Commissioner Sinclair |
| Date Issued: | 29 March 2012 |
| Decision: | Granted with conditions |

We refer to your application for a variation under Section 127 of the Resource Management Act 1991 to vary conditions of subdivision and land use consent RM110443 to revise the requirement to register fill, or to instead provide for appropriate foundation design by an engineer at the time a dwelling is proposed.

The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 28 March 2012. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

The subject site is located at Ferry Hill Drive, Quail Rise, and is legally described as Lot 50 Deposited Plan 370064 (CFR: 284174).

Under the District Plan the site is zoned Quail Rise R2 (A) and *G Open Space* Activity Areas and the proposed activity requires resource consent for the following reason(s):

Variation

- A **discretionary** resource consent pursuant to Section 127(3)(a) of the Resource Management Act 1991 where applications for changes to consent conditions are to be assessed as discretionary activities.

Notification determination

The application was considered on a non-notified basis in terms of Section 95A and 95B whereby the consent authority was satisfied that the adverse effects of the activity on the environment are not likely to be more than minor and whereby no persons or order holders were, in the opinion of the consent authority, considered to be adversely affected by the activity.

Decision

That the application by Quail Rise Estates Limited to vary Condition 5 (Land Use) and Condition 6 (Subdivision) of resource consent RM110443, be granted pursuant to Section 127 of the Resource Management Act 1991, such that:

- 1) Condition 5 of resource consent RM110443, is amended to read as follows (added text in underline):
 5. ~~Prior to construction, a suitably qualified engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431:1989, for all areas within the site on which buildings are to be founded. Prior to construction on Lot 1, the consent holder shall:~~
 - i) Either remove existing areas of uncertified fill on which buildings are to be founded and replace with compacted fill certified by a suitably qualified engineer experienced in soil investigations in accordance with NZ4431:1989; or
 - ii) Engage a suitably qualified engineer to design building foundations to accommodate areas of uncertified fill. A copy of the design and associated PS1 producer statement shall be provided to the Principle Engineer at Lakes Environmental for review prior to commencement of construction and a PS4 producer statement provided on completion of construction.

- 2) Condition 6 of resource consent RM110443, is amended to include condition 6(c) to read as Follows (added text in underline):
6. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to s.221 of the Act.
- c) Prior to construction of a dwelling on Lot 1 the, landowner shall:
- i) Either remove existing areas of uncertified fill on which buildings are to be founded and replace with compacted fill certified by a suitably qualified engineer experienced in soil investigations in accordance with NZ4431:1989; or
- ii) Engage a suitably qualified engineer to design building foundations to accommodate areas of uncertified fill. A copy of the design and associated PS1 producer statement shall be provided to the Principle Engineer at Lakes Environmental for review prior to commencement of construction and a PS4 producer statement provided on completion of construction.

Advice note

- All other conditions of RM110443 shall continue to apply. A full list of conditions is included as appendix A.

Reasons for the Decision

Section 127 of the Resource Management Act 1991 provides for a resource consent to be varied as follows;

- 1) *The holder of a resource consent may apply to a consent holder for a change or cancellation of a condition of the consent (other than any condition as to the duration of the consent).*

Section 127 of the Resource Management Act provides for a resource consent to be varied as follows;

- “(3) Sections 88 to 121 shall 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 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.”*

Proposal

Land use and subdivision consents RM110443 were granted on 10 November 2011 to establish a residential dwelling, breach the 5m height limit, and undertake a subdivision to create one additional

lot, within which the proposed dwelling is to be located. There have been no 223 or 224c certificates issued for the subdivision, and the consent has therefore not yet been given effect to. The proposed lot to contain a dwelling is described as Lot 1 RM110443 (2450m²), with the balance lot being proposed Lot 2 RM110441 (8540m²).

The applicant wishes to revise the dwelling design and located the dwelling upon areas of fill which have not been certified. The conditions of RM110443 anticipated a specific design, whereby a then proposed dwelling would be located upon areas of cut. The applicant now seeks to include additional mechanisms of consent, whereby they can either remove the uncertified fill and replace this with certified fill, or alternately, enable for foundation design to be determined by an engineer so that a house could be sited upon the areas of uncertified fill.

The intent of the application has been amended slightly from its lodgement, and the now refined proposal seeks a variation under Section 127 of the Resource Management Act (1991) to vary conditions of RM110443 to reflect the following:

- A variation to condition 5 (Land Use) to require that fill be removed and replaced with certified fill, or that an engineer designs foundations for a dwelling that are appropriate for uncertified fill.
- A variation to condition 6 (Subdivision) to include new condition 6(c) which will reflect proposed condition 5 as described above. Condition 6 will ultimately be registered as a Consent Notice, and will therefore be registered as an ongoing requirement upon the creation of a Computer Freehold Register for the site.

The site and locality have been previously described under RM110443 as follows:

The subject site is 1.1 hectares in area and is an irregular shape bounding Abbottswood Lane and (for a small portion) Ferry Hill Drive along its eastern boundary. The site sits on the lower slopes of Ferry Hill on the upper periphery of the Quail Rise residential area.

The majority of the subject site is zoned Open Space G Activity Area, identified for outdoor recreation activities and open space¹. This area predominantly contributes to the 'open space' function given its slope and nature.

This area is also characterised by its association with Ferry Hill an Outstanding Natural Feature (ONF).

Previous decisions have confirmed the classification of Ferry Hill as an ONF and that the upper part of this site falls within the landscape of the ONF, and the lower parts forming part of the visual amenity landscape associated with the Quail Rise residential area.

The recent rezoning of the lower (north-eastern) corner of this site as R2(A) residential establishes that this area of the site forms part of the landscape unit of the residential development, rather than the ONF of Ferry Hill above.

The Arrow Irrigation race traverses the upslope area of the subject site. The functioning of this race for the purpose of water transfer along the race is protected by existing easements.

Effects on the Environment

Land, Flora and Fauna

The proposal does not seek to alter the existing natural landform, but will instead provide mechanisms by way of varied conditions of consent to address the existing issues associated with the uncertified fill.

Adverse effects in terms of land, flora and fauna will be nil.

¹ QLDC District Plan Part 12, p12-106.

Natural Hazards

Lakes Environmental's engineer has considered the proposed variation, and the ability for the fill to be either certified, or for dwelling foundations to be specifically designed.

The engineer confirms that there is uncertified fill on the site, and that this would pose a risk to the stability of any structure placed upon it. The engineer advises that he agrees with the applicant's engineer that either the existing fill material needs to be removed and re-compacted or specific consideration needs to give to the nature of the uncertified fill when designing building foundations

The engineer advises that the variations to the conditions are appropriate, and will ensure that there will be no adverse effects associated with stability, which might otherwise compromise the integrity of a dwelling on the site.

No natural hazards are identified on the site.

Nuisance

In the event that the fill is replaced and certified, some noise and dust can be expected in association with those works. This effectively means removing the uncertified fill and Prevailing conditions of RM110443 will remain sufficient to mitigate any such effects, as they will be of a limited duration, and can be considered less than minor.

Effects on Persons

RM110443 was considered on a non-notified basis with no persons determined to be affected. The proposed variation seeks to establish an ability to address the matters associated with the existing fill, and will create no additional adverse effects upon persons

Overall the proposed activity is not likely to have adverse effects on the environment that are more than minor.

Policies and Objectives

The proposal is considered to be consistent with the relevant Policies and Objectives contained in the Queenstown Lakes District Plan and considered under RM110443. The variation seeks only to establish mechanisms to ensure the stability for the site for development.

Other Matters

Local Government Act 2002: Development Contributions

In granting this resource consent reference was made to Part 8 Subpart 5 Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004).

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.

For the forgoing reasons a Development Contribution is not required.

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.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. 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 reschedule its completion.

This resource consent is not a consent to build under the Building Act 1991. A consent under this Act must be obtained before construction can begin.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

If you have any enquiries please contact Aaron Burt on phone (03) 450 0322 or email aaron.burt@lakesenv.co.nz

Prepared by
LAKES ENVIRONMENTAL LTD

Reviewed by
LAKES ENVIRONMENTAL LTD



Aaron Burt
PLANNER

Wendy Baker
PLANNING TEAM LEADER

APPENDIX A – REVISED CONDITIONS

Land Use

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans:
2.
 - **Clark Fortune McDonald: Elevations through proposed house on proposed Lot 1**
: Proposed earthworks and subdivision of Lot 50
 - **GJ Gardner** : Elevations
: Floor Plan
 - **Baxter Design Group** : Amended Landscape Concept Plan
 - **Hadley Consultants Ltd: Site Plan**
: Site Cross Section Lot 1 – Section A
: Site Cross Section Lot 1 – Section B
: Site Cross Section Lot 1 – Section C

stamped as approved 9 November 2011 and the application as submitted, with the exception of the amendments required by the following conditions of consent.

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 and shall pay to Council an initial fee of \$100.

Engineering

4. 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.
5. Prior to construction on Lot 1, the consent holder shall:
 - iii) Either remove existing areas of uncertified fill on which buildings are to be founded and replace with compacted fill certified by a suitably qualified engineer experienced in soil investigations in accordance with NZ4431:1989; or
 - iv) Engage a suitably qualified engineer to design building foundations to accommodate areas of uncertified fill. A copy of the design and associated PS1 producer statement shall be provided to the Principle Engineer at Lakes Environmental for review prior to commencement of construction and a PS4 producer statement provided on completion of construction.

Landscape Plan

6. The landscape plan approved under Condition 1 above shall be implemented within the first planting season following approval and shall thereafter be maintained in accordance with that plan.

Design Control

- 6 Prior to construction, the final material and colours of the proposed dwelling shall be submitted to Lakes Environmental by the consent holder for approval. The colours for roofing, cladding and joinery shall be in the range of browns, greens or greys and with a LRV of 36% or less.

Flood Mitigation

- 7 Prior to occupation of the dwelling subject of this consent, the consent holder shall submit to Council evidence of 224(c) certification of the subdivision approved under this consent RM110443, or alternatively, the completion of all of the following:
- a. The provision of a Producer statement (PS4) submitted by a suitably qualified professional engineer confirming that the deflection bund on Lot 1 has been constructed in accordance with the Hadley Consultants Ltd design.
 - b. Registration of conditions 6(a) and 6(b) of the subdivision consent on the title for the property as a land covenant pursuant to section 108(2)(b) of the Act.

Earthworks

8. At the completion of the earthworks, all earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised within 6 weeks

SubdivisionGeneral Conditions

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

- **Clark Fortune McDonald:** Proposed earthworks and subdivision of Lot 50

And specifically the version of this plan illustrating the hand drawn pedestrian ROW over Lot 2 in favour of Lot 1

stamped as approved 9 November 2011 and the application as submitted, with the exception of the amendments required by the following conditions of consent.

2. 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

3. The subdividing owner of the land shall provide a letter to the Principal Engineer at Lakes Environmental advising who their representative is for the design and execution of the engineering works and construction works required in association with this subdivision and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.4 & 1.5 of NZS4404:2004 "Land Development and Subdivision Engineering", in relation to this development.

To be completed before Council approval of the Title Plan

4. All necessary easements and the additional ROW easement for pedestrian access shall be shown in the Memorandum/Schedule of Easements attached to the Title Plan and shall be duly granted or reserved.

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

5. Prior to certification pursuant to section 224(c) of the Resource Management Act 1991, the consent holder shall complete the following:
 - a) The provision of a water supply to Lot 1 in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve. The costs of the connections shall be borne by the consent holder.
 - b) The provision of a foul sewer connection from Lot 1 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 the lot. The costs of the connection shall be borne by the consent holder.
 - c) The provision of a connection from all future impervious areas in Lot 1 to the Council reticulated stormwater disposal system. The connection shall be able to drain the entire area of the lot. The costs of the connection shall be borne by the consent holder.
 - d) The provision of a Producer statement (PS4) submitted by a suitably qualified professional engineer confirming that the deflection bund on Lot 1 has been constructed in accordance with the Hadley Consultants Ltd design.
 - e) A suitably qualified engineer experienced in soils investigations shall provide certification, in accordance with NZS 4431:1989, for all areas within the site on which buildings are to be founded.
 - f) At the completion of the earthworks, all earthworked/exposed areas shall be top-soiled and grassed/revegetated or otherwise permanently stabilised within 6 weeks
 - g) 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.
 - h) 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.
 - i) 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.
 - j) 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

- 6 The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to s.221 of the Act.
- a) The historic water race on Lot 2, above Lot 1, is required to be maintained as a secondary flow path for overland flows above Lot 1. The owner of Lot 2 shall undertake regular and on-going inspections of the water race and when necessary do all such things and take such action as is necessary to ensure that accumulated debris are removed from the race.
- b) The area of G Open Space Activity area within Lot 1 shall be maintained in a manner which will ensure a visually cohesive open area in accordance with the Objectives and Policies of the Quail Rise Zone, specifically, the following shall apply within the G Open Space Activity Area of the lot:
- All trees planted or allowed to grow shall be native species.
 - No structures, garden furniture, garden ornaments or the like are permitted
 - No hard landscaping such as paving, walls or garden edging is permitted
 - No fencing is permitted
 - No vehicle access is permitted
 - Any curtilage areas (including individual gardens and items such as clotheslines and trampolines) shall not encroach into the G Activity Area.
 - Areas of open grass are to be maintained comprehensively so that arbitrary lines do not become apparent.
- c) Prior to construction of a dwelling on Lot 1 the, landowner shall:
- iii) Either remove existing areas of uncertified fill on which buildings are to be founded and replace with compacted fill certified by a suitably qualified engineer experienced in soil investigations in accordance with NZ4431:1989; or
- iv) Engage a suitably qualified engineer to design building foundations to accommodate areas of uncertified fill. A copy of the design and associated PS1 producer statement shall be provided to the Principle Engineer at Lakes Environmental for review prior to commencement of construction and a PS4 producer statement provided on completion of construction.

DECISION OF THE QUEENSTOWN-LAKES DISTRICT COUNCIL

RESOURCE MANAGEMENT ACT 1991

| | |
|---------------------------|--|
| Applicant: | Quail Rise Estate Limited |
| RM reference: | RM120247 |
| Location: | Jims Way and Ferry Hill Drive, Quail Rise |
| Proposal: | Consent to subdivide nine existing lots held in six Computer Freehold Registers to create a total of seven lots to be held in six titles, of which one is to be vested in Queenstown Lakes District Council as Local Purpose Reserve (Utility Purposes). The proposed subdivision involves a lot within the R2(D) Activity Area where no residential building will be created as part of the proposal. Consent is also sought to breach the requirement for a residential building platform to be identified for every allotment created for residential purposes within the R2(D) Activity Area at the time of subdivision. |
| Type of Consent: | Subdivision |
| Legal Description: | Lot 1 Deposited Plan 372232 held in Computer Freehold Register 292078, Lot 8 Deposited Plan 22166 held in Computer Freehold Register 1729, Lot 100 Deposited Plan 449394 held in Computer Freehold Register 569492, Lot 1 Deposited Plan 27552, Lot 2 Deposited Plan 372232, Lot 8 Deposited Plan 369657 and Lot 101 Deposited Plan 357615 held in Computer Freehold Register 471851, Lot 2 Deposited Plan 449617 held in Computer Freehold Register 570294, and Lot 1 Deposited Plan 27523 held in Computer Freehold Register OT19A/1017. |
| Valuation Numbers: | 2907163115 2907147420 2907147016 2907147401 2907147313 2907147410 |
| Zoning: | Quail Rise Zone (G, R2(C) and R2(D) Activity Areas |
| Activity Status: | Non-complying |
| Notification: | Non Notified |
| Commissioner: | Commissioner Sinclair |
| Date Issued: | 1 August 2012 |
| Decision: | Granted with conditions |

This is an application for resource consent under Section 88 of the Resource Management Act 1991 to subdivide nine existing lots held in six Computer Freehold Registers to create a total of seven lots to be held in six titles, of which one is to be vested in Queenstown Lakes District Council as Local Purpose Reserve (Utility Purposes). Consent is also sought to breach the requirement for a residential building platform to be identified for every allotment created for residential purposes within the R2(D) Activity Area at the time of subdivision. The application was considered under delegated authority pursuant to Section 34 of the Resource Management Act 1991 on 31 July 2012. This decision was made and its issue authorised by Jane Sinclair, Independent Commissioner, as delegate for the Council.

Under the District Plan the site is zoned Quail Rise (G, R2(C) and R2(D) Activity Areas and the proposed activity requires resource consent for the following reasons:

- 1 A **controlled** subdivision activity pursuant to Rule 15.2.3.2 (for a subdivision that complies with all subdivision site and zone standards), Rule 15.2.6.1 (lot sizes, averages and dimensions), Rule 15.2.7.1 (subdivision design), Rule 15.2.8.1 (property access), 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). Council's control is respect to these matters.
- 2 A **non-complying** activity pursuant to Rule 15.2.3.4(i) whereby the proposal does not comply with Zone Standard 15.2.6.3[v] which specifies that every allotment created for residential purposes within the R2(D) Activity Area shall have one Residential Building Platform approved at the time of subdivision. That Residential Building Platform shall be no greater than 30% of the net site area.

Proposed Lot 8 is partially located within the R2(D) Activity Area, however no residential building platform is proposed to be created as part of the proposed subdivision.

Overall, the proposal was considered as a **non-complying** activity.

Notification Determination

The application was considered on a non-notified basis in terms of Section 95A and 95B whereby the consent authority was satisfied that the adverse effects of the activity on the environment are not likely to be more than minor and whereby no persons or order holders were, in the opinion of the consent authority, considered to be adversely affected by the activity.

Decision

Consent is GRANTED pursuant to Section 104 of the Act, subject to the following conditions imposed pursuant to Section 220 of the Act:

General Conditions

1. That the development must be undertaken/carried out in accordance with the plans, Clarke Fortune McDonald & Associates: 'Proposed New Title Structure after Boundary Adjustment has been implemented (Drawing No. 05, Rev. C)' (**stamped as approved on 31 July 2012**) and the application as submitted, with the exception of the amendments required by the following conditions of consent.
2. 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 Council approval of the Survey Plan

3. Prior to the approval of the survey plan pursuant to section 223 (1) of the Resource Management Act 1991, the consent holder shall not give effect to this resource consent (RM120247) until such time as new titles are issued for the lots approved by resource consent RM110730.
4. All necessary easements shall be shown in the Memorandum of Easements attached to the Title Plan and shall be duly granted or reserved.
5. The following amalgamation condition shall be shown on the Survey Plan:
 - a) That Lot 1 DP 27523 and Lot 300 hereon be held in the same Computer Freehold Register (CSN to be advised).

Engineering

To be completed prior to s.224(c) certification

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

EITHER

- a) Provide water supply connections to Lots 4 & 100 in terms of Council's standards and connection policy. The costs of the connections shall be borne by the consent holder;

and

- b) Provide foul sewer connections from Lots 4 & 100 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The costs of the connections shall be borne by the consent holder;

OR

- c) Register the following on the relevant Titles by way of Consent Notice pursuant to section 221 of the Resource Management Act 1991, to be complied with in perpetuity:

Lots 4 and 100

Lots 4 and 100 have not been provided with a water or wastewater connection as it is intended that these lots will be further subdivided in the future. In the event that these lots are further developed prior to subdivision occurring, then the following is required to be complied with:

- a) At the time of future development of the lot, the consent holder shall provide water supply connections to Lots 4 & 100 in terms of Council's standards and connection policy. The costs of the connections shall be borne by the consent holder;

and

- b) At the time of future development of the lot, the consent holder shall provide foul sewer connections from Lots 4 & 100 to Council's reticulated sewerage system in accordance with Council's standards and connection policy, which shall be able to drain the buildable area within each lot. The costs of the connections shall be borne by the consent holder

Advice Note:

1. The consent holder shall be aware that any new connections to Council services will require an approved utility service connection (USC) application.

Reasons for the Decision

Proposal

Consent is sought to undertake a subdivision of nine existing lots currently held in six Computer Freehold Registers into seven allotments, resulting in a total of six titles. Consent is also sought to breach the requirement for a residential building platform to be identified for every allotment created for residential purposes within the R2(D) Activity Area at the time of subdivision.

The proposed lot sizes are as follows:

| Lot Number | Proposed Lot Sizes |
|--------------------------------|---------------------------|
| 1 | 25.97 HA |
| 2 | 1.09 HA |
| 3 | 1.13 HA |
| 4 | 1.11 HA |
| 8 | 2.67 HA |
| 100 | 1.15 HA |
| 300 (Local Purpose Reserve) | 1.97 HA |

Lots 1 and 2 are to be held in the same title.

The applicant has advised that the purpose of the proposed subdivision is to facilitate the land vesting that Council require as part of the reservoir upgrade, and to structure titles in a more logical manner rather than have lots held together that are a significant distance apart.

The existing Right of Way in gross in favour of Queenstown Lakes District Council providing access to the water reservoir will not be affected by the proposal, however new rights in this Right of Way will be created for proposed Lots 1, 2 and 3 to ensure that they have legal access to Ferry Hill Drive.

Lots 4, 8 and 100 are located within the Activity Areas that anticipate residential development. Water supply is available to these lots. Stormwater disposal to ground will be assessed when dwellings are constructed on these lots. A consent notice is proposed which requires a wastewater connection to be made to Council's reticulation at the time of future development on these lots.

Lots 1, 2 and 3 are located within an Activity Area that anticipates outdoor recreation and open space activities, and no service requirements are required for these lots.

Lot 300 is proposed to be vested in Council as a Local Purpose Reserve (Utility Purposes).

The applicant has advised that the proposed subdivision is an intermediate development step prior to the implementation of resource consent RM110470. The proposal will result in two bulk title lots being created which will in the future be developed in accordance with an already approved subdivision. The proposed subdivision will enable the approved residential development to be completed in two stages potentially by two different developers at different times.

Site and Locality Description

The subject sites are located at the end of Ferry Hill Drive, and are contained entirely within the Quail Rise Special Zone. The location of the subject properties is shown in Figure 1 below.

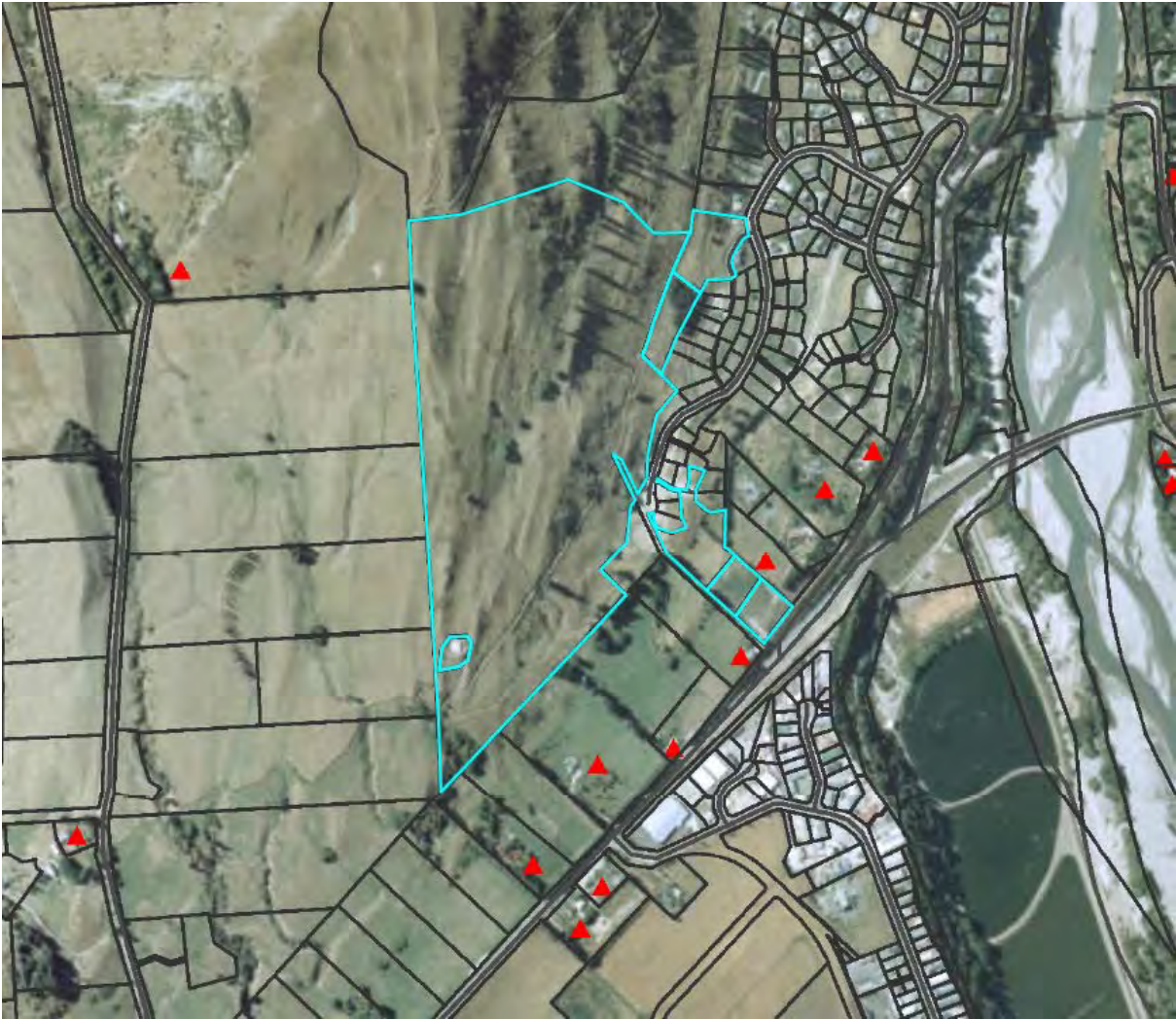


Figure 1: Map showing location of the subject properties

The subject site stretches from close to the highest point on the southern flanks of Ferry Hill through to Jims Way at the south eastern edge of the Quail Rise Zone. This creates a change in elevation of approximately 220 metres.

The portion of the site which is located on the flanks of Ferry Hill is currently in pasture grass, including numbers of established exotic trees (poplars) and is devoid of any development. The southern-most portion of the site contains an island parcel of land that currently contains a Council water reservoir.

No development presently exists on any of the lots subject to the application. A portion of unformed legal road runs along the southern boundary of Lots 1 and 2 DP 372232 and Lot 100 449394, in an east west direction. A portion of the Arrow Irrigation Water Race runs through Lot 1 DP 27552 and Lot 101 357615, which approximately follows the 420m contour.

The topography of the lower portions of the site, below Ferry Hill Drive, is undulating with some small flatter terraced portions.

An existing Right of Way in gross in favour of the Queenstown Lakes District Council over Lot 1 DP 27552 and Lot 8 DP 22166 loosely follows the south eastern boundary as it traverses towards the existing reservoir site. This Right of Way connects into the unformed legal road at the end of Ferry Hill Drive.

Site History

The Structure Plan for Quail Rise identifies Lot 1 DP 27552, Lot 1 DP 27523 (the reservoir site), Lot 2 DP 449617, Lot 101 DP 357615 and Lot 8 DP 369657 as being within the G Activity Area, which restricts the use of this area to outdoor recreation activities and open space. Lot 8 DP 22166 is identified as being within the R2(D) Activity Area, which restricts the use of this area to residential activity. In addition, Lot 100 DP 449394, and Lots 1 and 2 DP 372232 is identified as being within the R2(C) Activity Area, which also restricts the use of this area to residential activity.

Resource consent RM110055 was granted on 31 October 2011 for the subdivision of Lot 3 DP 435845 to create six residential allotments and one balance lot. Lot 100 DP 449394 was created by this subdivision and forms part of the subject application.

Resource consent RM110470 was granted on 31 January 2012 for the subdivision of Lots 1 and 2 DP 372232 and Lot 100 DP 449394 into 18 residential lots, one non-residential lot, and one lot to vest as road. This consent had not been given effect to at the time of writing this report. The applicant has advised that the proposed subdivision is an intermediate development step prior to the implementation of resource consent RM110470. The proposal will result in two bulk title lots being created which will in future be developed in accordance with the consent that has been approved.

Resource consent RM110730 was granted on 3 February 2012 for the subdivision of Lot 1 DP 27552 and Lot 8 DP 22166 into five residential allotments and one balance lot. Residential building platforms were approved on each resultant lot that is to be used for residential purposes. This consent had not been given effect to at the time of writing this report. A variation to resource consent RM110730 has been lodged so that it directly corresponds to proposed Lot 8 of the subject application.

Plan Change 37 was made operative on 13 October 2011 and this enables denser development within Quail Rise. As such, the consent notice restriction of further residential development on Lot 3 DP 435845 (formerly Lot 3 DP 427930) no longer applies.

Effects on the Environment and Persons

Land, Flora and Fauna

No earthworks or landscaping is proposed as part of the subdivision, and no vegetation of significant will be affected. It is therefore considered that the proposed subdivision will not result in any adverse effects in terms of land, flora and fauna.

Infrastructure

No new services are proposed as part of this subdivision application. Lots 4, 8 and 100 are the only lots on which residential activity is anticipated in the zone. All of these lots are to be further subdivided (as approved under resource consents RM110470 and 110730), and the applicant has advised that the subject application is an interim step to RM110470. However here is a risk that future development on these lots could occur prior to resource consent RM110470 being given effect to. The District Plan requires the installation of services to be undertaken at the time of subdivision at the cost of the subdivider.

In terms of water supply, Lakes Environmental Engineer, Mr Alan Hopkins has confirmed that both Lots 4 and 100 have large diameter Council water mains located within the lots. Mr Hopkins considers that, *“Given the obvious potential for future development of these lots, it does not seem logical to try and anticipate the diameter and location of a lateral connection at this stage. The provision of a water lateral connection to each of the lots would in my view only serve to limit the servicing options and layout at time of future subdivision. It is therefore likely that any lateral provided at this stage would be abandoned for a more favourable location/diameter in future. Given the close proximity of the water main it is not an unreasonable cost to push onto a future developer”*.

With regard to wastewater disposal, Mr Hopkins notes that neither Lots 4 nor 100 have ease of access to Council's wastewater network as they are both below the invert of the Council wastewater main located within Ferry Hill Drive. Mr Hopkins has commented on wastewater disposal as follows:

"To service the lots will require installation of a wastewater pump station/s feeding to Ferry Hill Drive. The location of Lot 4 requires connection to Council's network under section 459 of the LGA (lot is within 60m of existing network). Lot 100 is greater than 60m from the Council network and could be serviced via an onsite wastewater treatment system and disposal to ground. Given the obvious potential for future development of these lots it is not logical to design and install a wastewater pump station at this stage. The location and capacity of such a system can only be accurately determined at time of future development. Likewise if Lot 100 was to opt for on-site treatment and disposal the design and location of such a system could only be accurately determined once a specific development/dwelling was known".

It is Mr Hopkins view that construction of a wastewater connection/pump station at this stage would only serve to limit the options available to a future developer. If the lots were not further subdivided in future the cost of a small pumped system or on site wastewater treatment system is not unreasonable and would be better designed and located for a specific structure/dwelling.

Given Mr Hopkins comments in relation to water supply and wastewater above, it is considered that, as future development on these lots cannot be determined at this stage, it is not practicable to provide water and wastewater connections to these lots as part of the subject application. Mr Hopkins has advised that an acceptable solution is to alert future lot owners that Lots 4 and 100 have not been assessed for water supply and wastewater such that, at the time development on Lots 4 and 100 occur, the landowner at that time will be required to provide water supply and wastewater connections to these lots.

In terms of stormwater disposal, Mr Hopkins considers that Lots 4, 8 and 100 will be assessed for stormwater disposal to ground at the time a dwelling is constructed on these lots due to the fact that stormwater disposal will be to ground and no council stormwater reticulation is available. Mr Hopkins is satisfied that stormwater disposal is able to be assessed at the time of Building Consent.

Mr Hopkins has advised that no other conditions are deemed necessary, as only the residential zoned lots are required to be serviced at this time.

As part of resource consents RM110470 and RM110730, the applicant provided confirmation from electricity and telecommunication providers that there is sufficient capacity within their networks to supply these subdivisions.

Lot 300 is proposed to be vested in Council as a Local Purpose Reserve (Utility), and will also be amalgamated with Lot 1 DP 27523 within which the water reservoir currently exists. Council has provided confirmation that they accept proposed Lot 300 to vest in Council as a Local Purpose Reserve (Utility).

In summary, subject to appropriate consent conditions in relation to water supply and wastewater disposal, Mr Hopkins has confirmed that he has no concerns regarding the provision of services to the proposed subdivision and that all necessary easements will be in place.

Given the above, adverse effects in terms of infrastructure are not likely to be more than minor.

Natural Hazards

As part of previous subdivision consents RM110470 and RM110730, the applicant provided a geological hazards report by Hadley Consultants Ltd (entitled 'Quail Rise Estate Ltd, Proposed Plan Change 37, Geological Hazard Appraisal, dated August 2010). A site specific assessment was also provided for resource consent RM110730 (entitled 'Proposed Stage 9 Subdivision – Geotechnical Appraisal', dated September 2011). The findings of these reports were fully accepted by the Lakes Environmental Engineer, and conditions of consent were imposed requiring compliance with the recommendations made in the hazards reports. No specific engineering works are required to be undertaken as part of the subject application to which the hazards report relates, therefore no

conditions are considered necessary to be imposed as part of the proposed subdivision in relation to hazards. In addition, no concerns have been raised by Mr Hopkins in relation to hazards in terms of the subject application.

Given the above, adverse effects in terms of natural hazards will be less than minor.

People and Built Form

The subject site is zoned Quail Rise, and an assessment has been made with regard to the following matters over which Council has control:

Location of Residential Building Platforms and Proposed Boundaries

As discussed above, the applicant has advised that the proposed subdivision is an intermediate development step prior to the implementation of resource consent RM110470. The proposal will result in two bulk title lots being created which will in the future be developed in accordance with the subdivision approved under resource consent RM110470. The proposed boundaries have been located so that resource consent RM110470 can be completed in two stages potentially by two different developers at different times.

A variation to resource consent RM110730 has also been lodged so that there are no discrepancies to proposed Lot 8 of the subject application. Therefore the current proposal will not impinge on the ability for resource consent RM110730 to be implemented, and an open space buffer area (G Open Space Activity Area) is to be created around the land identified as the underlying R2(D) Activity area in the case that resource consent RM110730 is not implemented.

Whilst no residential building platform are proposed to be created as part of the proposed subdivision, resource consent RM110730 approved a subdivision of the R2(D) Activity Area into residential lots, with each resultant lot having a residential building platform identified on it. The proposed subdivision does not affect any approved residential building platforms. In addition, the subject application does not create new residential lots within the R2(D) Activity Area; rather, Lot 8 includes the retention of the entire parcel of land within the R2(D) Activity Area, such that it can be appropriately subdivided for residential purposes in the future.

In terms of no residential building platform being proposed on Lot 8 as part of the subject application, there is a risk that resource consent RM110730 is not given effect to, such that no residential building platform exists on proposed Lot 8 of the subject application. In this regard, it is considered appropriate to impose a condition of consent requiring that resource consent RM110730 is given effect to prior to the subject application RM120247. A condition of consent is recommended to this effect.

No existing buildings or vegetation patterns within the subject sites will be affected by the proposed subdivision, nor will any adjoining land uses be affected. Furthermore, the proposed subdivision will not affect any existing Right of Way access to any new or existing lots. As such, the character and amenity values of the R2(D) Activity Area will not be adversely affected as a result of the proposed subdivision.

Boundary Treatment

The applicant has advised that the purpose of the proposed subdivision is to align the north-western boundaries in a more logical location, i.e. following the Arrow Irrigation Race through to the very tip of the unformed legal Road. In addition, the proposal will not result in the proposed boundaries being in visible arbitrary lines in terms of the land use activities which presently exist on the site. The appearance of the subject sites when viewed from neighbouring sites or public places will not be altered as a result of the proposed subdivision.

Easements for Access

As above, the proposed subdivision will not affect any existing access arrangements. It is considered that the new rights over the existing Right of Way which will provide access to proposed Lots 1, 2 and

3 are shown on the Memorandum of Easements on the proposed subdivision plan, and a condition of consent is recommended to ensure that these easements are granted and reserved.

Lot Sizes and Dimensions

There are no prescribed minimum allotment sizes in the Quail Rise Zone. The proposed boundaries have been located to fit logically around the land use activities anticipated under the District Plan. The proposed boundaries will enable all lots to retain their anticipated activities (open space and residential), and the proposed subdivision is considered appropriate in this regard.

Lot 300 is proposed to be vested in Council as a Local Purpose Reserve (Utility) and is to be amalgamated with Lot 1 DP 27523 within which the water reservoir exists. These two lots have similar land use activities and, as Council has accepted Lot 300 to be vested for utility purposes, it is considered that this lot is of a sufficient size with dimensions suitable for utility purposes, such that the proposed subdivision will not result in adverse effects in terms of character and amenity that are more than minor.

Proposed Lots 4, 8 and 100, whilst being interim steps to development already approved under resource consents RM110470 and RM110730, are anticipated to provide for residential uses, as outlined in the Structure Plan for Quail Rise.

Lots 1, 2 and 3 are located in the G Open Space Activity Area of the Quail Rise Zone, of which the anticipated use in this area is restricted to outdoor recreation activities and open space. Proposed Lots 1 and 2 are to be held in the same title and will provide one large open space allotment. The applicant has advised that Lots 1 and 2 are to be retained in its current pasture grass condition, being open space. The applicant further notes that Lot 3 will remain in its current state at this time, being open space.

With regard to Lots 1, 2 and 3, the applicant has demonstrated that each of these lots are sufficiently large enough to contain recreational activities such as 2 – 3 tennis courts (being approximately 12m x 26m each) or a playground, including associated parking and access.

Proposed Lot 8 contains a portion of the G Open Space Activity Area, but is predominant zoned R2(D) within which residential activity is anticipated. That portion of land within the G Open Space Area is of a sufficient size for its anticipated use, being open space. In addition, the proposed subdivision will provide a buffer area of open space around the residential zoned land, and the residential lots and platforms approved under resource consent RM110730 will not be impacted upon as a result of the proposed subdivision.

Summary

Overall, the proposed subdivision is not anticipated to have any adverse effects in terms of people and built form.

Traffic Generation and Vehicle Movements

An existing Right of Way in gross in favour of Queenstown Lakes District Council provides access to the water reservoir, and new rights in this Right of Way will be created for proposed Lots 1, 2 and 3 to ensure that they have legal access to Ferry Hill Drive. Mr Hopkins has not raised any concerns with regard to creating new rights in the Right of Way, nor of the formation of this Right of Way for the lots to be used for open space purposes. A condition of consent is recommended requiring that all easements shown on the 'Proposed Memorandum of Easements' on the proposed subdivision plan shall be duly granted or reserved before Council approval of the Title Plan.

Proposed Lot 4 has direct frontage onto Jims Way, where access is able to be obtained. Mr Hopkins is satisfied that the formation of a vehicle crossing to this lot is able to be assessed at the time land use consent is applied for on this lot.

Proposed Lot 8 has direct frontage to Ferry Hill Drive, as well as the existing Right of Way easement to the water reservoir running through it. No changes to the current access is proposed or required for Lot 8.

Proposed Lot 100 also has direct frontage to Ferry Hill Drive, as well as access from Snowhill Lane.

It is noted that the proposed boundary adjustment subdivision will not result in additional titles being created, and therefore no additional vehicle movements will result from the proposal. The proposal, will, however, result in additional lots being created within the G Open Space Activity Area. Whilst the creation of new lots within the G Open Space Activity Area are likely to increase as a result of the types of uses that could be anticipated in this area, no issues were raised through the Plan Change 37 process with respect to the capacity of the existing roading network to accommodate development anticipated in this area. As such, additional traffic movements from one additional allotment are likely to be less than minor.

Given the above, overall it is considered that adverse effects in terms of traffic generation and vehicle movements as a result of the proposed subdivision are not likely to be more than minor.

Nuisance

No earthworks or construction are proposed as part of the proposed subdivision, and as such it is considered that no effects in terms of nuisance are anticipated.

Effects on Persons

With the exception of the requirement to identify residential building platforms within the R2(D) Activity Area, the proposal meets all of the relevant Subdivision Site and Zone Standards of the District Plan. No fences or works are to be undertaken near property boundaries that would adversely affect any neighbours.

In terms of residential building platforms not being identified within the R2(D) Activity Area, resource consent RM110730 approved the subdivision of this land including the identification of building platforms on each resultant lot. The proposed subdivision will not have any adverse effects in this regard, given the entire R2(D) Activity Area is to be held in one piece of land for the purpose of the proposed subdivision. A condition of consent is recommended requiring resource consent RM110730 to be given effect to prior to the subject application, such that the creation of building platforms on the R2(D) Activity Area is ascertained.

For the reasons outlined above, no persons are considered to be adversely affected by the proposal.

Objectives and Policies

The relevant objectives and policies are contained in Part 12 Special Zone: Quail Rise and Part 15 (Subdivision, Development & Financial Contributions) and are now operative as amended by the recent Plan Change 37.

Part 12 – Special Zone: Quail Rise

Objective 2 and its relevant policies encourage the conservation and enhancement of the physical, landscape and visual amenity values of the Quail Rise zone, adjoining land and wider environment. This involves avoiding activities that are incompatible with the amenity of the zone and have the potential to adversely affect the openness and rural character of the zone, avoiding buildings in areas of high visibility, preserving and enhancing the naturalness of the view from State Highway 6.

The proposed new lots are in locations anticipated by the Quail Rise Structure Plan, and in addition the applicant has demonstrated that the new lots created within the G Open Space Area of Quail Rise are able to contain activities anticipated in the activity area, such as tennis courts and playgrounds. The appearance of the subject sites when viewed from neighbouring sites or public places will not be altered as a result of the proposed subdivision. It is therefore considered that development on these lots will not be highly visible.

Overall, the proposal is considered to be aligned with the above policies and objectives.

Part 15 – Subdivision, Development & Financial Contributions

In Part 15, relevant objectives and policies relate to the provision of services, the cost of providing such services, and the maintenance or enhancement of the amenities of the built environment through the subdivision process.

The proposal meets Objective 1 – *Servicing* and the associated Policies 1.2, 1.5, 1.6 and 1.7 – 1.11, as the lots will have safe and efficient vehicle access, and conditions will ensure that the developer is responsible for providing adequate water, sewer, stormwater, power and phone connections prior to new titles being issued.

Objective 2 and the associated Policy 2.1 require that the cost of providing services to subdivisions is to be met by subdividers. With regard to water supply and wastewater connections to Lots 4 and 100, as discussed previously in this report, Lakes Environmental Engineer, Mr Alan Hopkins, considers it more appropriate for connections to Council's reticulated water supply and wastewater network to be provided at the time these lots are developed for their anticipated use (residential purposes). As such, whilst the proposal is not entirely consistent with this objective and associated policy, it is not contrary to it as services are being provided at the cost of the subdivider as far as practicable at this stage.

Objective 5 relates to the maintenance and enhancement of the amenities of the built environment. The proposal is aligned with Policy 5.1 as the proposed lot sizes and density of development are in accordance with the zone requirements. Whilst no residential building platform is proposed within the R2(D) Activity Area as part of the subject application, platforms have been approved on this area of land as part of previous subdivision consent RM110730. A condition of consent has been recommended requiring resource consent RM110730 to be given effect to prior to the subject application being given effect to, such that this area will reflect the level of density of built form anticipated in the R2(D) Activity Area.

In terms of Policy 5.5, the subdivision will not have adverse effects on the safe and efficient functioning of Council services or roads.

Summary

Overall, the proposal is not contrary to the relevant objectives and policies in the District Plan.

Other Matters

Local Government Act 2002: Development Contributions

This proposal will generate a demand for network infrastructure and reserves and community facilities.

In granting this resource consent, pursuant to Part 8 Subpart 5 and Schedule 13 of the Local Government Act 2002 and the Council's Policy on Development Contributions contained in Long Term Council Community Plan (adopted by the Council on 25 June 2004) the Council has identified that a Development Contribution is required. A 'Development Contribution Notice' which includes details of how the contributions were calculated will be sent out in due course.

An invoice will be generated by the Queenstown Lakes District Council. Payment will be due prior to commencement of the consent, except where a Building Consent is required. If a Building Consent is required, then payment shall be due prior to the issue of the code of compliance certificate or prior to the connection to Council services, whichever comes first.

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.

Should you not be satisfied with the decision of the Council, or certain conditions, an objection may be lodged in writing to the Council setting out the reasons for the objection under Section 357 of the Resource Management Act 1991 no later than 15 working days from the date this decision is received.

You are responsible for ensuring compliance with the conditions of this resource consent. 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 reschedule its completion.

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.

Please contact the Council when the conditions have been met or if you have any queries with regard to the monitoring of your consent.

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 Adonica Giborees on phone (03) 450 0338 or email adonica.giborees@lakesenv.co.nz.

Prepared by
LAKES ENVIRONMENTAL LTD



Adonica Giborees
PLANNER

Reviewed by
LAKES ENVIRONMENTAL LTD



Hanna Afifi
PLANNING TEAM LEADER

PT SEC 47
BLK II SHOTOVER SD

SEC 60
BLK II SHOTOVER SD

SEC 45
BLK II SHOTOVER SD

SEC 44
BLK II SHOTOVER SD

SEC 43
BLK II SHOTOVER SD

6
DP 18845

NORTH

LOT 300
1.98ha
VEST AS LOCAL
PURPOSE RESERVE
(UTILITY)

LOT 2
1.09ha

LOT 3
1.13ha

LOT 1
25.97ha

LOT 8
2.67ha

LOT 100
1.15ha

LOT 4
1.11ha

QUEENSTOWN-LAKES DISTRICT COUNCIL

APPROVED PLANS:
RM120247

Tuesday, 31 July 2012

| EXISTING EASEMENTS IN GROSS | | | |
|-----------------------------|--------|---------|-----------|
| Purpose | Shown | Grantee | Document |
| Right of way | A - D | QLDC | 978133.12 |
| Right to convey water | E, F,G | | |

| PROPOSED MEMORANDUM OF EASEMENTS | | | |
|----------------------------------|-------------------|-------|-------------------|
| Purpose | Servient Tenement | Shown | Dominant Tenement |
| Right of way | Lot 8 | A | Lots 1-3 |
| | Lot 3 | B | Lots 1 & 2 |
| | Lot 2 | C | Lot 1 |
| | Lot 300 | D | Lot 1 |

| KEY: | |
|------|---------|
| | Title 1 |
| | Title 2 |
| | Title 3 |
| | Title 4 |
| | Title 5 |

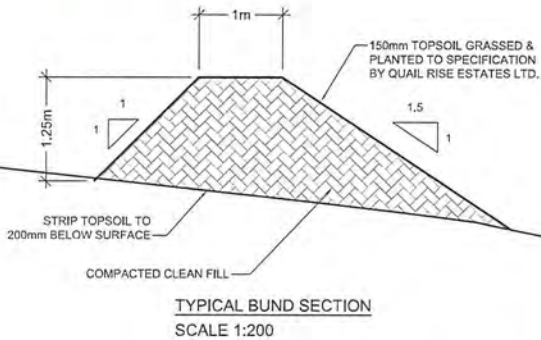
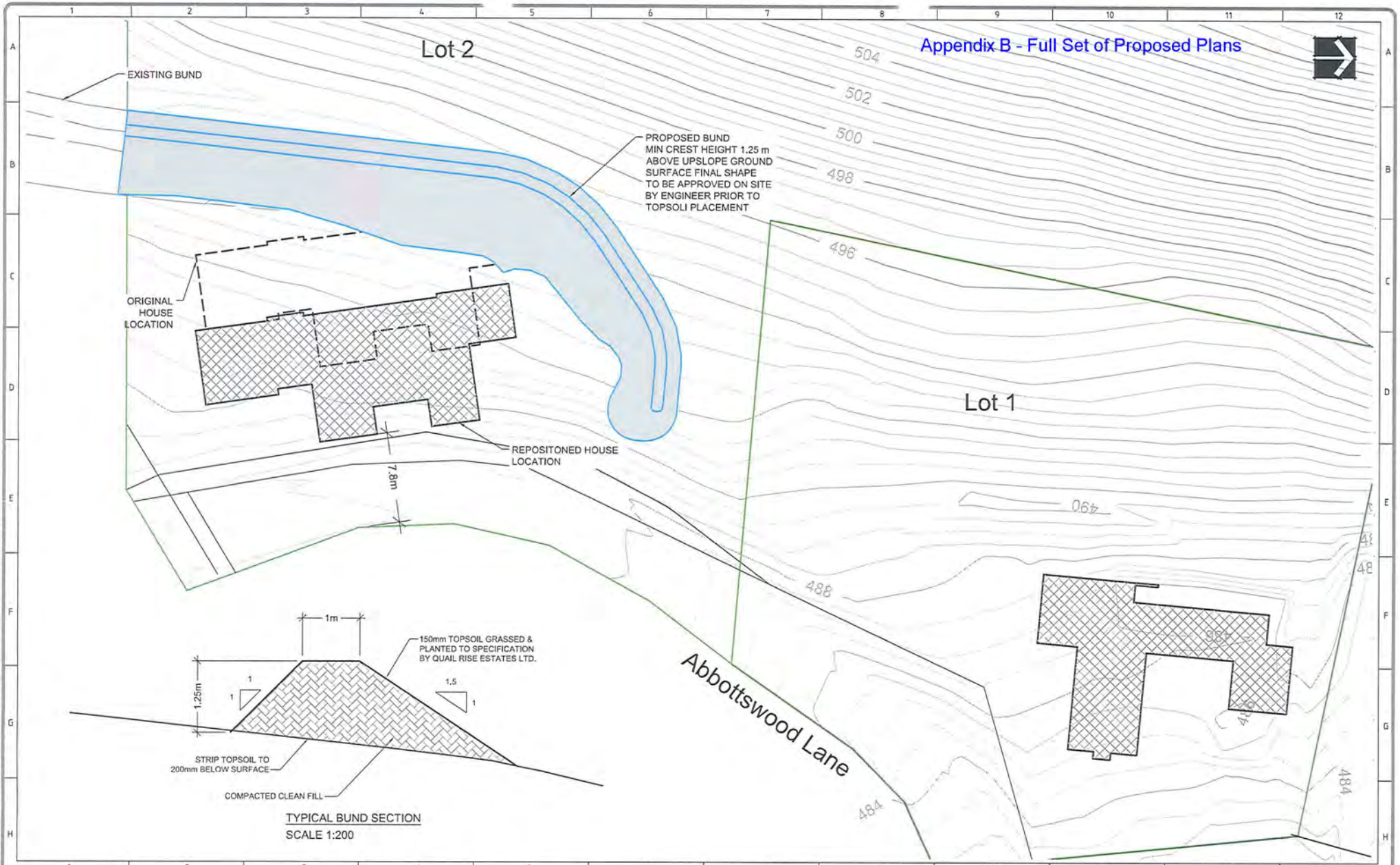
Proposed Amalgamation condition:
That lot 1 and 2 hereon, Lot 8 DP 369657 and Lot 2 LT 44917 be held in the same computer free hold register

Clark Fortune McDonald & Associates
Licensed Cadastral Surveyors - Land Development - Planning Consultants

| Rev. | Date | Revision Details | By |
|------|----------|----------------------------------|----|
| B | 25.05.12 | Amend boundaries of Lots 2 and 8 | ED |
| C | 19.06.12 | Amend boundaries of lot 300 | ED |

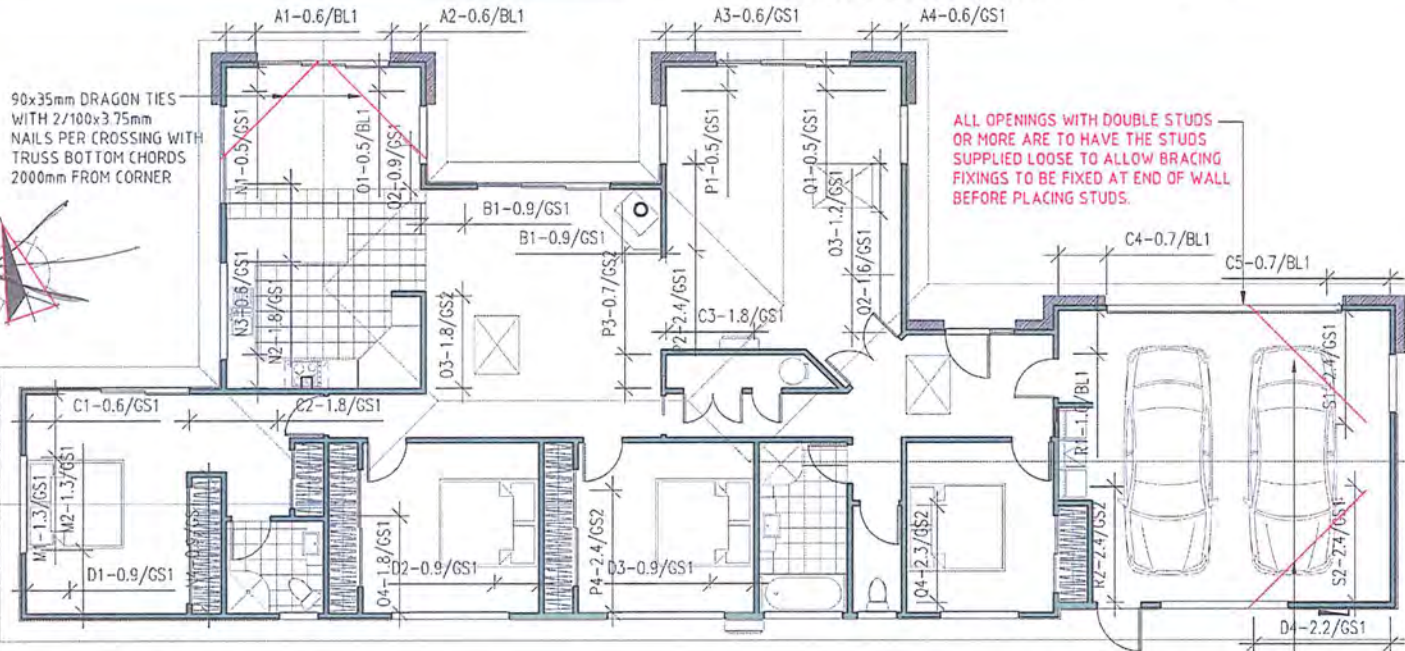
PROPOSED NEW TITLE STRUCTURE AFTER BOUNDARY ADJUSTMENT HAS BEEN IMPLEMENTED

| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|-----------------------|----------|--------|----------|---------------|-------------|
| QUAIL RISE ESTATE LTD | | | | 10727 | 05 |
| | Drawn | Signed | Date | Scale | |
| | ED | | 19.04.12 | 1:1500 @ A1 | |
| | Designed | Signed | Date | Datum & Level | Rev. |
| | | | | Mt Nic 2000 | C |
| | | | | MSL | |



ORIGINAL SIZE A3 DO NOT SCALE, REFER ALL DISCREPANCIES TO THE ENGINEER

| | | | | | | | | | | | | | | | | | |
|--------|--|-------|--|-------------------|--|----|--|----------|--|--|--|------------------------|--|---|--|--|--|
| Notes: | | Issue | | Description | | By | | Date | | Project: | | Client: | | | | This drawing is supplied on the understanding that the information contained herein will not be passed to any other party without written permission first being obtained from Hadley Consultants Ltd. | |
| | | A | | Preliminary Issue | | JH | | 18.10.12 | | QUAIL RISE PROPOSED SUBDIVISION OF LOT 50, DP 370064 | | QUAIL RISE ESTATES LTD | | 44 Robina Road, PO Box 1306, Queenstown, New Zealand, P. +64 3 450 2140, F. +64 3 441 3513, W. www.hadley.co.nz | | Drawn: MN Checked: JH Scale: 1:300 Drawing Number: 061243 Project: 061243 Sheet: S01 Issue: A | |
| | | | | | | | | | | Title: | | | | | | | |
| | | | | | | | | | | GENERAL ARRANGEMENT OF BUNDS, R.O.W & BUILDING PLATFORMS | | | | | | | |



90x35mm DRAGON TIES WITH 2/100x3.75mm NAILS PER CROSSING WITH TRUSS BOTTOM CHORDS 2000mm FROM CORNER

ALL OPENINGS WITH DOUBLE STUDS OR MORE ARE TO HAVE THE STUDS SUPPLIED LOOSE TO ALLOW BRACING FIXINGS TO BE FIXED AT END OF WALL BEFORE PLACING STUDS.

90x35mm DRAGON TIES WITH 2/100x3.75mm NAILS PER CROSSING WITH TRUSS BOTTOM CHORDS, 2500mm FROM CORNER

BRACING PLAN
SCALE 1:100

G10[®] Wall Bracing Calculation Sheet B - Single or Upper Wall Areas

| Area | Bracing Line | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | Wind | Earth |
|------|--------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-------|
| A | Area | 1 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 75 | 68 |
| | W | 0.5 | 2 | 5.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 15 | 68 |
| | H | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | L | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | W | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | H | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | L | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | W | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | H | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| | L | 2 | 0.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 32 | 33 |
| B | Area | 1 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 60 | 50 |
| | W | 0.9 | 2 | 5.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 15 | 50 |
| | H | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | W | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | H | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | W | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | H | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 0.9 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |

G10[®] Wall Bracing Calculation Sheet B - Single or Upper Wall Areas

| Area | Bracing Line | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | Wind | Earth |
|------|--------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-------|
| M | Area | 1 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 60 | 72 |
| | W | 1.3 | 2 | 5.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 15 | 72 |
| | H | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | W | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | H | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | W | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | H | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 1.3 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| N | Area | 1 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 60 | 50 |
| | W | 0.5 | 2 | 5.6 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 15 | 50 |
| | H | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | W | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | H | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | W | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | H | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |
| | L | 2 | 0.5 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 2.4 | 30 | 31 |

Bracing Specification

Select G10[®] Lining Option: None FRP Fibreglass

Number of stories: 1
Floor Loading: 20kPa
Foundation Type: slab

Single Floor: Complete Single Floor: Columns only:

Cladding Weight: Heavy
Roof Weight: Light
Roof in Roof Space:

Floor Pitch (degrees): 20
Roof pitch (degrees): 2.0
Building height to eaves (m): 5.1
Ground to lower floor level (m): 0.2

Wind Zone: High
Earthquake Zone: 1
Region: Performance selected
Terrain: Performance selected
Exposure: Performance selected
Occupancy: Performance selected

Bracing Units required for Wind:
Demand W (kN): 2.4
along: 2.4
across: 2.4

Bracing Units required for Earthquake:
Demand along r across E (kN): 2.4
along: 2.4
across: 2.4

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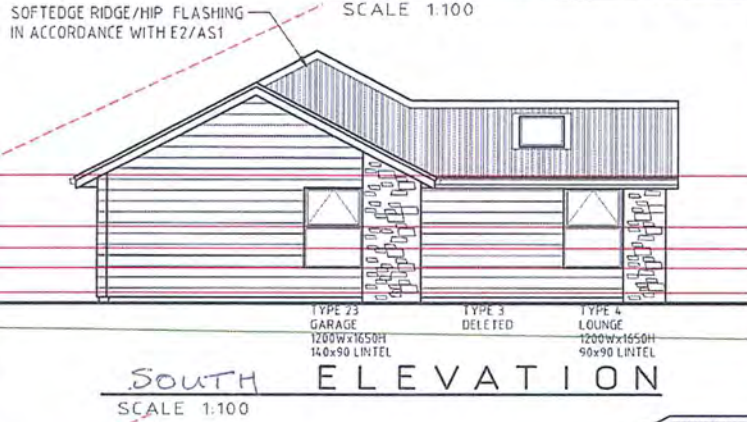
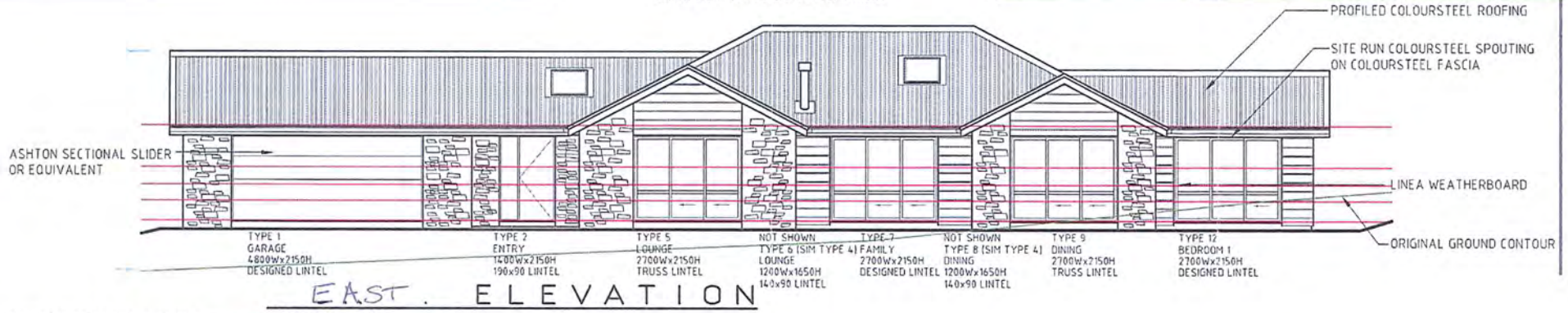
PlaceMakers

E PATHIPPO@XTRA.CO.NZ
W WWW.PATHIPPO.CO.NZ
P 05 214 1158
M 027 215 1158

FAT HIPPO
DESIGN GROUP LTD

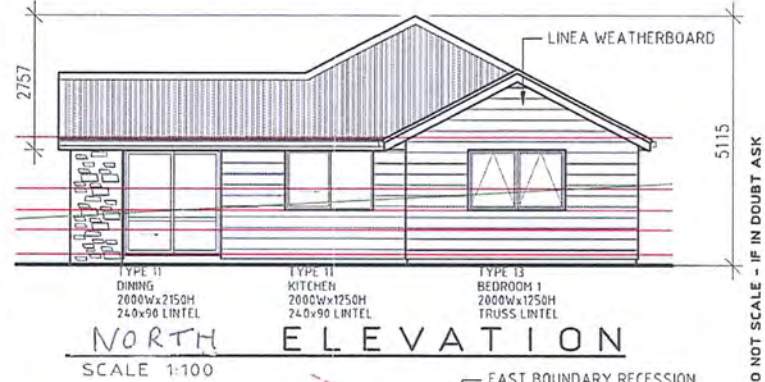
| | | | | | | |
|---|--|--|--|--|-----------------------|--------------------------------|
| CLIENT: PLACEMAKERS QUEENSTOWN 1 GLENDA DRIVE FRANKTOWN | DRAWING TITLE: PMQ-001 WOODLOT LOT 2 QUAIL RISE, QUEENSTOWN BRACING PLAN | REV. DATE DESCRIPTION 0 30.03.11 ISSUED FOR CONSENT | CLIENT APPROVAL: [Signature] DATE: [] | DRAWN: MARTIN STATUS: STATED | REVISION: 0 | DRAWING NUMBER: A-05 |
|---|--|--|--|--|-----------------------|--------------------------------|

14m = 5115cm
1m = 1044cm



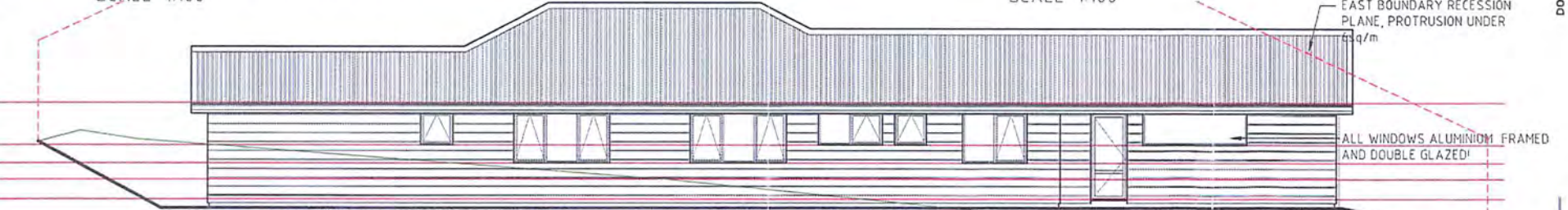
NOTES:

- Ⓢ DENOTES SAFETY GLAZING
- ALL WINDOWS TO BE DOUBLE GLAZED, R VALUE TO BE 0.26 UNLESS WHERE OTHERWISE NOTED
- ALL WINDOW DIMENSIONS ARE OUTSIDE REVEL WITH BUILDER TO ALLOW FITTING TOLERANCE
- ALL LINTELS ARE TO BE VSG8/MSG8 GRADE AND ARE DETERMINED BY THE ALLOWANCES OF NZS3604:1999 AS ALLOWED BUT WHERE IMPOSED TRUSS LOADING OR SPAN EXCEEDS THIS, THE LINTELS OF TRUSS MANUFACTURER SUPERCEDE THE INFORMATION GIVEN



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WALL OPENING CALCULATIONS:

| | WALLS sq/m | WINDOWS sq/m | % |
|-------|------------|--------------|--------|
| NORTH | 70.40 | 27.09 | 38.48% |
| SOUTH | 70.40 | 13.69 | 19.45% |
| WEST | 53.76 | 8.60 | 16.00% |
| EAST | 53.76 | 4.60 | 8.56% |
| S+E+W | 177.92 | 26.89 | 15.11% |
| TOTAL | 248.32 | 53.98 | 21.74% |

ACHIEVED R VALUES FOR CLIMATE ZONE 3

| | R VALUE |
|--------------------------------|---------|
| FLOOR | 1.30 |
| WALLS | 2.00 |
| WINDOWS UNDER 30% OF WALL AREA | 0.26 |
| WINDOWS ABOVE 30% OF WALL AREA | 0.34 |
| SKYLIGHTS | 0.31 |
| ROOF | 3.30 |



CLIENT
PLACEMAKERS QUEENSTOWN
1 GLENDA DRIVE
FRANKTON

DRAWING TITLE
PMQ-001 WOODLOT LOT 2
QUAIL RISE, QUEENSTOWN
ELEVATIONS

| REV | DATE | DESCRIPTION |
|-----|----------|---------------------|
| 2 | 17.05.11 | REVISED FOR COMMENT |
| 1 | 05.05.11 | REVISED FOR COMMENT |
| 0 | 30.03.11 | ISSUED FOR COMMENT |
| A | 25.03.11 | ISSUED FOR COMMENT |

| CLIENT APPROVAL | SCALE | REVISION | DRAWING NUMBER |
|-----------------|--------|----------|----------------|
| [Signature] | STATED | 2 | A-02 |

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Key:-

| | |
|----------------|------------------------------|
| 2.0m to 2.5m | Height above original ground |
| 1.5m to 2.0m | |
| 1.0m to 1.5m | |
| 0.5m to 1.0m | |
| 0.0m to 0.5m | |
| 0.0m to -0.5m | |
| -0.5m to -1.0m | Height below original ground |
| -1.0m to -1.5m | |
| -1.5m to -2.0m | |
| -2.0m to -2.5m | |
| -2.5m to -3.0m | |

Cut volume = 320m³
Fill volume = 540m³
Earthworks area = 1075m²

CLIENT REVIEW 19.11.12

Clark Fortune McDonald & Associates
Limited
369 Lower Shotover Road, P.O. Box 553, Queenstown
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21 Beere Crescent, P.O. Box 558, Wanaka
Tel: (03) 443 4448, Fax: (03) 443 4445, Email: admin@cfma.co.nz
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel: (03) 478 1582, Fax: (03) 478 1581, Email: admin@cfma.co.nz

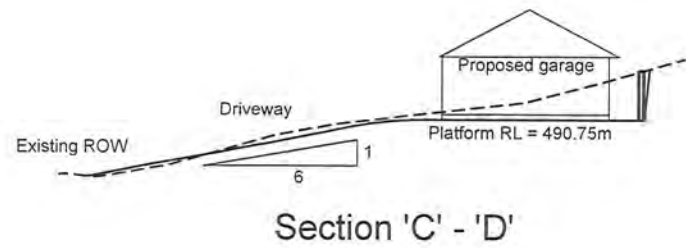
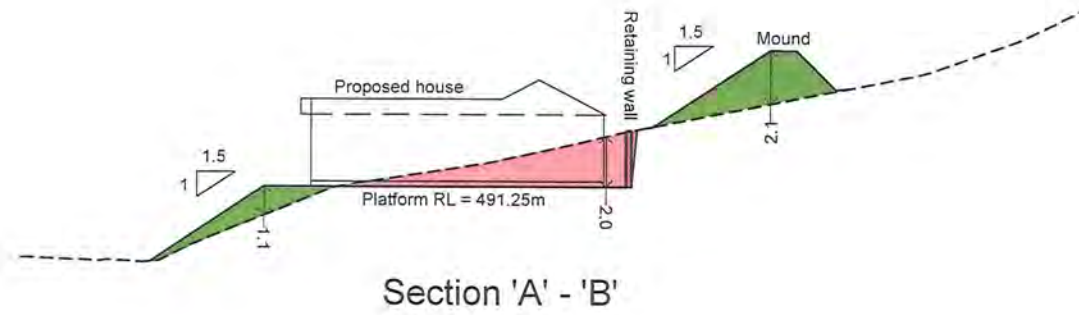
PROPOSED EARTHWORKS ON LOT 2 DP 449617

| Rev. | Date | Revision Details | By |
|------|----------|---|----|
| A | 10.11.12 | House levels amended | HK |
| B | 19.11.12 | Section sheet added | HK |
| C | 30.11.12 | Retaining wall and driveway details added | HK |

| Client | | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------|--------|----------|---------------|------------|---------|-------------------|
| QUAIL RISE ESTATES LTD | | | | | 9091 | 88_01 |
| Drawn | Signed | Date | | | | |
| HK | | 14.11.12 | Scale | 1:300 @ A1 | | |
| Designed | Signed | Date | Datum & Level | | | |
| | | | Rev. | | | |
| | | | | | | Mt Nic 2000 & MSL |

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| | |
|--|-----------------|
| | Original Ground |
| | Proposed Ground |
| | Cut Area |
| | Fill Area |

CLIENT REVIEW 19.11.12

Clark Fortune McDonald & Associates
 Licensed Civil Engineers & Land Surveyors (Professional Engineers)
 309 Livers' Shotover Road, P.O. Box 553 Queenstown
 Tel: (03)441-6044, Fax: (03)442-1866, Email: admin@cfma.co.nz
 21 Recce Crescent, P.O. Box 556, Wanaka
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 Shop 2, Otango House, 475 Moray Place, P.O. Box 1960
 Tel: (03)270-1592, Fax: (03)270-1583, Email: admin@cfma.co.nz

PROPOSED EARTHWORKS ON LOT 2 DP 449617

| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------|----------|--------|----------|-------------------|-------------|
| QUAIL RISE ESTATES LTD | | | | 9091 | 88_02 |
| | Drawn | Signed | Date | Scale | 1:100 @ A1 |
| | HK | | 16.11.12 | | 1:200 @ A3 |
| | Designed | Signed | Date | Datum & Level | Rev. |
| | | | | Mt Nic 2000 & MSL | C |

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Existing Row of Poplar Trees.

Existing Lot 1 (DP449617). At the time of this plan being produced the construction of this dwelling has not yet started.

Ferry Hill Drive.

Existing Row of Poplar Trees.

Existing Lot Boundary.

This orange line represents the edge of the ONF as identified by Helen Mellsop's RM090658 report. It corresponds with the curtilage area boundary as per RM110443 approved landscape plan.

This yellow line represents boundary between the Quail Rise "G Activity Area" to the west and the "R2 Activity Area" to the east.

Proposed tree planting within Lot 2. Mixed rural evergreen and deciduous trees at 3-4 m centres. 20 Conifers (*Cryptomeria japonica* "Cambridge") or similar and 20 Lombardy Poplars to generally be planted immediately to the west of the earth bund.

Conifer tree to be removed.

Proposed bund with a minimum crest height of 1.25m above the upslope ground surface.

Proposed driveway to be less than 6m in width.

Proposed Dwelling on Lot 2.

Proposed shrub planting within Lot 2. Mixed native shrubs and grasses to have a minimum height of 1m.

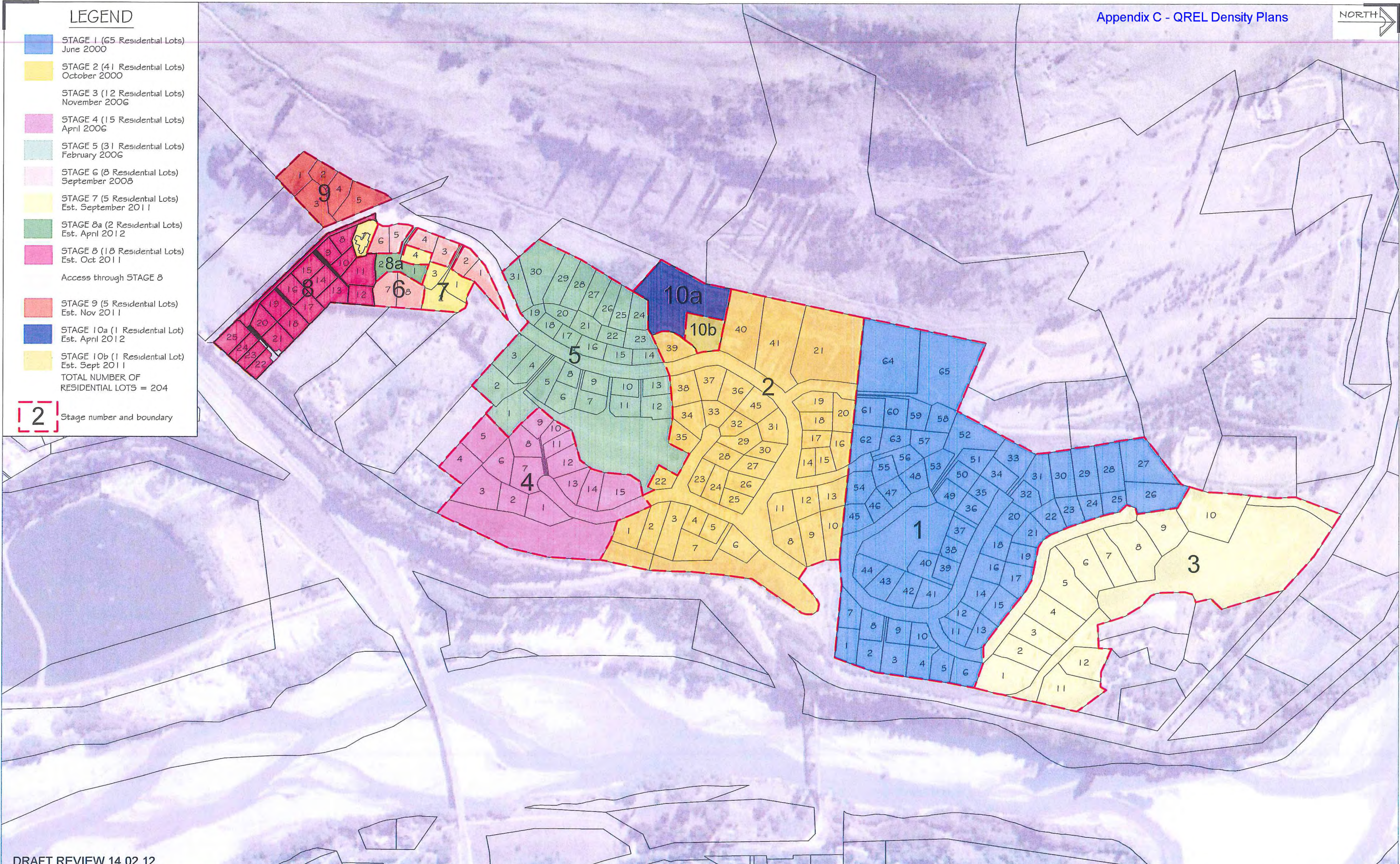
Abbotswood Ln

APPENDIX 1: SITE CONTEXT MAP

This map represents the location of Lot 2's proposed dwelling in relation to its boundary line, the neighbouring properties, the ONF boundary and the "G Activity Area" boundary. It also locates the dwelling that is to be erected on Lot 1, both Lots 1 and 2's driveways, the proposed bund and the proposed structural landscape planting for Lot 2.

LEGEND

- STAGE 1 (65 Residential Lots)
June 2000
 - STAGE 2 (41 Residential Lots)
October 2000
 - STAGE 3 (12 Residential Lots)
November 2006
 - STAGE 4 (15 Residential Lots)
April 2006
 - STAGE 5 (31 Residential Lots)
February 2006
 - STAGE 6 (8 Residential Lots)
September 2008
 - STAGE 7 (5 Residential Lots)
Est. September 2011
 - STAGE 8a (2 Residential Lots)
Est. April 2012
 - STAGE 8 (18 Residential Lots)
Est. Oct 2011
 - Access through STAGE 8
 - STAGE 9 (5 Residential Lots)
Est. Nov 2011
 - STAGE 10a (1 Residential Lot)
Est. April 2012
 - STAGE 10b (1 Residential Lot)
Est. Sept 2011
 - TOTAL NUMBER OF
RESIDENTIAL LOTS = 204
- 2 Stage number and boundary



DRAFT REVIEW 14.02.12

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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 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 | 14.02.12 | Update Stage 8 & 9 Boundaries | JK |

OVERVIEW OF THE QUAIL RISE STAGES AND THE PROPOSED AND CREATED RESIDENTIAL LOTS

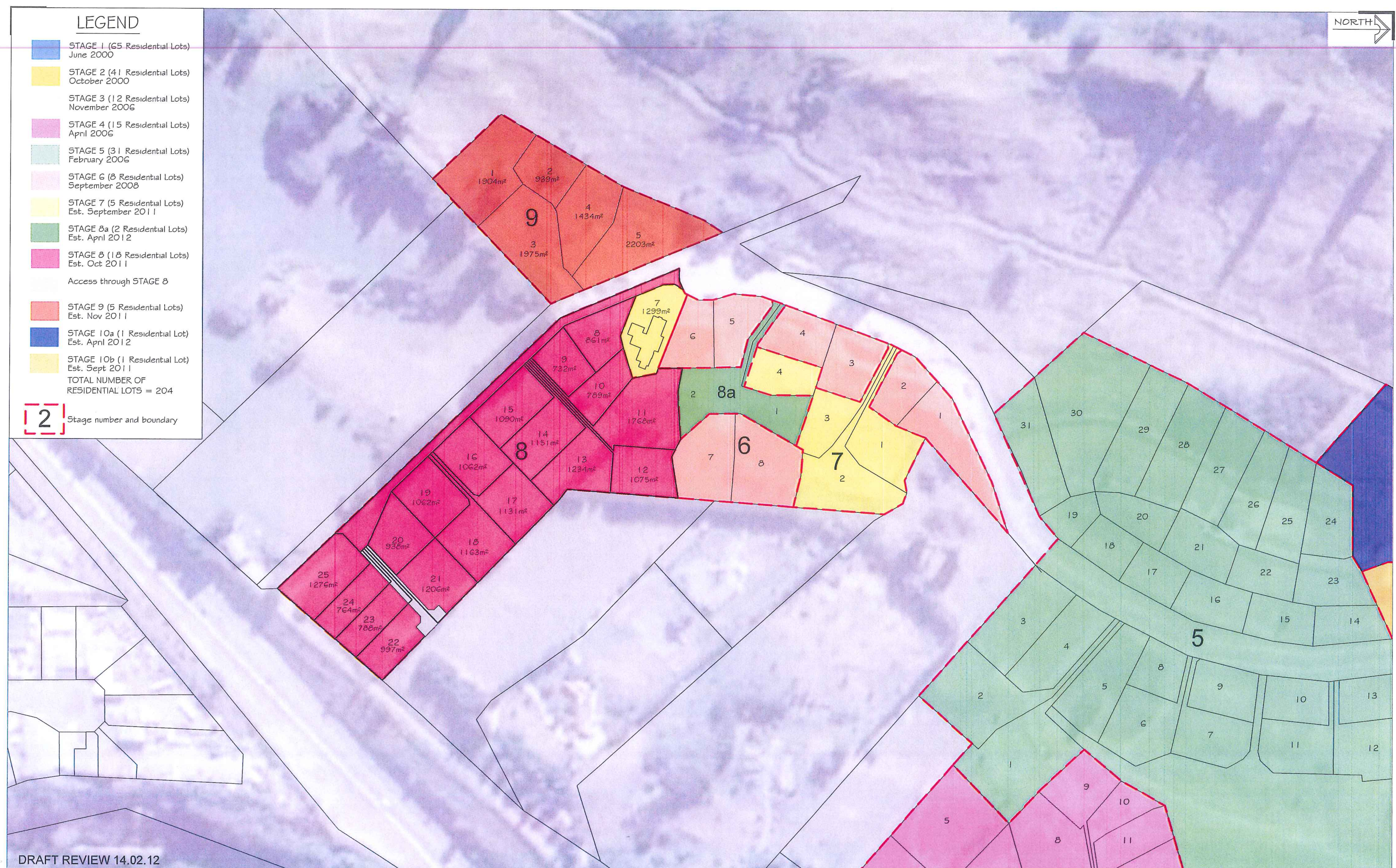
| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|--|------------------|--------|------------------|-------------------------------------|-------------|
| QUAIL RISE ESTATES LTD | -- | -- | -- | 10476 | 26.01 |
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| | Designed CFMA | Signed | Date VARIES | Datum & Level Mt Nic 2000 | |



LEGEND

- STAGE 1 (65 Residential Lots)
June 2000
- STAGE 2 (41 Residential Lots)
October 2000
- STAGE 3 (12 Residential Lots)
November 2006
- STAGE 4 (15 Residential Lots)
April 2006
- STAGE 5 (31 Residential Lots)
February 2006
- STAGE 6 (8 Residential Lots)
September 2008
- STAGE 7 (5 Residential Lots)
Est. September 2011
- STAGE 8a (2 Residential Lots)
Est. April 2012
- STAGE 8 (18 Residential Lots)
Est. Oct 2011
- Access through STAGE 8
- STAGE 9 (5 Residential Lots)
Est. Nov 2011
- STAGE 10a (1 Residential Lot)
Est. April 2012
- STAGE 10b (1 Residential Lot)
Est. Sept 2011
- TOTAL NUMBER OF
RESIDENTIAL LOTS = 204

2 Stage number and boundary



DRAFT REVIEW 14.02.12

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

| Rev. | Date | Revision Details | By |
|------|----------|-------------------------------|----|
| A | 14.02.12 | Update Stage 8 & 9 Boundaries | JK |

OVERVIEW OF THE QUAIL RISE STAGES AND THE PROPOSED AND CREATED RESIDENTIAL LOTS

| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------|----------|--------|-----------|----------------------------|-------------|
| QUAIL RISE ESTATES LTD | -- | -- | -- | 10476 | 26_02 |
| | Drawn | Signed | Date | Scale | Rev. |
| | JWJ | | 19.07.11 | 1:1000 @ A1 1:2000 @ A3 | |
| | Designed | Signed | Date | Datum & Level | |
| | CFMA | | VARIABLES | Mt Nic 2000 | A |

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REPORT TO: Adonica Giborees, Planner
FROM: Richard Denney, Landscape Architect
REFERENCE: RM120790– Quail Rise Estate Ltd
SUBJECT: Landscape Assessment
DATE: 12th February 2013

INTRODUCTION

1. An application has been received for consent to construct a dwelling, with associated earthworks, at Abbotswood Lane, Quail Rise, Queenstown. The site is legally described as Lot 2 DP 449617 and is 0.8538 hectares in area.
2. In terms of the Queenstown Lakes District Council District Plan the site is zoned Quail Rise, and is located within the Open Space G Activity Area as per the Quail Rise Structure Plan. Following advice from the Lakes Environmental's planner I understand that the status of the activity is non-complying.

PROPOSAL

- :
3. The proposal entails the following
 - 4.
 5. Construction of a single level dwelling with a 232m² floor area occupying 2.7% of the site and would have a maximum height of 5.5m above the original ground level. Colours and materials would be:
 - Walls – linea weatherboard painted 'Stonewall' a mid brown / grey colour with a LRV of 27%, and stacked schist cladding.
 - Roof – profiled colorsteel painted 'Slate', a dark grey with a LRV of 9%.
 - Joinery not specified.
 6. Proposed earthworks would have a total cut volume of 330m³ and fill volume of 500m³. Maximum cut height would be approximately 2.2m and maximum fill depth to 2.4m. Earthworks would involve a cut into the natural slope to a height of 2.2m with small area of fill to form a level platform for the dwelling. An earth bund upslope would be up to 2.4m in height above natural ground level and would wrap around the proposed dwelling from the western boundary and bend around to near the eastern boundary with Lot 1 DP 449617.
 7. The proposed structural landscape plan identifies the:
 - removal of a large conifer near the eastern boundary,
 - a mixed native shrub and grass border to the south of the dwelling and mixed evergreen and deciduous tree belt immediately to the west of the proposed mound including poplars and conifers,
 - the retention of a row of poplars on the boundary of the lot to the north of the proposed dwelling running north to south,
 - A 6m wide driveway.

BACKGROUND

8. The submitted application includes a thorough explanation of the consent history to the site to which I refer the reader to. I highlight below the relevant objectives and policies for the Quail Rise Zone within the district plan

12.14.3 Objective and Policies

Objective 1

To enable the development of low density residential activities in conjunction with planned open space and recreational opportunities.

Policies

1.1 To ensure development is carried out in a comprehensive manner in terms of an appropriate strategy and to ensure that activities are compatibly located.

1.2 To ensure that open space is maintained and enhanced through appropriate landscaping and the absence of buildings and other structures.

1.3 To ensure open space is developed in a comprehensive manner.

1.4 To avoid any deviation to the Structure Plan for the zone

12.14.4 Environmental Results Anticipated

(a) Preservation of open space and rural amenity managing the key physical and scenic values of the area so as to recognise the important natural features that dominate the site and the predominant land forms surrounding the site particularly the peaks and mountain ranges.

SITE DESCRIPTION

9. The subject site is located on the eastern slopes of Ferry Hill a prominent Roche Moutonnee landform within the Wakatipu Basin. The site is elevated on the lower slopes of Ferry Hill and has an easterly aspect with broad open views out across the Wakatipu Basin between Brow Peak and clockwise around to Peninsula Hill. The site is currently a vacant section of land with rough grass with a small to medium conifer tree some 6m or so in height near the eastern boundary. The slope has a short shallow platform of gently sloping land then rises steeply up the face of the eastern slopes of Ferry Hill. Towards the south is a cluster of willows and pines, and to the north a few scattered medium sized poplars. There are a few scattered broom shrubs but in general the site is open. Further up slope beyond the subject site is a distinct row of mature poplars that cross the slope with a few denser clumps of matagouri up towards the summit area. The site sits upon the urban fringe of Quail Rise and the neighbouring open countryside. The site has been retained to date as open grassland and is an extension of the rural open type landscape that links down to Abbotswood land. To the east of the property boundary the landscape downslope is more urban in character with houses, garages, ornamental gardens, fences, and paved driveways.

ASSESSMENT

10. I have read the landscape assessment by Mr Ben Espie. I concur with Mr Espie's findings on the following matters identified in 6.1 of Mr Espie's report.

Potential adverse effects will be largely avoided because;

- The subject site is located immediately adjacent to the residential activity areas and the proposed dwelling is located outside of the area identified as outstanding natural landscape of Ferry Hill.
- The amenity and landscape experience that is currently had from Spence Road and Old School Road will essentially be unchanged.
- From Domain Road the proposed building will not stand out and will appear as one of many dwellings in the immediate area.
- Evidence of the proposed activities will be generally unnoticeable to users of SH6.

The following is comment on those issues where my findings differ to those of Mr Espees.

11. Mt Espie notes to his understanding that all close neighbours have given written approval to the proposal. However I note that affected party approvals has been obtained for immediate neighbours at Lot 44, 29 and 46 but not for Lot 1 (DP449617), Lot 49 (DP27480), or Lot 3 (DP 342130). Neighbouring Lot 1 DP457085 to the southwest is owned by the applicant. One submission has been received opposing the proposal from the 10 Abbotswood Lane.



Image 1. GIS image showing subject site (yellow), affected party approvals (Blue with red stars), and submitter opposing proposal (Green diamond).

12. Noting the above I make the following landscape assessment comments in regards to the appropriate assessment matters. The appropriate assessment matters are as follows, 12.15.6 i) General, iii) Buildings, v) Earthworks vii) Tree Removal and Topping

General

13. I consider the proposed development would have most adverse effect for those residents within Abbotswood Lane as it is from Abbotswood lane that the full extent of the open space of the subject property can be appreciated. From further afield within the zone the elevated nature of the site and amount of foreground obstacles such as houses, fences, trees etc. reduces the general visual appreciation of the site as open space to its upper portions. In this

regard the visual quality and amenity would be very different from the current open space character to one of built form. The proposal would also limit the visual connection from the lane through to the ONL landscape beyond. Built form, domestic structures and the proposed earth bund would all contribute to separation between the lane and the ONL. As I understand it the open space is merely a visual entity in that is not for the provision of open space amenity in regards of passive or active activities within that space as it is privately owned. Overall I consider the adverse effects upon the open space landscape on those residents of Abbotwood Lane that have not provided affected party approval would be moderate. I note that those most directly affected the immediate neighbours to the east, west and south have provided affected party approvals. Neighbours on the west side of Abbotwood Lane would retain open space character behind their dwellings as part of Lot 1 DP457085.

14. Mr Espies identification of the curtilage area differs slightly to that identified within RM110443. I do not believe that this matters a great deal. I recommend that the curtilage area is very clearly marked on the site to ensure no domestic structures and planting occurs upslope of this point to retain the balance of the site as open space in character which is visible from a much wider catchment than the lower flatter part of the site.
15. The proposed 6m wide driveway appears excessive in this location and would highlight the replacement of the existing green character of the site with hard pavement especially on a sloping drive. I suggest that the drive way is reduced to 4m in width at the intersection with the lane with a wider bay nearer the dwelling. The replacement of a tree to the front of the proposed dwelling would assist in diminishing the prominence of urbanisation of open space.

Earthworks

16. The scale and location of the proposed earthworks would adversely affect the visual quality and amenity values of the landscape to a small degree as the works are set back within the site and would be behind the proposed dwelling. They would modify the natural slope to some degree but in the overall context of the hill would be relatively small, and would be difficult to see upon completion of the dwelling and the landscape planting.

Tree Removal and Topping

17. The removal of the sole conifer, which is a prominent tree on the site, is not necessary from what I can determine in regards to health of the tree or potential hazard. The tree would offer some mitigation to the dwelling in that its size provide scale to built form and sense of establishment to the site. The location of the tree, an evergreen, in regards to the location of the dwelling would however be problematic in regard to shading and further growth affecting the building. A compensating tree has not been proposed. I consider in regards to the contribution to the neighbourhood the tree provides that compensating tree could be planted within the property towards the northern boundary, and a more appropriate deciduous species of no less than 5m mature height would make an on-going contribution to the lane amenity.

CONCLUSION

18. An application has been received for consent to construct a dwelling, with associated earthworks, at Abbotwood Lane, Quail Rise, Queenstown. In terms of the Queenstown Lakes District Council District Plan the site is zoned Quail Rise, within the Open Space G Activity Area as per the Quail Rise Structure Plan. I understand that the status of the activity is non-complying.
19. The proposed development would include earthworks for siting of the dwelling and formation of an earth bund some 2.5m in height to the rear of the dwelling. The bund would be largely behind the dwelling and difficult to view from the lane and nearby streets.
20. The proposed dwelling would be clad in materials that would be appropriate in this landscape being of subtle natural hues. In the context of neighbouring residential buildings it would not appear prominent or out of place.
21. The adverse effects as seen from viewpoints beyond Abbotwoods lane would be relatively small and effectively mitigated and controlled. However there are a number of properties and

one formal submission opposing the proposal within Abbotswood lane. In this regard adverse effects would be moderate in the immediate area of Abbotswood lane as the proposal would effectively remove the open space character of the site and replace it with a residential one and doing so would degrade the landscape values and visual amenity currently existing. Visual connections to the adjoining ONL of Ferry Hill would be compromised from Abbotwood Lane.

22. The proposed removal of a medium sized conifer on the site would be of some loss to the site in terms of visual mitigation, and to the neighbourhood in terms of general amenity. However a replacement tree in similar location of a deciduous species would sustain a contribution to neighbourhood amenity and soften built form as viewed from the north.

RECOMMENDED CONDITIONS

23. Should consent be granted I consider that the following conditions should be included:
- i. The landscape plan titled *Site Context Map* submitted with the application shall be amended and resubmitted to the Principal Landscape Architect, Queenstown Lakes District Council for certification prior to development commencing on site. In this instance the landscape plan shall achieve the following objective:
 - Identify a replacement tree between the dwelling and Abbotsford Lane to replace the existing tree that is to be removed. The replacement tree shall be of a species with a mature height no less than 5m.
 - That the curtilage area as accurately and clearly identified on the plan as per RM110055 to retain the balance of the lot as *Open Space G Activity Area* in character.
 - ii. The certified landscape plan shall be implemented within the first planting season from completion of construction, and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced in the next available planting season.

Report prepared by



Richard Denney
SENIOR LANDSCAPE ARCHITECTURE

Report reviewed by



Marion Read
PRINCIPAL: LANDSCAPE ARCHITECTURE

EMAIL # 1 – SUPPLEMENTARY LANDSCAPE COMMENT

From: Richard Denney [mailto:Richard.Denney@qldc.govt.nz]
Sent: 10 June 2013 3:09 p.m.
Subject: RM130709 Quail Rise

Afternoon Adonica,

Following the site visit today I make the following comments.

- Affected party approval from Lot 1 DP449617 has now been provide and is no longer considered.
- The existing dwelling at Lot 49 DP27480 is not orientated in any way with views towards the site. Although views may be obtained from within the lot towards the site there is sufficient foreground visual clutter including the dwelling at Lot 1 that would hinder views. I therefore adverse effects from that property would be very low.
- It is my understanding that affected party approval had been gained for a previous version of the proposal from Lot 44 DP370064. However given that approval was given for a dwelling of some form within the open space I consider that the proposed dwelling would not greatly alter approval as there appears to be approval of building within the open space area.
- There is an existing earth bund along the top of the property but it is unclear as to if these works are consented and the correlation to the proposed earthworks shown in the application. Clarity is sought on this matter.

Richard

Richard Denney
Senior Landscape Architect
Lakes Environmental Ltd
74 Shotover Street
QUEENSTOWN 9300

03 450 0316 - direct dial
03 450 0300 - switchboard
03 442 4778 - fax

www.lakesenv.co.nz
richard.denney@lakesenv.co.nz

EMAIL # 2 – SUPPLEMENTARY LANDSCAPE COMMENT

From: Richard Denney [mailto:Richard.Denney@qldc.govt.nz]
Sent: 17 July 2013 8:30 a.m.
Subject: RE: RM120709 - QREL earthworks

Morning Adonica,

Given that bund is extension of the bund within Lot 44, the additional extent in the neighbouring Lot to the north I consider would have negligible additional adverse effect on Lot 44.

Richard

Richard Denney | Landscape Architect
Queenstown Lakes District Council
DDI: +64 3 450 0316 | P: +64 3 441 0499
E: richard.denney@qldc.govt.nz



QUEENSTOWN
LAKES DISTRICT
COUNCIL
www.qldc.govt.nz

From: Adonica Giborees
Sent: Tuesday, 16 July 2013 5:34 p.m.
To: Richard Denney
Subject: FW: RM120709 - QREL earthworks

Hi Richard,

This is in relation to the last point in your attached e-mail of 10/06/2013.

The applicant has advised that the works were approved previously, but I cannot find any consent for it. The information from the applicant is attached.

As such, in my opinion consent is required for the proposed earthworks retrospectively. There would be no changes to the ground level that presently exists on the site.

Could you please advise whether you consider that Lot 44 DP 370064 to the south would be affected in terms of the bunding that exists on the property?

Alan's e-mail below confirms that there are no issues in terms of site stability, so it would only be in terms of visual amenity. I would think that it somewhat provides some separation between the proposed dwelling and Lot 44.

Thanks,
Adonica

From: Alan Hopkins
Sent: Friday, 28 June 2013 3:55 p.m.
To: Adonica Giborees
Subject: RE: RM120709 - QREL earthworks

Adonica,

The portion of these earthworks closest to the southern boundary have already been undertaken to form approximately 5m of the proposed bund. I'm unsure when or under what consent these works were undertaken but this section of bund appears well grassed and stable. Earthworks will therefore not be required on the southern boundary with the neighbouring lot and this potential effect has not been considered within my engineering assessment report.

Regards

Alan Hopkins
Engineer BE(Env)
Lakes Environmental Ltd
Private Bag 50077
QUEENSTOWN

03 450 0370 - direct dial
03 442 4778 - fax

alan.hopkins@lakesenv.co.nz
www.lakesenv.co.nz

From: Adonica Giborees
Sent: Tuesday, 25 June 2013 4:40 p.m.
To: Alan Hopkins
Subject: RM120709 - QREL earthworks

Hi Alan,

As discussed, the proposed earthworks plans for this consent includes works up to the southern site boundary (with areas of cut and fill on the boundary).

This has the potential to compromise land stability in respect of the neighbouring property to the south.

Could you please confirm that this matter has been considered in your assessment, and provide additional comment with respect to the stability of earthworks in respect of the southern boundary / neighbouring property to the south?

Kind Regards,

Adonica Giborees
Planner
Lakes Environmental Ltd
Private Bag 50077
QUEENSTOWN 9348

03 450 0338 - direct dial
03 450 0300 - main line
03 442 4778 - fax

adonica@lakesenv.co.nz
www.lakesenvironmental.co.nz

Appendix E – Engineering Assessment



TO: Adonica Giborees
FROM: Alan Hopkins
DATE: 15/04/2013
CONSENT REF: RM120709
APPLICANT NAME: Quail Rise Estate Ltd

| Application details | |
|--|--|
| Description | Establish a residential dwelling within the Quail Rise Estate – Open Space G Area |
| Physical Address | Abbottswood Lane, Quail Rise |
| Type of Consent | Land use |
| Zoning | Quail Rise – Open Space G Area |
| Reference Documents | Vivian+Espie application dated 23 November 2012 Hadely Consultants Ltd geological & hazard assessment dated 18 October 2012 |
| Date of site visit | December 2012 |
| Comment required from QLDC Transport | No |
| Comment required from QLDC 3 waters | No |
| Previous consents relevant to this report | RM110443 Underlying two lot subdivision of Lot 50 DP370064 |



Services

Water

The applicant proposes to connect via a new 20mm lateral to the existing Council water network located within the south-east corner of the site (within Abbottswood Lane RoW). Tonkin & Taylor water modelling undertaken as part of the application for the underlying subdivision RM110443 confirms that there is sufficient flow and pressures for the proposed connection. I am satisfied that the proposed connection is feasible and I recommend a consent condition that prior to occupation of the dwelling the consent holder shall install a lateral connection to Council's water supply network. This connection shall include an Acuflo CM2000 toby valve.

Fire Fighting

The Tonkin & Taylor water modelling report provided with the application for RM110443 identified the need for a fire hydrant to be installed within 135m of Lot 2 or the provision of 45m³ of onsite fire fighting static storage. I have assessed the proposed against the requirements of SNZ PAS 4509:2008 – *New Zealand Fire Service Firefighting Water Supplies Code of Practice* and agree that the proposed dwelling is located further than the required 135m from the nearest hydrant. The applicant has suggested the following consent condition to address the fire fighting requirement-

'The consent holder shall install an additional hydrant within 135m of Lot 2, within six months of the development's completion.'

I disagree with this approach as it will result in a situation where the proposed dwelling will potentially have a substandard level of fire fighting protection for up to six months. Furthermore the wording of this condition may result in a hydrant installed within 135m of the boundary of Lot 2 and not necessarily within 135m of the main entrance to the dwelling as required under SNZ PAS 4509:2008. To suitably address the requirement for fire fighting I recommend a consent condition that prior to occupation of the dwelling the consent holder shall install a fire hydrant within 135m of the main entry to the dwelling in accordance with SNZ PAS 4509:2008.

Wastewater

The subject lot currently has an existing 100mm lateral sewage connection to a 150mm Council main located within the south-east corner of the site (within Abbottswood Lane RoW). This lateral is located within the grass verge and in close proximity to the proposed dwelling. I am satisfied that connection to the existing lateral will be straight forward and can be further assessed and approved under the building consent process. No consent condition is recommended in this regard.

Stormwater

The subject lot currently has an existing 100mm lateral stormwater connection to a 200mm Council main located within the south-east corner of the site (within Abbottswood Lane RoW). This lateral is located within the grass verge and in close proximity to the proposed dwelling. I am satisfied that connection to the existing lateral will be straight forward and can be further assessed and approved under the building consent process. No consent condition is recommended in this regard.

Power & Telecommunication

The applicant proposes to connect dwelling to power and telecommunication reticulation located within Abbottswood Lane. Suitable provision for these connections has previously been confirmed by Chorus and DELTA under the application for RM110443. I recommend a consent condition that power and telecommunication connection shall be underground and in accordance with the requirements of network utility providers.

Transport

Access

The applicant proposes to access the dwelling via a new vehicle crossing off Abbottswood Lane. Abbottswood Lane is a private right-of-way from Ferry Hill Drive and is currently constructed and sealed in accordance with Council standards. I am satisfied that the design and location of the proposed vehicle crossing is in accordance with Council standard.

The applicant has provided a long-section of proposed driveway that confirms this complies with the requirement for a maximum 1 (v) in 6 (h) gradient under section 14.2.4.2 iii a. of the District plan. To ensure the proposed vehicle crossing is constructed to the appropriate standard I recommend a consent condition that prior to the occupation of the dwelling the consent holder shall install a vehicle crossing and access way in accordance with Council standards.

Parking & Manoeuvring

The proposed dwelling includes a two car garage in accordance with Council's minimum standard for provision of parking within the low density residential zone.

Vehicles will either turn around within a sealed area to the south-east of the garage or will reverse onto Abbottswood Lane, I am therefore satisfied that vehicles will exit onto Council's roading network (Ferry Hill Drive) in a forward direction in accordance with section 14.2.4.1 vii c (iii) of the District Plan. No specific consent conditions are recommended in regards to parking and manoeuvring.

Earthworks

The applicant proposes to undertake a total of 830m³ of earthwork over an area of 1060m² to create a level building platform and extend the cut-off earth bund located to the west and discussed under the 'hazards' section below.

The proposed volume will consist of 330m³ of cut and 500m³ of fill. The maximum cut required is 2.2m deep and the maximum fill is 2.4m high. All cut material will be retained as fill on site and 170m³ of further fill material will be imported to site.

The applicant proposes to batter all cut and fill slopes back to existing ground level at a maximum grade of 1 (v) in 1.5 (h). I am satisfied that the proposed cut and fill batters as proposed will stand permanently unsupported and the excavations will not result instability beyond the bounds of the site.

To control temporary nuisance I recommend a consent condition that prior to the commencement of earthworks site management measures shall be installed to control dust and silt runoff.

To ensure long term stability and erosion control I recommend a consent condition that on completion of earthworks all exposed areas shall be topsoiled and grassed or otherwise vegetated.

Hazards

QLDC hazard maps identify the subject lot as being within an area susceptible to shallow debris flows. The applicant has provided a geological and hazard assessment report from Hadley Consultants Ltd *'Lot 50 DP370064 Proposed Building Platform and Bund Alteration' dated 18 October 2012* to address this hazard in relation to the proposed dwelling. The Hadley report is based on previous hazard assessments for the site undertaken by Hadley Consultants in 2010 and 2006 and Royden Thomson in October 2004. The report recommends mitigation measures in the form of a wraparound extension to the existing cut-off bund located to the south-west of the proposed building platform. The report also recommends the establishment of a water race maintenance regime registered by a consent notice on the title of the lot.

It was identified that the proposed bund extension may direct overland flows and debris towards the dwelling located on Lot 46 DP300296 (44 Ferry Hill Drive). Following site inspection I have however confirmed that flows would be directed onto Abbottswood Lane at a level slightly below that of the dwelling on Lot 46 DP300296 and the proposed works would therefore not increase risk to this dwelling.

Overall I accept the hazard assessment and recommendations of Hadley Consultants Ltd. I recommend a consent condition to ensure that prior to construction of the dwelling the recommended cut-off bund is constructed and a PS4 Producer Statement provided. Likewise I recommend a consent condition that a covenant be registered on the lot title requiring ongoing maintenance of the historic water race that bisects the upper slope of the lot above the proposed building platform.

RECOMMENDED CONDITIONS

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 any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends a minimum 6m into the site.
3. 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. 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.

To be monitored throughout earthworks

4. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads or rights-of-way 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.
5. No earthworks, temporary or permanent, are to breach the boundaries of the site.

On completion of earthworks

6. On completion of earthworks and prior to the commencement of construction of the dwelling the consent holder shall provide the Principal Engineer at Lakes Environmental Ltd a PS4 Producer Statement for the stormwater/debris cut-off bund recommended within Hadley Consultants '*Lot 50 DP370064 Proposed Building Platform and Bund Alteration*' report dated 18th October 2012. **Construction of the dwelling shall not commence until this condition has been complied with.**
7. On completion of earthworks within the building footprint and prior to the construction of the dwelling, a suitably qualified engineer experienced in soils investigations shall either:
 - a) Provide certification to the Principal Engineer at Lakes Environmental, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any); or
 - b) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site. A producer statement shall be submitted to the Principal Engineer at Lakes Environmental for the design of the dwelling foundations.
8. On completion of the earthworks, the consent holder shall top-soiled and grassed/revegetated or otherwise permanently stabilised all exposed areas.

To be completed when works finish and before occupation of dwelling

9. Prior to the occupation of the dwelling, 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 installation of a water supply connection to the dwelling in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve. The costs of the connections shall be borne by the consent holder.
- b) The consent holder shall install a fire hydrant within 135m of the main entry to the dwelling in accordance with SNZ PAS 4509:2008.
- c) The provision of a sealed vehicle crossing and access way to the dwelling off Abbottswood Lane constructed to Council's standards.
- b) Any power supply and/or telecommunications connections to the dwelling shall be underground from existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
- c) 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

- 10 On completion of the dwelling, a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register of the subject site providing for the performance of the following on-going hazard management maintenance -
 - a) The historic water race on Lot 2 DP449617 is required to be maintained as a secondary flow path for overland flows. The owner of Lot 2 shall undertake regular and on-going inspections of the water race and when necessary do all such things and take such action as is necessary to ensure that accumulated debris are removed from the race.

Advice Note

- 1. 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 this water supply is to be utilised for dust suppression during earthworks.
- 2. The water connection to this dwelling will require approval by Council under a 'Connection to Council Service Application (USC application)'.
- 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 Lakes Environmental Ltd.

Prepared by:

**Alan Hopkins
ENGINEER**

Reviewed by:

**Steve Hewland
PRINCIPAL:ENGINEERING**

SUPPLEMENTARY ENGINEERING COMMENT

From: Alan Hopkins [mailto:Alan.Hopkins@qldc.govt.nz]
Sent: 28 June 2013 3:55 p.m.
Subject: RE: RM120709 - QREL earthworks

Adonica,

The portion of these earthworks closest to the southern boundary have already been undertaken to form approximately 5m of the proposed bund. I'm unsure when or under what consent these works were undertaken but this section of bund appears well grassed and stable. Earthworks will therefore not be required on the southern boundary with the neighbouring lot and this potential effect has not been considered within my engineering assessment report.

Regards

Alan Hopkins
Engineer BE(Env)
Lakes Environmental Ltd
Private Bag 50077
QUEENSTOWN

03 450 0370 - direct dial
03 442 4778 - fax

alan.hopkins@lakesenv.co.nz
www.lakesenv.co.nz

From: Adonica Giborees
Sent: Tuesday, 25 June 2013 4:40 p.m.
To: Alan Hopkins
Subject: RM120709 - QREL earthworks

Hi Alan,

As discussed, the proposed earthworks plans for this consent includes works up to the southern site boundary (with areas of cut and fill on the boundary).

This has the potential to compromise land stability in respect of the neighbouring property to the south.

Could you please confirm that this matter has been considered in your assessment, and provide additional comment with respect to the stability of earthworks in respect of the southern boundary / neighbouring property to the south?

Kind Regards,

Adonica Giborees
Planner
Lakes Environmental Ltd
Private Bag 50077
QUEENSTOWN 9348

Appendix F – Example of Consent Notice for lots containing G Open Space Activity Area

RM110443 – Consent Notice for lots within Open Space G Activity Area

- 6 *The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of Consent Notice pursuant to s.221 of the Act.*
- a) *The historic water race on Lot 2, above Lot 1, is required to be maintained as a secondary flow path for overland flows above Lot 1. The owner of Lot 2 shall undertake regular and on-going inspections of the water race and when necessary do all such things and take such action as is necessary to ensure that accumulated debris are removed from the race.*
- b) *The area of G Open Space Activity area within Lot 1 shall be maintained in a manner which will ensure a visually cohesive open area in accordance with the Objectives and Policies of the Quail Rise Zone, specifically, the following shall apply within the G Open Space Activity Area of the lot:*
- *All trees planted or allowed to grow shall be native species.*
 - *No structures, garden furniture, garden ornaments or the like are permitted*
 - *No hard landscaping such as paving, walls or garden edging is permitted*
 - *No fencing is permitted*
 - *No vehicle access is permitted*
 - *Any curtilage areas (including individual gardens and items such as clotheslines and trampolines) shall not encroach into the G Activity Area.*
 - *Areas of open grass are to be maintained comprehensively so that arbitrary lines do not become apparent.*

Appendix G – Example of Consent Notice for lots containing G Open Space Activity Area

GENERAL CONDITIONS

1. The following conditions of the consent shall be complied with in perpetuity and shall be registered on the relevant Computer Freehold Registers by way of a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991:
 - a) The area of G Open Space Activity area within Lot 2 DP 449617 held in Computer Freehold Register 570294 shall be maintained in a manner which will ensure a visually cohesive open area in accordance with the Objectives and Policies of the Quail Rise Zone; specifically, the following shall apply within the G Open Space Activity Area of the lot:
 - All trees planted or allowed to grow shall be native species.
 - No structures, garden furniture, garden ornaments or the like are permitted.
 - No hard landscaping such as paving, walls or garden edging is permitted.
 - No fencing is permitted.
 - No vehicle access is permitted.
 - Any curtilage areas (including individual gardens and items such as clotheslines and trampolines) shall not encroach into the G Activity Area.
 - Areas of open grass are to be maintained comprehensively so that arbitrary lines do not become apparent.

Lighting

2. Prior to construction, the consent holder shall submit a lighting plan to Lakes Environmental's Principal Landscape Architect for approval. The lighting plan shall ensure that:
 - a) All fixed lighting shall be directed away from adjacent roads and properties so that light spill beyond property boundaries does not occur.
 - b) No exterior lighting shall be visible from the State Highway.
 - c) Exterior lighting attached to the dwelling shall be no higher than 1 metre above ground level.

ENGINEERING CONDITIONS

General

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

4. Prior to commencing any work on the site the consent holder shall install a construction vehicle crossing, which all construction traffic shall use to enter and exit the site. The minimum standard for this crossing shall be a minimum compacted depth of 150mm AP40 metal that extends a minimum 6m into the site.

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. 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.

To be monitored throughout earthworks

6. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads or rights-of-way 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.
7. No earthworks, temporary or permanent, are to breach the boundaries of the site.

On completion of earthworks

8. On completion of earthworks and prior to the commencement of construction of the dwelling the consent holder shall provide the Principal Engineer at Lakes Environmental Ltd a PS4 Producer Statement for the stormwater/debris cut-off bund recommended within Hadley Consultants 'Lot 50 DP370064 Proposed Building Platform and Bund Alteration' report dated 18th October 2012. **Construction of the dwelling shall not commence until this condition has been complied with.**
9. On completion of earthworks within the building footprint and prior to the construction of the dwelling, a suitably qualified engineer experienced in soils investigations shall either:
 - a) Provide certification to the Principal Engineer at Lakes Environmental, in accordance with NZS 4431:1989, for all areas of fill within the site on which buildings are to be founded (if any); or
 - b) The foundations of the dwelling shall be designed by a suitably qualified engineer taking into consideration any areas of uncertified fill on-site. A producer statement shall be submitted to the Principal Engineer at Lakes Environmental for the design of the dwelling foundations.
10. Within three months of the completion of the earthworks, the consent holder shall top-soiled and grassed/revegetated or otherwise permanently stabilised all exposed areas.

Hours of Operation – Earthworks

11. Hours of operation for earthworks, shall be Monday to Saturday (inclusive): 8.00am to 6.00pm.
Sundays and Public Holidays: No Activity

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

To be completed when works finish and before occupation of dwelling

12. Prior to the occupation of the dwelling, 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 installation of a water supply connection to the dwelling in terms of Council's standards and connection policy. This shall include an Acuflo CM2000 as the toby valve. The costs of the connections shall be borne by the consent holder.
- c) The consent holder shall install a fire hydrant within 135m of the main entry to the dwelling in accordance with SNZ PAS 4509:2008.
- d) The provision of a sealed vehicle crossing and access way to the dwelling off Abbottswood Lane constructed to Council's standards.
- e) Any power supply and/or telecommunications connections to the dwelling shall be underground from existing reticulation and in accordance with any requirements/standards of Aurora Energy/Delta and Telecom.
- f) 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

- 10 On completion of the dwelling, a covenant pursuant to Section 108(2)(d) of the Resource Management Act 1991 shall be registered on the Computer Freehold Register of the subject site providing for the performance of the following on-going hazard management maintenance:
 - a) The historic water race on Lot 2 DP 449617 is required to be maintained as a secondary flow path for overland flows. The owner of Lot 2 shall undertake regular and on-going inspections of the water race and when necessary do all such things and take such action as is necessary to ensure that accumulated debris are removed from the race.

Advice Note

- 1. 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 this water supply is to be utilised for dust suppression during earthworks.
- 2. The water connection to this dwelling will require approval by Council under a 'Connection to Council Service Application (USC application)'.
- 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 Lakes Environmental Ltd.

LANDSCAPE CONDITIONS

- 1. The approved landscape plan shall be implemented within the first planting season from completion of construction, and thereafter be maintained and irrigated in accordance with the plan. If any tree or plant shall die or become diseased it shall be replaced in the next available planting season.



**QUEENSTOWN LAKES
DISTRICT COUNCIL**

**APPROVED PLAN:
RMI20709**

Tuesday, 30 July 2013

Lot 2

Lot 1

LOT 1 EXCLUDED FROM APPLICATION

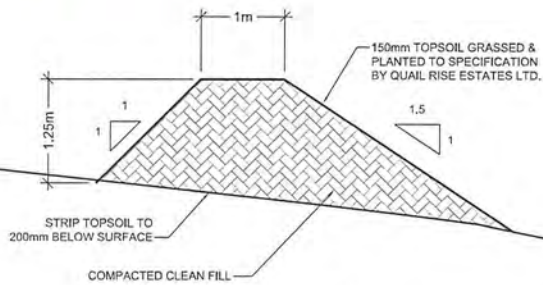
EXISTING BUND

PROPOSED BUND
MIN CREST HEIGHT 1.25 m
ABOVE UPSLOPE GROUND
SURFACE FINAL SHAPE
TO BE APPROVED ON SITE
BY ENGINEER PRIOR TO
TOPSOIL PLACEMENT

ORIGINAL
HOUSE
LOCATION

REPOSITIONED HOUSE
LOCATION

7.8m



TYPICAL BUND SECTION
SCALE 1:200

Abbottswood Lane

ORIGINAL SIZE A3 DO NOT SCALE, REFER ALL DISCREPANCIES TO THE ENGINEER

| Issue | Description | By | Date |
|-------|-------------------|----|----------|
| A | Preliminary Issue | JH | 18.10.12 |

Project: **PROPOSED DWELLING ON LOT 2 DP 449617**

Title: **GENERAL ARRANGEMENT OF BUNDS, R.O.W & BUILDING PLATFORMS**

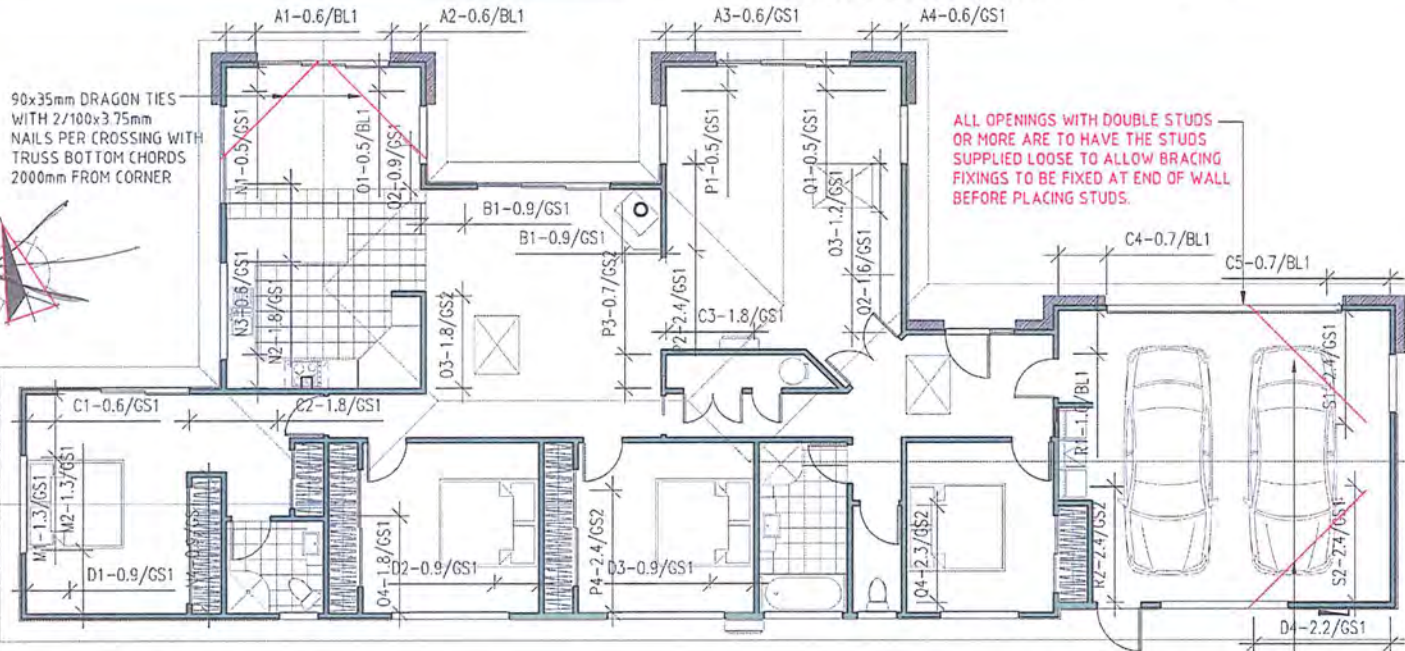
Client: **QUAIL RISE ESTATES LTD**

hadley consultants LTD
CONSULTING CIVIL & STRUCTURAL ENGINEERS

44 Robina Road, PO Box 1306, Queenstown, New Zealand, P. +64 3 450 2140, F. +64 3 441 3513, W. www.hadleys.co.nz

Drawn: MN Checked: JH Scale: 1:300 Plot: A3 Drawing Number: Project: 061243 Sheet: S01 Issue: A

This drawing is supplied on the understanding that the information contained herein will not be passed to any other party without written permission first being obtained from Hadley Consultants Ltd.



ALL OPENINGS WITH DOUBLE STUDS OR MORE ARE TO HAVE THE STUDS SUPPLIED LOOSE TO ALLOW BRACING FIXINGS TO BE FIXED AT END OF WALL BEFORE PLACING STUDS.

BRACING PLAN
SCALE 1:100

90x35mm DRAGON TIES WITH 2/100x3.75mm NAILS PER CROSSING WITH TRUSS BOTTOM CHORDS, 2500mm FROM CORNER

| G10 [®] Wall Bracing Calculation Sheet B - Single or Upper Wall Areas | | | | | | | | | | | |
|--|-----|---------------------------|-----|------|------|------|------|------|------|------|-------|
| Address | | Bracing Elements provided | | | | | | | | | |
| Bracing Line | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | Wind | Earth |
| W/L | H/L | W/L | H/L | W/L | H/L | W/L | H/L | W/L | H/L | W/L | H/L |
| A | 1 | 0.5 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| B | 1 | 0.9 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| C | 1 | 1.8 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| D | 1 | 0.9 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| E | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| F | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| G | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| H | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| I | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| J | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| K | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| L | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| M | 1 | 1.3 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| N | 1 | 0.5 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| O | 1 | 0.5 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| P | 1 | 0.5 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| Q | 1 | 0.5 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| R | 1 | 1.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| S | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| T | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| U | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| V | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| W | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| X | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| Y | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |
| Z | 1 | 2.4 | 2.4 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 0.15 | 120 | 120 |

DO NOT SCALE - IF IN DOUBT ASK

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QUEENSTOWN LAKES DISTRICT COUNCIL

APPROVED PLAN: RM120709

Tuesday, 30 July 2013

Building Specification

Number of storeys: 1
Floor Loading: 200
Foundation Type: Raft

Cladding Weight: Heavy
Roof Weight: Light
Roam in Roof Space: No
Roof Pitch (degrees): 20
Roof height above eaves (m): 2.0
Building height to eaves (m): 5.1
Ground to lower floor level (m): 0.2

Wind Hinge (m): 2.4
Building Length (m): 27.5
Building Width (m): 11.5
Building Plan Area (sqm): 292

Building Location

Wind Zone: High
Earthquake Zone: B

Region: Performance selected
Terrain: Performance selected
Exposure: Performance selected
Occupancy: Performance selected

Consult G10[®] EzyBrace™ Systems 2009 for Wind Zone definitions

Bracing Units required for Wind

| Demand W (kN) | Walls |
|---------------|-------|
| along | 205 |
| across | 205 |

Bracing Units required for Earthquake

| Demand along r across E (kN) | Walls |
|------------------------------|-------|
| along | 205 |
| across | 205 |

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FLOOR PLAN

PlaceMakers

E P A T H I P P O D E S I G N
W W W . P A T H I P P O . O R G
P 05 214 1158
M 027 215 1158

FAT HIPPO DESIGN GROUP LTD

| | | | |
|--|---|--|---|
| <p>CLIENT: PLACEMAKERS QUEENSTOWN 1 GLENDA DRIVE FRANKTOWN</p> | <p>DRAWING TITLE: PMQ-001 WOODLOT LOT 2 QUAIL RISE, QUEENSTOWN BRACING PLAN</p> | <p>REV. DATE. DESCRIPTION</p> <p>0 30.03.11 ISSUED FOR CONSENT</p> | <p>CLIENT APPROVAL: [Signature]</p> <p>DRAWN: MARTIN STATE: STATED</p> <p>REVISION: 0</p> <p>DRAWING NUMBER: A-05</p> |
|--|---|--|---|

ELEVATIONS

DRAWING PROTECTED BY COPYRIGHT

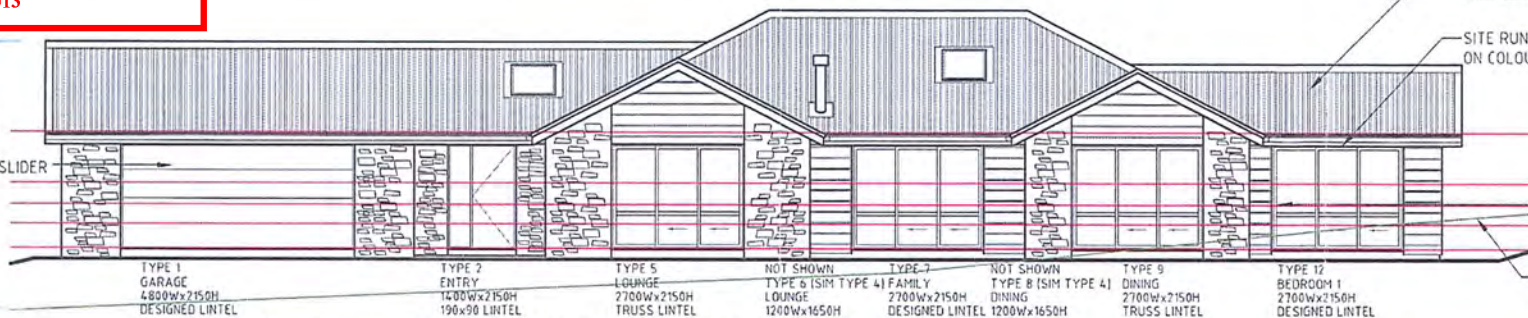
1.7m = 5ft 5in
1m = 10ft 4in

ASHTON SECTIONAL SLIDER OR EQUIVALENT

PROFILED COLOURSTEEL ROOFING
SITE RUN COLOURSTEEL SPOUTING ON COLOURSTEEL FASCIA

LINE A WEATHERBOARD

ORIGINAL GROUND CONTOUR



EAST ELEVATION

SCALE 1:100

SOFTEDGE RIDGE/HIP FLASHING IN ACCORDANCE WITH E2/AS1

NOTES:

- ⊙ DENOTES SAFETY GLAZING
- ALL WINDOWS TO BE DOUBLE GLAZED, R VALUE TO BE 0.26 UNLESS WHERE OTHERWISE NOTED
- ALL WINDOW DIMENSIONS ARE OUTSIDE REVEL WITH BUILDER TO ALLOW FITTING TOLERANCE
- ALL LINTELS ARE TO BE VSG8/MSG8 GRADE AND ARE DETERMINED BY THE ALLOWANCES OF NZS3604:1999 AS ALLOWED BUT WHERE IMPOSED TRUSS LOADING OR SPAN EXCEEDS THIS, THE LINTELS OF TRUSS MANUFACTURER SUPERCEDE THE INFORMATION GIVEN

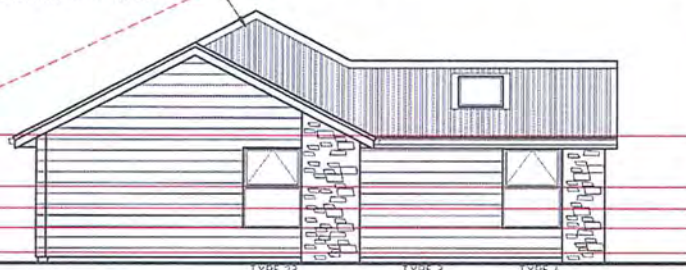


NORTH ELEVATION

SCALE 1:100

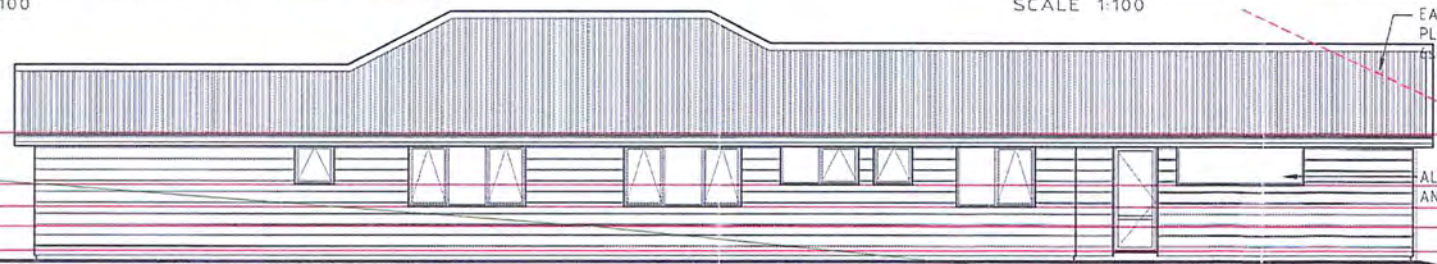
DO NOT SCALE - IF IN DOUBT ASK

DO NOT SCALE - IF IN DOUBT ASK



SOUTH ELEVATION

SCALE 1:100



TYPE 14 DELETED
TYPE 15 EN SUITE 800Wx800H 90x90 LINTEL
TYPE 16 BEDROOM 2 2400Wx1250H DESIGNED LINTEL
TYPE 17 BEDROOM 3 2400Wx1250H DESIGNED LINTEL
TYPE 18 BATHROOM 1600Wx800H 800Wx800H 240x90 LINTEL
TYPE 19 WC 800Wx800H 90x90 LINTEL
TYPE 20 BEDROOM 4 1600Wx1250H 190x90 LINTEL
TYPE 21 GARAGE 860Wx2150H 90x90 LINTEL
TYPE 22 GARAGE 2600Wx800H DESIGNED LINTEL

WEST ELEV.

SCALE 1:100

WALL OPENING CALCULATIONS:

| | WALLS sq/m | WINDOWS sq/m | % |
|-------|------------|--------------|--------|
| NORTH | 70.40 | 27.09 | 38.48% |
| SOUTH | 70.40 | 13.69 | 19.45% |
| WEST | 53.76 | 8.60 | 16.00% |
| EAST | 53.76 | 4.60 | 8.56% |
| S+E+W | 177.92 | 26.89 | 15.11% |
| TOTAL | 248.32 | 53.98 | 21.74% |

ACHIEVED R VALUES FOR CLIMATE ZONE 3

| | R VALUE |
|--------------------------------|---------|
| FLOOR | 1.30 |
| WALLS | 2.00 |
| WINDOWS UNDER 30% OF WALL AREA | 0.26 |
| WINDOWS ABOVE 30% OF WALL AREA | 0.34 |
| SKYLIGHTS | 0.31 |
| ROOF | 3.30 |

CLIENT
PLACEMAKERS QUEENSTOWN
1 GLENDA DRIVE
FRANKTON

DRAWING TITLE
PMQ-001 WOODLOT LOT 2
QUAIL RISE, QUEENSTOWN
ELEVATIONS

PlaceMakers
E PATHIFFPOXTRA CO NZ
WWW.PATHIFFPO.ORG
P 03 213 1155
M 027 213 1155
FAT HIPPO
DESIGN GROUP LTD

| REV | DATE | DESCRIPTION |
|-----|----------|---------------------|
| 2 | 17.05.11 | REVISED FOR COMMENT |
| 1 | 05.05.11 | REVISED FOR COMMENT |
| 0 | 30.03.11 | ISSUED FOR CONSENT |
| A | 25.03.11 | ISSUED FOR COMMENT |

| CLIENT APPROVAL | DESIGN | REVISION | DRAWING NUMBER |
|-----------------|--------------|----------|----------------|
| [Signature] | HARTIN | 2 | A-02 |
| | SCALE STATED | | |

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Friday, 21 December 2012
Lakes Environmental



QUEENSTOWN LAKES DISTRICT COUNCIL

**APPROVED PLAN:
RM120709**

Tuesday, 30 July 2013

Key:-

| | |
|------------------------------|----------------|
| Height above original ground | 2.0m to 2.5m |
| | 1.5m to 2.0m |
| | 1.0m to 1.5m |
| | 0.5m to 1.0m |
| | 0.0m to 0.5m |
| Height below original ground | 0.0m to -0.5m |
| | -0.5m to -1.0m |
| | -1.0m to -1.5m |
| | -1.5m to -2.0m |
| | -2.0m to -2.5m |
| | -2.5m to -3.0m |

Cut volume = 320m³
Fill volume = 540m³
Earthworks area = 1075m²

CLIENT REVIEW 19.11.12

Clark Fortune McDonald & Associates
Limited (Incorporated in New Zealand)
369 Lower Shotover Road, P.O. Box 553, Queenstown
Tel: (03) 441 6944, Fax: (03) 442 1066, Email: admin@cfma.co.nz
21 Beere Crescent, P.O. Box 558, Wanaka
Tel: (03) 443 4448, Fax: (03) 443 4445, Email: admin@cfma.co.nz
Shop 2, Otago House, 475 Moray Place, P.O. Box 5960
Tel: (03) 478 1582, Fax: (03) 478 1581, Email: admin@cfma.co.nz

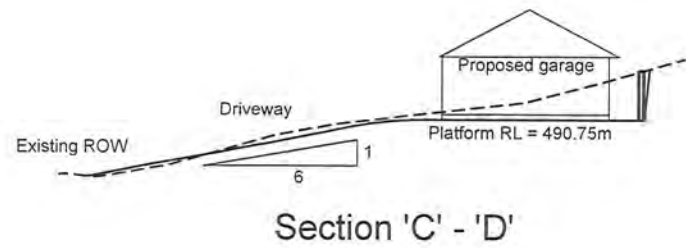
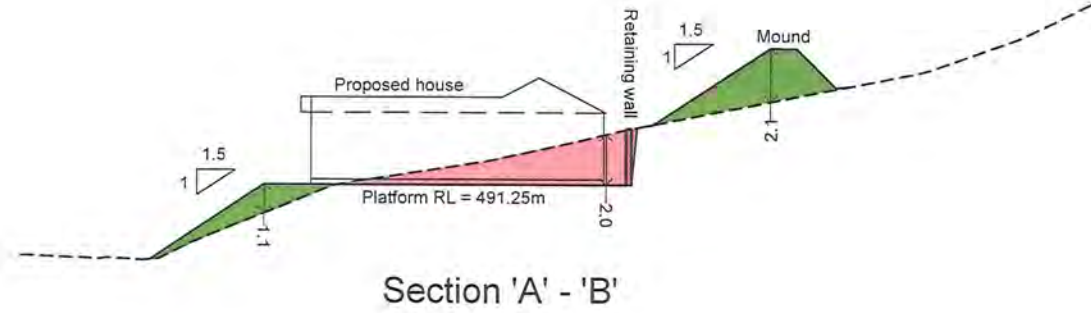
| Rev. | Date | Revision Details | By |
|------|----------|---|----|
| A | 10.11.12 | House levels amended | HK |
| B | 19.11.12 | Section sheet added | HK |
| C | 30.11.12 | Retaining wall and driveway details added | HK |

PROPOSED EARTHWORKS ON LOT 2 DP 449617

| Client | | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------|--------|----------|---------------|------------|---------|-------------------|
| QUAIL RISE ESTATES LTD | | | | | 9091 | 88_01 |
| Drawn | Signed | Date | | | | |
| HK | | 14.11.12 | Scale | 1:300 @ A1 | | |
| Designed | Signed | Date | Datum & Level | | | |
| | | | Rev. | | | |
| | | | | | | Mt Nic 2000 & MSL |

Notes:
All dimensions shown are in meters unless otherwise stated.
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Accuracy against the original hard-copy version.
Ensuring the information is the most recent issue.
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| | |
|--|-----------------|
| | Original Ground |
| | Proposed Ground |
| | Cut Area |
| | Fill Area |

**QUEENSTOWN LAKES DISTRICT
 COUNCIL**

**APPROVED PLAN:
 RM120709**

Tuesday, 30 July 2013

CLIENT REVIEW 19.11.12

Clark Fortune McDonald & Associates
 Licensed Customised Services - Land Development - Planning - Civil Works

309 Livers Shotover Road, P.O. Box 553 Queenstown
 Tel: (03)441-6044, Fax: (03)442-1866, Email: admin@cfma.co.nz
 21 Recce Crescent, P.O. Box 556, Wanaka
 Tel: (03)443-4448, Fax: (03)443-4445, Email: admin@cfma.co.nz
 Shop 2, Otapo House, 475 Moray Place, P.O. Box 1960
 Tel: (03)270-1592, Fax: (03)270-1583, Email: admin@cfma.co.nz

PROPOSED EARTHWORKS ON LOT 2 DP 449617

| Client | Surveyed | Signed | Date | Job No. | Drawing No. |
|------------------------|----------|--------|----------|-------------------|-------------|
| QUAIL RISE ESTATES LTD | | | | 9091 | 88_02 |
| | Drawn | Signed | Date | Scale | 1:100 @ A1 |
| | HK | | 16.11.12 | | 1:200 @ A3 |
| | Designed | Signed | Date | Datum & Level | Rev. |
| | | | | Mt Nic 2000 & MSL | C |



LANDSCAPE PLAN

QUEENSTOWN LAKES DISTRICT COUNCIL
APPROVED PLAN:
RM120709
Tuesday, 30 July 2013

Existing Row of Poplar Trees.

Existing Lot 1 (DP449617). At the time of this plan being produced the construction of this dwelling has not yet started.

Ferry Hill Drive.

Existing Row of Poplar Trees.

Existing Lot Boundary.

This orange line represents the edge of the ONF as identified by Helen Mellsop's RM090658 report. It corresponds with the curtilage area boundary as per RM110443 approved landscape plan.

This yellow line represents boundary between the Quail Rise "G Activity Area" to the west and the "R2 Activity Area" to the east.

Proposed tree planting within Lot 2. Mixed rural evergreen and deciduous trees at 3-4 m centres. 20 Conifers (*Cryptomeria japonica* "Cambridge") or similar and 20 Lombardy Poplars to generally be planted immediately to the west of the earth bund.

Conifer tree to be removed.

Proposed bund with a minimum crest height of 1.25m above the upslope ground surface.

Proposed driveway to be less than 6m wide.

Proposed Dwelling on Lot 2.

Proposed shrub planting within Lot 2. Mixed native shrubs and grasses to have a minimum height of 1m.

A Columnar Oak (*Quercus robur* 'Fastigiata') to be planted adjacent to Abbotswood Lane which is inline with the most northern edge of the proposed dwelling.

The area east of the black dotted line is the defined curtilage space as outlined on RM110443.

Abbotswood Ln

APPENDIX 1: SITE CONTEXT MAP

This map represents the location of Lot 2's proposed dwelling in relation to its boundary line, the neighbouring properties, the ONF boundary and the "G Activity Area" boundary. It also locates the dwelling that is to be erected on Lot 1, both Lots 1 and 2's driveways, the proposed bund and the proposed structural landscape planting for Lot 2.